# THE NAGA NATION AND ITS STRUGGLE AGAINST GENOCIDE

A report compiled by IWGIA



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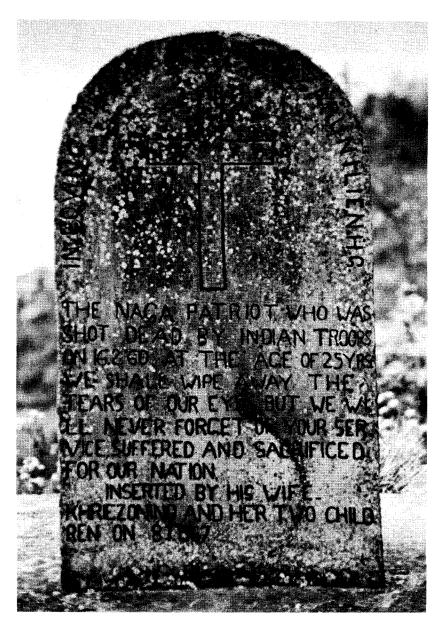
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Cover photo: Angami Naga in traditional dress

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Copenhagen, July, 1986



Estimates of the Nagas killed in fighting with India run as high as 100,000 people.

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The identities of those Nagas from within and outside Nagaland who have provided information and photographs for this document have been withheld at their request.

#### INTRODUCTION

This document is a general survey of the history and present conditions of the Naga peoples who live in Nagaland on the borders of India and Burma. It is a collection of material from a variety of sources which an IWGIA editorial board has put together under guidance from several Nagas. Although the book reflects no particular position within the Naga struggle, it draws different types of documentation into a broad-spectrum account of what has been happening in Nagaland.

Nagaland may not reach the headlines frequently, but it nevertheless constitutes an important part of Asia where oppression is still in evidence after forty years of Indian rule and where resistance to Indian domination is strong. India appears to be very sensitive about the Naga issue. The "State of Nagaland" is practically sealed off, for most purposes, to the outside world, and it is difficult to get any open information as to what has been taking place there over the last ten years.

IWGIA has received the information in this document from a range of sources, and it has been structured to reflect these differences. Part I provides a background to the history and ethnography of the region. Colin Johnson's task of writing Naga history is particularly difficult considering how much previous historical writings are biassed against Naga nationalism. Andrew Gray's article uses similar biasses in the ethnographic writings on the Nagas as a basis to look at the ideas behind colonial oppression and repression.

Part II of the book comes from a series of tapes which has been transcribed into one personal account of life in Nagaland today. Although the sources are many and confidential, they have been formed into a continuous statement. When the tapes were obtained, there was absolutely no indication of the identities of the speakers. However, IWGIA has been able to confirm unequivocally that they are genuine and verify the information to a high degree.

Part III of the book presents a wide variety of documentation on specific issues which have arisen in Nagaland over the last forty years. The first section on human rights traces the record of violations from the 1950s to the present day by a series of reports and contemporary documentation. The second and third sections are mainly reference documents on agreements and special laws which are referred to in other parts of the book. Part III is mainly drawn from published sources in a book called the Nagaland File. It was published in India nearly two years ago but has not reached a non-Indian audience yet. For this reason IWGIA has reproduced several of the most important chapters. Luithui & Haksar, eds. 1984, Nagaland File, Lancer Int.

This book does not reflect the offical position of the Naga National Council, which has been the major voice of Naga resistance over the last forty years, nor does it speak for the Naga Students Federation, which represents students from Nagaland. Nevertheless, IWGIA has been in contact with members of the NNC who consider that this raising of the Naga issue is timely.

Throughout this document it is possible to see that the genocidal and ethnocidal destruction of the Nagas is not just a matter of history but is going on at the present time. The burnings of villages have been replaced by permanent army occupation by Indian troops. The charting of Indian occupation of Nagaland inevitably brings to the fore the Naga right to self-determination and their frequent statements that this means recognition of their independence.

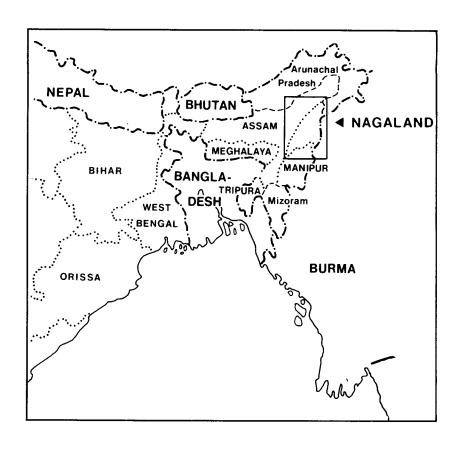
Far from being an extreme or exaggerated claim, Naga independence was being discussed in 1929 and was supported by no less than Mahatma Gandhi. It is perhaps worth ending this brief introduction to the document by quoting in full what Gandhi said to a Naga delegation on 19th July, 1947 with a commentary which a delegation of Nagas made to the President of India, ten years later in November, 1957.

"Nagas have every right to be independent. We did not want to live under the domination of the British and they are now leaving us. I want you to feel that India is yours. I feel that the Naga Hills are mine, the matter must stop there. I believe in the brotherhood of man, but I do not believe in force or forced union. If you do not wish to join the Union of India, nobody will force you to do that."

A memorandum of the Nagas to the President of India on 1st November 1957 says of that meeting:

"On that historic day, the Naga delegation discussed the affairs of the Nagas fully with the father of the Indian nation, and they made the Naga position clear to him without ambiguity...What he said was not a sudden impulse of the willingness of the Father of a great nation trying to be obliging. He was sincere. He saw the inalienable right of the Nagas which should not be violated. We took his word as final as far as Nagaland and India were concerned. Gandhiji interpreted not only his own good nature, but it was in full confirmation of the politically and publicly avowed policy of the great Indian National Congress not to be a party to coercion. And in this he was undoubtedly upholding the attributed national tradition of India as a country which claims to love not peace alone but "she had never waged war against any nation". The glory and the pride of India was more important to Gandhiji, and thus he laid the corner-stone to build up a greater heritage for future India."

> IWGIA, Copenhagen, July, 1986



Map of Nagaland showing position relative to India and Burma (Jørgen Ulrich)

PART I

THE BACKGROUND

## CHAPTER 1 A CAPTURED NATION: THE NAGA DILEMMA

By Colin Johnson

If we look at a map of India, particularly the region around its north-eastern border, we find a number of spread-out states and union territories: Assam, Maghalaya, Nagaland, Manipur, Pripura, Mizoram and Arunchal Pradesh which are only linked to the main body of India by a narrow corridor through Bengal (1). The people called "Nagas" live in the present state of Nagaland, in the Naga Hills of Manipur, in North Cachar and Mikir Hills, Lakhimpur, Sibsagar and Nowgong in Assam, in the north-east of Arunchal Pradesh, in the Somrat tract and across the border into Burma. The total area is about 32,180 sq. kms. and the population is over a million (2).

The Nagas who live in "Burma" occupy an area from the Patkai range in the north to the Thaunghut state in the south, and from the Assam border in the west to the Chindwin river in the east. Thus an international frontier arbitrarily divides the Nagas even though the nationalist Nagas recognise neither India nor Burma's sovereignty over their land. The effect of this ignoring the divide is that "Burmese territory" provides a base for Naga nationalist fighters from over the border. The Nagas in Burma, as other indigenous groups there, are also engaged in armed insurrection against the government at Rangoon and that government has not had much success in controling them.

The main concentration of population is in the constituted state of Nagaland, though the borders of the state are bones of contention and even the Nagas loyal to the Government of India do not accept them. It must be understood that the nationalist Nagas are fighting for the independence of all areas inhabited by Nagas, that is between the Chindwin and Brahmaputra rivers.

<sup>(1)</sup> See map of the Hill regions.

<sup>(2)</sup> Yonuo, A., The Rising Nagas, 1974, pp.1-2.

The present state of Nagaland covers an area of approx. 10,243 square kilometres and has a population of roughly over half a million (516,449 according to 1971 figures). The state is bounded on the north-west by Assam, on the south by Manipur, on the east and north-east by Burma and Arunachal Pradesh. It is a wild beautiful country with high mountains and deep valleys. The capital is Kohima. Little is known about the potential mineral wealth of the country, although traces of coal, oil, gold, silver, copper, iron and semi-precious stones have been noted. This possible mineral wealth must be taken into account when the economic viability of an independent Nagaland is considered.

The Nagas are one of the Mongolian racial groups making up the population tapestry of southeast Asian hill peoples. This is important in that racial affinity has been raised recently as a basis for a unified movement of all the peoples under the banner of Pan-Mongolism. A unified independence movement in the border regions is not an impossibility when we remember how far Naga nationalism has come in the 20th century in comparison with the 19th century when the Naga people relied more on community solidarity rather than national unity. In fact when we consider the number of so-called tribes or rather nations (3), we get numbers from 12 to 50, possibly depending on the boundaries drawn around each nation. This needs to be explored further as it shall show the complexity of the Naga peoples. When we add to this the variety of languages spoken, we can only but admire the extent of unity they have achieved.

Elwin writes that the Nagas consist of 14 pure
"tribes" plus mixed "tribes". He says that the largest com munities are the Konyaks, the Aos, the Semas, the Angamis

(3) The Term 'tribe' has little meaning for many Nagas who
prefer the term 'nation' for each group. The Nation of Nagaland would thus consist of a federation of nations (ed).

and the associated group called Chakesangs made up of Lhotas, Southern Angamis, Sangtams and Rengmas. Other tribes are the Yimchungas, Changs, Khien-Mungans, Phoms and Zeliangs (4). Educated Nagas give many more groups, and perhaps the discrepancy may be reconciled if we accept the fact that Elwin confined himself to lesser Nagaland and excluded other areas and Burma.

Asoso Yonuo (a Naga) gives Angami (Tengima), Chakhesang (Chakroma- combined Chakru, Khezha and Sangtam sub-groups), Ao, Sema, Rengma, Lotha, Kuki, Chang, Konyak, Kheinmungam, Sangtam, Yimchunger, Phom, Damsa, Zemai, Liangmai, Rongmai (3 combined Zeliangrong, sometimes called Kabui or Kachaiforest), Mao (Shipoumai), Thangal, Tangkhul, Maring, Kom, Chiru, Anal, Moyong, Mongsang, Lamgang (pakan), Nocte, Tangsa, Wancho, Singpho, Khampti, Haimi, Htangram, Rangpan, Para, Kalyo, Kengyu.

He gives a breakdown of the Naga population without giving a date. I give these figures, though his list needs some further research as he includes the Kuki who appear to be a different group and not Naga (5). He states that the entire Naga population is over one million: 515,561 in Nagaland (lesser), 250,000 in Manipur, 70,000 in Tirap district of Arunachal Pradesh, and some lakhs (100,000's) in the north Chachar-Mikir hills and other contiguous areas of Assam and Burma. (6)

<sup>(4)</sup> Elwin, V., Nagaland, Shillong, 1961, p.405.

<sup>(5)</sup> Fuchs, C., in The Aboriginal Tribes of India, London, Macmillan, 1973, p.204, writes: 'But it is well evidenced that they (Nagas) entered Assam from the south and migrated northward, followed and pushed on by the Kuki-Lushai-Chin tribes.' But Yonuo, (op.cit.pp.52/3), discusses the Kukis and I am at a loss as to why he includes them in his list.

<sup>(6)</sup> Yonuo, op.cit.p.7.

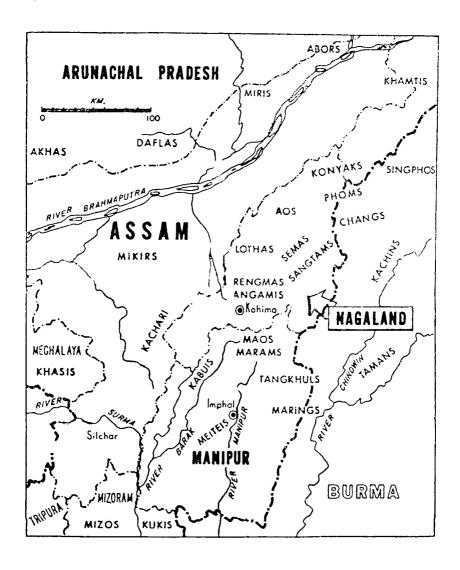
M. Horam, another Naga, examines the number of groups and states that there are as many as 32 known Naga "tribes". Many of these agree with those given in Yonuo's list and makes us question further the validity of Elwin's list. Horam's list is: Angami, Ao, Rengma, Konyak, Sangtam, Chakesang, Chang, Tanggkhul, Kabui, Maram, Maring, Zaliang, Lotha, Mao, Anal, Mayao-Monsang, Phom, Uchonphok, Makaoro, Kolyo-Kenyu, Kharam, Nockte, Jeru, Jothe, Lamkang and Namshik.In Burma he gives: Haimi, Htangan, Rangpan, Somra and Tsaplaw (7).

He divides the Naga tribal nations into four broad divisions.

- (1) The Southern Naga: Kachas, Zemis, Lyengmis, Marong-Mais, Kabuis and others in Manipur.
- (2) The Western Nagas: Angami, the Memi and Maram tribes in Manipur, Sema, Rengma and Lotha.
- (3) The Central Nagas: Ao, Tangkhul, Sangtam, Yachumi and perhaps Chang and Phom.
- (4) The Eastern Nagas: Konyak of Tamlu and the area northeast of the river Dikhu extending along the borders of Sibsagar and Lakhimpur districts to the Patkoi range, etc. (8).

<sup>(7)</sup> Horam, M., Naga Polity, Delhi, B.R. publ. corp., p. 27.

<sup>(8)</sup> Horam, M. op.cit. p.36.



## NAGA NATIONS.

ELWIN	YONUO	HORAM
Angami	Angami(Tengima)	Angami (Tenjimia)
Chakesang (S.Angami Sang- tam Rengma)	Chakhesand(Charo- ma)(Chakru, Khezha and Sangtam sub- tribes).	Chakesang
<b>A</b> o	Ao	Ao (Cholimi or Aorr)
Sema	Sema	Sema (Semi)
Rengma	Rengma	Rengma (Mezama)
otha	Lotha	Lotha (Chizima)
	Kuki	
Chang	Chang	Chang (Mochumi)
Konyak	Konyak	Konyak (Taprongumi)
(hien-mungan	Khienmungam	
Sangtam	Sangtam	Sangtam(Lohphomi)
/imchunga	Yimchunger	
hom	Phom	Phom
	Damsa	
	Zemai	
	Liangmai	
Zeliang	Rongmai( 3 Zeli- angrong)?	Zaliang
	Mao (Shipoumai)	Mao (Sopomi)
	Maram(Maharamai)	Maram
	Thangal	
	Thangkhul	Thangkhul
	Maring	Maring
	Kom	
	Chiru	
	Anal	Anal
	Moyong	
	Mongsang	Mayao-Monsang
	Lamgang(Pakan)	Lamkang
	Nocte	Nockte
	Tangsa	
	Wancho	
	Singpho	
	Khampti	
	Haimi	Haimi
	Htangram	Htangan?
	Rangpan	Rangpan
	Para	
	Kalyo-Kengyu	Kolyo-Kenyu
		Kacha (Mechemu)
		Yachimi(Yamsongar)
		Kabui
		Uchonpok
		Makaoro
		Jeru/Jothe/Namshik/
		Somra/Tsapla

Before the advent of the British, the Nagas lived in permanently established village-states, much like the Greek City states, perched high above the valleys. Separated from each other by the rough terrain and adding to this separation by internecine warfare and feuding, they did not develop a conscious nationalism until much later.

The colonial rule of the British kept the Nagas isolated and underdeveloped. They were apart from the political movements taking place in British India through a set of regulations which were meant to 'protect' them. The colonial policy of the British may be divided into three periods: (a) control by means of punitive expeditions, that is pacification through force rather than direct control; (b) a short period of non-interference and, (c) direct administrative control.

The British push into Naga territory began to prevent the Nagas from raiding into Manipur, Assam and Cachar. During the rule of the East India Company the fighting prowess of the Nagas, poor knowledge of the terrain and the expense of operations kept the British out. But in 1824-6 Burma invaded Assam and the first Anglo-Burmese war began. In June 1825 Captain Neufville conducted a victorious campaign against the Singpo and Khamti across the Patkai. He released 6000 slaves from the Singpo, many of whom were north-eastern Nagas (9).

In May 1824 the British had captured Rangoon and it was only a matter of time before Burma came under their control and their two spheres of interest became joined on Naga territory. The Nagas would be caught between two British territories and, disunited, their village-states would fall one by one as prey to the colonists.

<sup>(9)</sup> Yonuo, op.cit. Chapter III, pp.63-106.

The drive of the British into the border regions between Burma and India encountered fierce resistance. The British reacted just as fiercely and met resistance by burning down villages, confiscating cultivated lands and dispersing whole populations. The British push into greater Nagaland is a fascinating part of Naga history and has been told in the diaries and reports of British officers (10).

Lord Dalhousie became Governor General of India in 1848 and initiated a policy of non-interference in Naga affairs. British forces were withdrawn from Naga territory in 1851. The reasons were: the difficulty of the terrain, the continuing hostility of the people and the seeming lack of profit in continuing to hold the area. With the withdrawal of the British forces, the Nagas began conducting raids into their territory. The British, occupied elsewhere, did not retaliate. In 1852 the Second Anglo-Burmese war began. The Burmese were defeated, lower Burma annexed, but upper Burma remained as independent small kingdoms. Finally in 1866 Britain turned its attention to the Nagas. A Naga Hill's District was formed with its headquarters at Samaqudting and administrative jurisdiction covered the Angami village-states and the watershed of the Doyang river. This new district included some forested areas of the Nagas which were joined with Sibsagar and Nowgong, the Naga hills of Manipur, North Cachar and Mikir, but the north-eastern frontier, then unexplored, remained outside the district.

<sup>(10) &</sup>quot;We had attacked by night, but had driven off our assailants, and burnt their village which was hard by our camp." So writes Lt.Col. R.G.Woodthorpe in his "Notes on some wild tribes inhabiting the so-called Naga-hills, on our North-East Frontier of India, Journal of the Royal Anthropological Institute, Vol. XI,1881:198. He never admits that the Naga people were defending their territory and homes against invaders. His attitude has been carried over into modern India: "What is there to settle? If you persist on independence I will have nothing to talk. I will certainly exterminate all Naga rebels, and I will have no compunction in that." Prime Minister Morarji Desai to A.Z.Phizo in London, Indian Express, June 26th, 1977.

Economic considerations became important with the introduction of tea plantations. British subjects began expanding their plantations towards the Naga hills and into Naga territory. The people began to retaliate against the seizure of their land until at last the government acted with the Inner Line Regulation of 1873. This was later revised in 1884, 1928, 1929,1934 and lastly under the Indian Government in 1959.

At first the Inner Line Regulation was laid down along the borders of the Brahmaputra valley and included the Lushai swamps, but tea planters were allowed to acquire land beyond the line either from the Assam government or local chiefs. The British continued exploring an surveying the North-Eastern Frontier region. Their incursions sparked off the War of Naga Independence in 1879-80. For the first time several villages united against the commom enemy. Thirteen Angami villages joined Kohima in the uprising. In retaliation the British occupied Kohima and reasserted their authority. The Naga territories were then redivided. Parts went to Assam and Manipur and the Naga Hills, only a segment of the territory inhabited by the Nagas, was formed in 1881. Under the Scheduled District Act of 1874 it was declared a 'scheduled district'. This did not mean that its borders were inviolable. Between 1831 and 1924 eleven reserved forests were constituted and carved out of the foothills bordering Assam. These were placed under the control of a Divisional Forest Officer and the Nagas had no say in their management, though access to them was granted to some Nagas. Then in 1925 the entire region of the foothills bordering Assam was lopped off. This region is still a matter of dispute between Nagaland and Assam to this day.

The flag of the colonist is either preceded or followed by the religion of the colonist. Thus British penetration of Nagaland was followed by missionary activity. Today though most Nagas have long been Christian, many are still ambiguous about the missionary activity and the benefits and harm it has done.

For example A. Yonuo quotes Verrier Elwin: "The activities of the Baptist mission among the Nagas have demoralised the people, destroyed tribal solidarity and forbidden the joys and feastings, the decorations and romance of communal life". But Yonuo continues: "Thus, in short, Christianity imprinted the civilisation with a considerable degree of resonance not only to the Naga life but also a far-reaching moral crusade to change the Naga personality in the direction of self-sacrifice and service for humanity."

M. Horam is even more critical of the missionaries and their influence: "The Naga religion abounds in taboos and Christianity also laid down strict rules as to what was to be done and what was to be left undone. To many casual converts change of faith meant nothing more than the exchange of one set of taboos for another. For example compulsory rest days were always observed by the Nagas. Working on these days would mean offending various gods and spirits. Now that they had become Christians they observed the sabbath the breaking of which would offend the new god. The missionaries have been the offenders in suppressing Naga culture as it finds expression in their haunting songs and their energetic and colourful dances...Forbidding dancing and drinking of even the mildest rice beer led to many villages splitting up into two; one part belonging to the non-Christians and the other to the Christians (12)

<sup>(12)</sup> Horam, M. 'Social Change in Nagaland', Man in India, vol. 55, 2, pp. 10-11.



Naga men in traditional dress.

Benefits came from the missionaries in the shape of education, schools and hospitals, but the education was meant to facilitate the reading of the bible, rather than in turning out doctors, engineers, craftsmen and mechanics. The inbalance remains today and now many more Nagas are receiving their degrees as arts graduates rather than in technical subjects. (13)

Christianity did have one positive effect. It was an aid in unifying the people, as was the first World War.

The British Government searching everywhere for cannon fodder recruited where ever they could. Eastern tribesmen, with their warlike traditions, were a source to be tapped. Nagas were among those recruited for war service. It was compulsory for every village to provide a fixed number of ablebodied young men for service mostly in the labour corps. In 1916/17,4000 Nagas were recruited and sent overseas to the hell in France. Thus they became aware of the wider world beyond their hills and also of the ferocity in which the so-called civilised nations fought their wars. Far from home the Naga soldiers from different villages and communities came together for comfort, and thus developed a comradery which transcended age-old prejudices and separatism.

It may be said that on the battlefields of France and in the trenches the iron spearhead of a new Naga nationalism was forged.

On their return home, their influence led to both political and armed action and here we may have the beginnings of the two-pronged offensive against outside domination which has continued down to the present. In 1928 a Naga Club was formed in a search for a new and independent Naga identity. This consisted of important village headmen, government offi-

<sup>(13)</sup> Horam, M. Naga Polity p. 154.

cials and educated persons. The Club was not in conflict with the British rulers, rather it sought British protection to save the Nagas from being assimilated into an India whose independence was becoming more and more certain. The Club met the Simon Commission which visited India in 1929 to study the Indian situation for future policy direction. Their recommendations were to be put in the reforms contained in the Government of India Act, 1935. The Club's memorandum requested that Naga independence be restored when Britain pulled out of India. The Club gave reasons which included the ethnic distinctiveness of the Nagas and their low level of economic development which might mean that they would be swamped by the more developed plainspeople, resulting in their lands being seized and their national identity obliterated.

The Simon Commission appears not to have considered the Naga memorandum with any degree of seriousness. Slight changes were made and the 'backward tracts' now became 'excluded' and 'partially excluded' areas outside the control of the provincial and federal legislatures. This step, perhaps made in good faith, succeeded in separating the Nagas from participation in the national movement sweeping India and thus finding accommodation within it.

Contra to the Naga Club there arose during 1929 through to 1933 a political and religious movement which may be termed a Naga Renaissance of Religious Nationalism. This movement, termed the Haraka Cult and a mixture of Hinduism and Animism, swept through the Naga areas of Manipur, Naga Hills, North Cachar and Mikir Hills. It was definitely born from the influences brought into the hills by the veterans of the First World War. Jadunang, a Rongmai Naga of Puilon village in Manipur, had enlisted as an ordinary soldier and served in Mesopotamia. After his return in 1925, he began to preach about a 'kingdom of God' in which everyone would be treated

as equal in human rights, liberty, and duties. His followers went throughout the land preaching his message of equality. They preached liberation from the British yoke and when the movement passed into Burma, the people led by a man called Saya San rose against the colonists. In Indian territory plainspeople in the Naga areas were killed, and alarmed, the British authorities decided to move against the sect. Troops were sent out.

Jadunang was arrested and executed at Imphal on 29th August 1931. The revolt or movement continued under the leadership of his female follower, Rani Gaidiliu. The British hunted her down and in early 1933 she was arrested and tried for starting a "heinous cult" and carrying out insurrection against the British Government. She was imprisoned in an Assamese jail, but the romance and heroism of her stand made her famous (14).

Naga nationalism continued to grow during the period between the two world wars as witnessed by the Naga Club and the Haraka cult. The Nagas were still isolated, but this was shattered by the Second World War when their territories became a theatre of war between the Japanese and British. The Japanese occupied Burma and pushed into India through Naga territory. The British resisted them there. This meant rapid improvement of communications between the border regions and the rest of India. Military technology and new ideas brought by both the Japanese and British forces forced the Nagas to become aware of the nature of economic development and modernisation which had taken place outside their own remote lands.

During the early phases of the war, the British promised India independence if they supported the British war effort

<sup>(14 )</sup> Details taken from Yonuo, The Rising Nagas, pp. 126/127.

and along with this came the idea of a Crown Colony comprising the Naga hills, adjacent tracts in Burma, the Chittagong Hill Tracts of East Bengal, and the North East Frontier Agency — all inhabited by people of the same ethnic stock. The Nagas opposed such a scheme and opted for eventual independence. Seeing the recent history of fighting which has occurred in these areas and still continues, it may have been a reasonable solution. Be that as it may, the option disappeared when the Labour Government came to power at the end of the Second World War and it was dropped as being unacceptable to both Indian and Burmese nationalists. Thus the Nagas found them—selves either in India or Burma (15).

Before leaving the World War Two period we must examine the effect this had on the Naga people. The effect or effects may be put under headings:

- With the pushing back of the Japanese the British government provided a number of relief works in the form of food, medicine, house-building materials and cash as a debt of gratitude for the Nagas' role in the war.
- 2. The conflict as it receded from Naga territory had left behind the debris of war in the shape of modern weapons. Efforts were made to collect these weapons, but the Nagas refused to give them up. At first they appeared to have been used for hunting, and through this the Nagas, after a few accidents, learnt their use.
- 3. The Nagas had been an egalitarian society with no extremes between rich and poor. The advent of money into their communities created a small bourgeois class, and class divisions began which would be of importance later. This group had profited from the warring armies and cash payments. It now began to form an elite based on wealth.

<sup>(15)</sup> Yonuo, op.cit. p.139 ff.

- 4. The age-long isolation of the Nagas had been broken for good. No longer could they feel themselves separated from the rest of the world and somehow they had to accommodate themselves to that world. Their response was the strength of the Naga people and from this Naga nationalism came to be a force to be reckoned with.
- 5. The improvement of communications by road, railway and air which linked them to the rest of India began transforming their economical, political, social, moral and cultural life. On the anvil of war the metal of the Naga nation had been hammered into a new shape. They were a unity. They talked of a unity and the fact of a Naga nation was a reality. Thus they joined the ranks of peoples fighting for freedom and self-determination. Then, a people who were seeing themselves as one found themselves a part of a larger nation state, lately freed from colonial domination. They were a part when they wanted to be a whole. From this stage the whole tragedy of the Naga people has begun, and they are still seeking an end to the tragedy (16).

Thus the stage was set and on it the Nagas began their struggle for independence: a search and a striving for a wholeness which would be denied them. After the Second World War tribal councils were organised and came together to discuss the future of the Naga people. In 1946, the Naga National Council (NNC) arose. It appeared, speaking for the Naga nations as a whole and consisted of 29 members, representing the different tribal nations on the basis of proportional representation and was financed by contributions from every Naga family. Their aim was political sovereignty. Although some have had doubts that an indigenous economy can sustain modern independence, this, now, in the light of Bhutan and small island nations in the Pacific, does not seem to be an insurmountable barrier. The fact is that from all the accounts, the Nagas,

<sup>(16)</sup> Details are mainly taken from Yonuo, op.cit. pp.148-150.

through the NNC, wanted independence from Britain, India and Burma. The NNC plan made provision for a period of "protection" by Britain or India during which time the guardian power would give monetary aid for the independent development of the Naga Nation. After this period the guardian power would withdraw to leave the Nagas to work out their own future. This policy of self-determination seems extremely rational and may be seen in conjunction with what other peoples were seeking at the time.

Even before the actual transfer of power in India (separated by events into Pakistan and India) the NNC scheme for an interim government assisted by India was negotiated with Sir Akbar Hydari, Governor of Assam, and this was formulated in what came to be known as the Hydari Agreement. This later became a bone of contention. It is set out in Part III. Point nine especially was interpreted differently by both parties. (17)

Point Nine reads: <u>Period of Agreement</u>: The Governor of Assam as the Agent of the Government of India will have 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 future period, or a new agreement regarding the future of the Naga people arrived at.

<sup>(17)</sup> Yonuo, op.cit, pp.167-170. Although people have tried to say the contrary, both the NNC and the later Naga Federal Government had the administrative control and political authority to negotiate with the Government of India.

The Government of India saw this clause as a peaceful step to bring the Nagas into the Union of India for ever. The Governor of Assam, Sir Akbar Hydari, explained this to the Nagas and told them that after the expiry of ten years they might change their administrative status within India but not outside. The NNC had two reactions to the issue. One group declared that the clause meant that after the period was over Nagaland could opt for complete independence, whilst the other saw it is a step towards self-rule within India. However both options were covered in the telegram which the NNC sent to the Indian government on 14th August, 1947 demanding self-determination:

NAGA HILLS CANNOT BE CONSIDERED PART OF INDIAN UNION UNTIL HEADS OF PROPOSED AGREEMENT BETWEEN GOVERNMENT OF ASSAM AND THE NAGA NATIONAL COUNCIL ARE ACCEPTED TO THE LETTER OF EXECUTION, WITH THE CLAUSE NINE MODIFIED AS, "AT THE END OF THIS PERIOD THE NAGAS WILL BE FREE TO DECIDE THEIR OWN FUTURE" (18).

But by the Indian Independence Act, 1947, the Naga Hills District became part of free India. The telegram asking for the Naga right of self-determination after ten years was dismissed and the Government of India declared that there could be no question of self-determination now or ever, but only adjustments within the Union.

The Indian Government continued the earlier colonial policy of the British. Old regulations such as the 'Inner Line Regulations' remained in force, but Naga fears that inclusion within the Union would mean minority status within Assam appeared to have been proved to be true when the Naga Hills was placed under that state government. The Sixth Schedule of the Indian Constituion put them on par with other scheduled tribes' of Assam with no consideration being made for (18) Text given in Yonuo, op.cit., pp.176-77.



Mr. A.Z.Phizo, President of the Naga National Council

their assumed special status and demands. The NNC rejected the Sixth Schedule as being contrary to the Hydari Agreement and the Indian Government retaliated by declaring the Agreement null and void.

It was about this time that a Naga leader came to the fore. This was Zapho Phizo, an Angami Naga, who had joined the Indian National Army led by Netaji Subhas Chandra Bose. He served in it until 1944, hoping that with INA success freedom would come not only to India but also to Nagaland. With the defeat of the INA and the Japanese Phizo was arrested and jailed in Rangoon for seven months. On his release he returned to his homeland. He wanted to achieve self-determination for Nagaland and also to bring Christian socialism to his country. An ardent patriot, he joined the NNC and was the impetus behind those calling for complete sovereign independence for Nagaland. There were at the time, others in the council who sought a looser association with India, until the Nagas were trained enough to take over the reins of government after a period.

Eventually he withdrew from the Council to form the Peoples' Independent League. This worked for a sovereign Nagaland comprising the Naga Hills, the Tuensang Frontier Division and contiguous Naga areas in Assam, Manipur and Burma.

Phizo was a powerful organiser and formed the Naga Youth Movement and Naga Women's Society. The members of these organisations pledged to fight till the last drop of blood to liberate their fatherland. In 1949 Phizo was jailed for sedition.

Having been released by the Government on compassionate grounds because his family had suffered a bad car accident, he was elected President of the NNC in 1950. In 1951 it held a plebis-

cite to ascertain the views of the Naga people on two basic issues:

- Whether they wanted to remain in India or to be a separate Independent State, and
- to repudiate the charge of the Indian Government that the NNC was supported by only a minority of the people.

It has been claimed that the result of this plebiscite was that 99% of the Naga people voted for freedom from India, though the Burmese Nagas could not be brought into the plebiscite owing to the opposition of the Rangoon Government. Young tells us that the result convinced the NNC that the Naga people as a whole had opted for independence and that verbal support from other Naga areas added to their convinction (19). Horam, however, does not agree, but he is not an overt supporter of self-determination in Nagaland (20). One thing is certain, however, and that is that the Nagas carried out a consultation process and by 1951 had developed a strong national identity and saw themselves as a national people in the fullest sense of the word. This can still be seen today.

It is a sad fact that the Indian Government and its Prime Minister, Sri Jawahalai Nehru had little sympathy with Naga aspirations and failed in their duty to defuse the situation. After the plebiscite the NNC launched a freedom struggle using the Gandhian tactics of civil disobedience and peaceful protest. They attempted to negotiate with Delhi, but the Union Government refused to listen to their call for total independence. The Nagas boycotted the first general elections of 1952 and in 1953, when the Indian and Burmese prime ministers visited the Naga hills, the NNC staged a walkout from the public meeting held in their honour.

<sup>(19)</sup> Yonuo, op.cit., p.202.

<sup>(20)</sup> Horam, M. Social Change in Nagaland, <u>Man in India</u>, Vol. 55,2. p.12.

The Government of Assam now declared the situation to be a problem of 'Law and Order' and banned the NNC monthly newspaper. Police outposts in the Naga Hills multiplied and the Assam Rifles and State Armed Police launched a series of raids which served only to intensify the civil disobedience campaign. Government servants down to the village authorities resigned, government functions were boycotted, and the population refused to provide labour to carry luggage, or to sell food and other supplies to officers and police. The Assam Government promulgated regulations compelling Naga services. In January 1956, they declared the Naga hills a 'disturbed area' and the Naga Hills Disturbed Area Ordinance Regulation came into force. In the same year under the Defence of India Act the Indian army moved into the hills (21).

Violence increased in all parts of the Naga hills and Tuensang area (NEFA). The NNC condemned the violence and declared that they stood for non-violence (22). But the council itself was passing through a difficult period of internal differences. Some leaders such as Sakhrie and Jasokie wanted alternative strategies to those of the leadership of Phizo. Some Nagas met with the Assam Chief Minister which caused more problems. Pandit Jawahalal Nehru called for other methods to handle the situation. Units of the Indian Army arrived to "restore peace". But they did not succeed in crushing Naga resistance.

<sup>(21)</sup> For a survey of the various 'acts' and how they affected the people, see Endless War: Disturbed Areas in the North-East. Delhi, People's Union For Democratic Rights, January 1983. A case against the constitutional validity of the latest act 'Armed Forces (Assam and Manipur) Special Powers (Amendment) Act 1972' is being filed in the Supreme Court of India.

<sup>(22)</sup> Yonuo, A. op.cit.p.213.

On 22nd. March 1956 a Federal Naga Government was proclaimed at Phensinyu Village in the Rengma area. From Yonuo's account we see the political astuteness of the Nagas (23). The forming of a government was in itself an act of political sophistication and showed how far along the political road they had come. The whole nation was to be mobilised to fight for freedom and a Federal Constitution was adopted which in part runs as follows:

"Nagaland is a people's sovereign republic. This has been so from time immemorial. There shall be a parliament with a strength of 100 Tatars (members). The President will be elected by the people and his cabinet will consist of fifteen Kilonsers (Ministers).

Nagaland will maintain permanent military neutrality. There will be no standing army for the maintenance of law and order. There will be a Department of Home Guards headed by a Chief to function in the dual capacity of police and soldiers. In Nagaland, land belongs to the people and it will remain so. There will be no land tax, and other forms of taxation (which the Nagas have not paid before) will be formulated by different administrative units. All forms of trade, business, industry, transport and other public utility will be free and will be in the hands of private enterprise. Education will be in the hands of the people. Religion will be free.

Each Naga village is a republic in its own right. Each Naga family or tribe occupies its own distinct district region, and shall continue as before to exercise full authority over its own affairs inclusing land, community organisations, social and religious practices and customs.

Men and women, above 22 years of age, will have equal rights of voting. There will be equal wages for equal work, irrespective of sex" (24).

<sup>(23)</sup> Yonuo op.cit., p.215

<sup>(24)</sup> Yonuo op.cit., p.215

Nagaland under the Federal Government was divided into three (later four) states, each headed by a Governor (Ahng) and other village functionaries. There were ambassadors, advisors, deputy commissioners and magistrates. A Federal Supreme Court was set up to decide all the important constitutional civil and criminal cases referred to it through the lower courts.

From the foregoing we can see that the  $\underline{\text{de facto}}$  government apparatus was impressive.

To safeguard its newly declared independence and nation-hood, the Naga government organised an army. It was headed by a Commander-in-Chief (General) with a Major General for each nation, who had under his command a division of 500 men, from brigadiers and other officer ranks down to privates. Eventually the federal army came to have a General Headquarters and three Commands: western, eastern and northern. The Naga soldiers armed themselves with the weapons left behind by the combatants of the Second World War. When these supplies gave out, they used weapons captured from the Indian forces and later sought others in Pakistan and China.

The Naga army fought hard against the well-equipped and trained Indian army. The Indians moved into the area classified as "disturbed" in force. Villages were destroyed and both crops and orchards burnt. Whole populations took to the jungles while hundreds were taken prisoner. A "Strategic Hamlet" operation began. Whole groups of villages were relocated together, close to army outposts in order to cut off the Federal Government's sources of supply, funds and recruits.

In 1957 this strict policy on the part of India gained a result when the Naga People's Convention was formed. The NPC resolved that the political future of the Nagas really lay

within the Indian Union and that pending a final solution to the problem, the Delhi government could constitute the Naga Hills District of Assam together with the Tuensang Frontier Division of NEFA and the reserved forests into a single administrative unit under the External Affairs Minsitry.

The Union Government moved quickly. The Naga Hills-Tuensang Area Act of 1957 created the new administrative unit though the reserved forests remained outside. Other NPC resolutions made in 1958 and 1959 were passed which stated that the political goal of Nagaland should be a fully-fledged state in the Indian Union.

A 16 point constitution was drafted and an agreement was arrived at between the Naga People's Convention and the Government of India in July, 1960 (25). Included were important considerations for the integration of Naga areas not included in the Naga Hills and the preservation of the Tribal Councils.

The new state of Nagaland came into being in December 1963. It proved to be only an amalgamation of the Naga Hills and Tuensang areas. What is more, the new state did not have its own Governor or High Court. The control of internal law and order remained in the hands of the Governor of Assam. Naturally the Naga Federal Government still continued with its war against the Indian forces, refused to accept such a solution. They fought on until May, 1964, when a ceasefire was signed between them and the Union Government (see also (25).

The ceasefire had been secured by a Peace Mission formed by the Nagaland Baptist Church. This Mission drew up a list of

<sup>(25)</sup> For a copy of the 16 point agreement and also the 1964 cease fire see Part III.

proposals in which it urged the Nagas to voluntarily join the Indian Union and urged the Indian Government to consider ways of meeting the political aspirations and interests of the Naga people as much as possible. The peace talks were deadlocked from the start. The Indian Government refused to consider any demands whose basic premise did not accept Nagaland's constitutional status within the Union. The NFG demanded the right of self-determination and that another plebiscite be conducted under a neutral body's supervision. After six rounds of peace talks, the Peace Mission collapsed in 1966. In 1968 the Indian Government stated its position. There was no question of a voluntary merger with India and that the Naga problem had been once and for all settled with the decision to grant statehood.

The NFG, although speaking for a substantial percentage of Nagas, had another organisation to contend with. The formation of the new state brought into being the Naga Nationalist Organisation, which after its establishment formed the state government. It had everything to gain by the status quo and resolved to uphold it. Thus when the ceasefire began in 1964, Mr. Hokishe Sema, a prominent NNO leader and an opponent of the NFG, used his influence on fellow Semas in the NFG (The President, Prime Minister and Commander- in -Chief were all Semas) to bring them over to his side. They declared that they were ready to make a full and final settlement with the Indian Government and within the Indian Union provided there were some concessions.

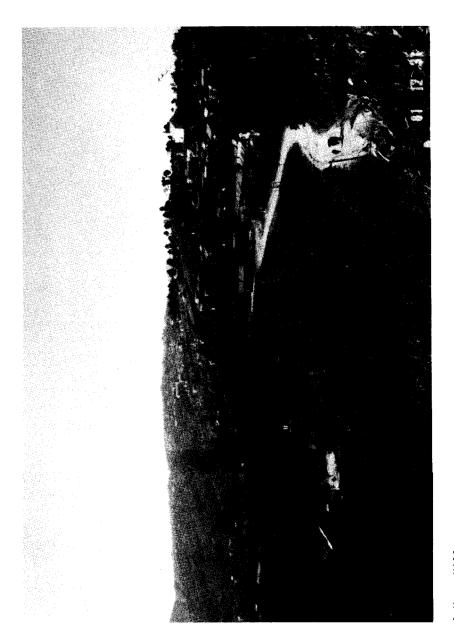
The rest of the NFG opposed this and expelled the Sema, proclaiming a Revolutionary Government in opposition. The two groups became known as <u>Zungti</u> and <u>Chedma</u>. At this time another group, <u>Hongking</u>, appeared in Tuensang District. The differences between the Naga groups were used to the benefit of the Indian Government who even recruited some into their

own Security Forces.

In the general election of 1969 the NNO consolidated its hold on the state government with the active help of the <a href="Mailto:Zungti">Zungti</a> group, defeating the only other Nagaland State party, the United Front of Nagaland (UFN) which was known to be sympathetic to the NFG. Hokishe Sema was elected Chief Minister. He claimed that the return of the NNO for a second term meant that the NFG was becoming a relic of the past. He began to purge the NNO of all those suspected of being in sympathy with the Nationalist's cause. The ex-chief Minister T.N. Angami found himself among the purged.

The political domination of the NNO received a set back in the mid-term Lok Sabha elections in 1971. The sitting member, S.C. Jamir, was unseated, and a Lieutenant A. Kevichusa, the leader of the UFN and one who was known to be close to the NNC leader, Phizo, was elected to Nagaland's only Lok Sabha seat. This blow to the NNO was followed by another. The defeated member, along with 18 other NNO MLAs (MPs) and 4 members who had been purged, defected to the UFN. The triumphant party renamed itself the United Democratic Front (UDF) and called on the State Assembly to resume the peace talks between the NFG and the Union Government. Hokishe Sema replied that the NFG was no longer the sole representative of the underground and that future talks must include the Zungti and Hongking groups.

In August 1972 an attempt was made on Hokishe Sema's life. The Government of India reacted and on 31st. August banned outright the political, administrative and military wings of the NFG under the Unlawful Activities (Prevention) Act, reinstituted the Armed Forces (Special Powers) Regulation and terminated the eight year old ban on army operations. Nationalist supporters were threatened by Governor B.K.Nehru:



A Naga Village

"The notification does remove the immunity with which the overground supporters of the underground have hitherto operated; they will in future become liable to prosecution" (26). The arrests of T.N.Angami, S.C.Jamir and three others for their alleged complicity in the attempt on Hokishe Sema's life soon came.

The February 1974 State Assembly Elections brought the UDF to power. Lacking an absolute majority, it formed a government with the help of independent MLA's. Its election platform announced that the Naga problem was political and not one of law and order. It promised to work for the release of all political prisoners and for direct talks between the NFG and the Government of India.

But the UDF government was not allowed to remain in office. Defections were engineered in the hope that a procentre NNO ministry would take charge. This did not eventuate and finally the Central Government resorted to the ploy of President's rule on 22nd March, 1975. Nagaland was brought under the direct control of the Centre. The Emergency which came into effect in June 1975 and continued until March 1977 facilitated the extension of President's Rule. This meant that the army assisted by para-military units was the effective government.

Six months after the lifting of the emergency, elections were held in the state. In November 1977, the UDF was returned to power with an overwhelming majority and the NNO which had joined the Congress Party during the Emergency faded into the opposition. The UDF under its President Mrs. Rano Shaiza, a niece of Phizo's, reiterated its sympathies with the NFG, its determination to steer the renewed negotiations to a

<sup>(26)</sup> See: National Herald, Delhi, September 1972.

successful resolution, effect the release of political prisoners, see to the removal of the Indian army and para-military forces and bring together all the Naga peoples (27).

A recent development in Nagaland has been the formation of the Nationalist Socialist Council of Nagaland. In 1967, the <u>Tatar Hoho</u> (Parliament) decided to send some men to China through Northern Burma, which was held by the Kachin Independence Army. Brigadier Thinusillie and T.N.Muiva reached China with 300 men where they recevied training and arms. T.N.Muiva, who is a graduate from Gauhatu University in Assam, is a Naga nationalist. He was influenced, during his visit to China, by the teachings of Mao Tse Tung and on his return formed the Nationalist Socialist Council of Nagaland which propounds a form of Christian Marxism apart from the NNC. The NSCN has a class-based analysis of the Naga struggle and has fighters based in Burma. (28).

With statehood Nagaland has entered the Indian political arena which is known for corruption and the amassing of riches by unscrupulous politicians. However the struggle of the Nagas for independence is still going on. It would seem that the right time for the Nagas to have achieved independence was after the Second World War and this would have prevented much bloodshed and wasted resources. Their claim was put aside with the argument that the Naga Nation could never be economically vilable. But this means nothing to a people fighting for freedom. It must be remembered that there are much smaller countries that are free nations. Nagaland's possibilities of vast resources of national wealth waiting to be tapped could provide funds for national development.

<sup>(27)</sup> For a survey of events since 1977 see Part II.

<sup>(28)</sup> For an account of the NSCN see <a href="Probe Magazine">Probe Magazine</a>, Vol.3, No. 11, January, 1982,pp.21-29, in an article by Nirmal Nibedon.

The Naga people have developed a strong sense of nationalism which is shared even by those seeking some accommodation with India. Those who support accommodation argue that the Union consists of many cultures, ethnic types and religions, and some arrangement might be made with more give-and-take on both sides. Others, however, emphasise the differences in race, religion and culture with India and remain fighting for their freedom.

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# CHAPTER 2 THE BRITISH IN NAGALAND - THEIR ANTHROPOLOGY AND THEIR LEGACY

By Andrew Gray

When hearing of the current treatment of the indigenous tribal nations living in the border country in and between India, Burma and Bangladesh, there is a temptation to idealise the period under British administration. At that time, many hill peoples were "protected" by British regulations from being demographically and culturally swamped by the peoples of the plains. According to this view, the indigenous peoples of this part of Southeast Asia were allowed to live their own lives according to the dictates of their culture and society under the watchful eyes of their paternalistic colonial masters. Traditional cultures flourished and human rights were respected. Or at least, this is what such a comparison between today and the early part of this century might suggest.

The dreadful accounts of human rights violations and denial of fundamental freedoms today, however, are in many ways the legacy of the colonial history of the area. By looking more deeply into the values and practices of the British, both from their writings and indigenous comments, we can trace different approaches to colonial administration which can still be seen today. The object of this is neither to blame the British for the human rights violations of other peoples, nor is it to debase the work of some administrators who did genuinely question Britain's right to colonial rule, it is rather to demonstrate how the parameters of colonialism have not yet been crossed even though the area has been carved up into several nation states.

The British in Nagaland were a prime example of the twoedged sword of imperial rule. On the one hand, the 19th century saw the physical subjugation of the Naga people and their oppression so to conform with British administrative patterns. On the other hand, the 20th century saw a benign and relatively more sensitive administration, which for the most part, took place under two anthropologists, J.H. Hutton and J.P. Mills. Under this "anthropological rule", several detailed accounts of traditional Naga society and culture were written. However, the Naga people were only allowed to practice their own self-development in as far as it coincided with the anthropological framework of the administration. In this sense, the 20th century saw oppression replaced by a repression.

Colonialism is not just a matter of one country taking over another. It is a series of economic and political relations which work against the right of self-determination. Self-determination can range in meaning from internal autonomy within a state to sovereign independence because it depends on indigenous aspirations in relation to historical conditions. In spite of the variable definitions of both colonialism and self-determination, it can be seen that they point in completely opposite directions - the former works to deny a people's control over its destiny, the latter in its favour.

This article looks at certain ethnographical, historical and legal aspects of British administration in Nagaland and their consequences. The anthropological writings on the Naga people provide a background to the variety and complexity of their society and the wealth of their culture. By looking at these and other writings in their historical context it is possible to define the parameters of British colonial rule and, in the light of some legal commentaries, show how these are still very much alive today.

Naga history has been framed by relationships with foreign powers. Between the 13th and 19th centuries the Nagas had contact with the Ahoms (a Thai race who had entered Assam from Burma). The Naga-Ahom relationship was one alternating between friendship and hostility, but the Nagas were never occupied or deprived of their independence which was dispersed through

village self-government. The Ahoms needed the Nagas as a buttress against the hostile Burmese and also as a source of salt.

Its position between Assam and Burma which had guaranteed Nagaland independence from other nations was one of the factors which brought the British into the hills. When Britain drove the Burmese out of Assam in 1825, she began to look for a means of communication between Assam, Manipur and Burma which would help them control the frequent raiding from the indigenous groups of the region. The most obvious route lay through the Naga Hills and in 1832 Captains Jenkins, and Pemberton coupled this political aim with research into the commerical viability of Assamese tea there.

The hostility this expedition aroused from the Angamis was repeated the following year when Lt. Gordon encountered a powerful coalition of "some tribes" as he tried to help the Manipuri king gain control over the Naga peoples. This policy failed and the British relied more on their own forces to to quell raiding and establish a foothold in Naga territory.

The annual pillaging of plunder and slaves from Cacha was stopped by Grange in 1839 which allowed Bigges unopposed tours between 1840 and 1844. In this latter year, some Nagas agreed to pay annual tribute to the British, but on Eld's expedition to receive this, they defied him and punctuated this with yet more extensive attacks on British occupied areas. Initially the British held back (1845-1850) during which Captain Butler travelled through the country, conciliating the people and mapping the topography. He procured a temporary peace which collapsed on the assassination of an indiscrete Assamese ally called Bhogchand, who had been given complete authority over the Angamis by the British. In response the British sent 10 reprisal expeditions under Lt. Vincent which resulted in the capture of Khonoma in 1851.

Three hundred Nagas were killed in the battle at Khonoma

and this was no exception to the aggressive expeditions of the British which involved killings of Nagas and the burnings of their villages. The tally of the dead on the British side between the years of 1845 and 1865 was 232 - less than those killed by the British in the sacking of Khonoma.

In contrast to this aggressive policy, the British also had a policy of "non interference" which became official in 1851 on the orders of Lord Dalhousie (Governor-General of India). This policy lasted for 15 years in spite of continuing Naga raids. The authorities hesitated to enter Naga territory formally, as occupation would have involved high administration expenditure and no returns. However the view of Lt. Gregory prevailed and in 1866 a policing force was established at Samagudting under the name "Naga Hills District". Gregory became Deputy Commissioner under the direct orders of the Commissioner of Assam.

By 1873, the whole frontier of the hill area was undergoing rapid tea cultivation. Friction from colonists led to the "inner line regulation" which separated Assam (and thus India as a whole) from the Naga Hills - a distinction which the British maintained until they left Asia. In 1875, the British headquarters moved to Wokha to suppress the Lhota and in 1878 it moved to Kohima. In the same year the Angami nation rose and beseiged Kohima. They were put down with great ferocity by the British in 1880 and brought under British administration. The Angami then became a prey to their traditional enemies, the Sema, who in their turn were put down. In this manner, the British gradually occupied the Nagaland area while preserving the gulf between the Hills and the Plains.

This first fifty years of contact between the British Empire and the Nagas saw two main strategies for subduing the independent spirit of Nagaland. On the one hand there was the British aggressive policy of swift and bitter reprisals for Naga raids, or else harsh treatment of any Naga who was

thought to be working against British interests. In spite of the later image of the British as benign rulers of Nagaland, it is necessary to take the violations of Naga rights into a much clearer prominance. On the other hand, there was a peaceful mode of relationship with the Nagas of non-interference. This allowed the Naga people to continue an independent existance outside the British sphere of authority.

Looking at the documentation of the time these two approaches have been set out clearly. The recommendation of the Lt. Governor of Bengal in 1865 says:

"The only course left us..is to reassert our authority over them and bring them under a system of administration suited to their circumstances, and gradually to restrain them from habits of lawlessness to those of order and civilisation...and it is clearly open to the British Government in point of right as it is incumbent on it in good policy, to exercise its sovereign power by giving them the benefit of a settled administration" (cited Elwin, 1969:169.)

In contrast, the Moffatt-Mills report of 1854 says:

"The experience of this expedition (1850) has shown very clearly the great difficulties that have to be encountered in carrying on warfare in this woody and mountainous country, unable to move with less than 600 coolies... (we should) leave the Nagas entirely to themselves and wholly abstain from any interference with them." (cited Elwin, op.cit:140.)

After 1880 there was a shift in emphasis in British policy in Nagaland which to some extent combined the two policies of administration and non-intervention in a rather British compromise of indirect rule. The 1880 regulation "excluded" the Nagas. This meant that their indigenous laws and cultures would remain unaffected as much as possible and British administration kept to a minimum.

In fact the British administration had a strong presence. The Naga Hills district was divided into two sub-divisions (Kohima and Mokokchung). The Deputy-Commissioner and a European assistant were posted at Kohima and Mokokchung had a European

police officer, an engineer and a surgeon.

Indirect rule worked on the basis of <u>Gaonburas</u> (village headmen) who had the authority to adjudicate <u>disputes</u> according to customary . w. There were also a number of <u>Dobashis</u> who were paid interpreters appointed by the British. In addition to the indigenous officials, the British administration had a military police battalion with 72 officers and 598 men posted in the district in case of unrest. The British strategy of occupation of the Naga Hills by means of indirect rule was coherent with the traditional village self-government well-documented among the Naga peoples the century before.

Working in the opposite direction were the seeds of nationalism which were growing throughout the early years of the 20th century from various different sources. The influence of Christianity has to be mentioned here. The American Baptist Mission had been in Nagaland since 1839 and gradually, over time, their influence was having an affect on the Naga people, starting from the Aos and spreading to other tribal nations. Without entering into the discussion of the detrimental effect fundamentalist Christianity had on Naga culture which is welldocumented (Yonuo, 1974), we should note two other important effects. First, the education provided by the missionaries widened the horizons of many Nagas beyond the village community. English and Christianity both transcended village independence and brought Nagas from many different tribal nations into permanent communication. Secondly, the hostility shown by the anthropological administrators to Christianity itself provided the Nagas with a means of standing up to Britsh rule.

In addition the British contributed to the rise of nationalism when they sent 4000 Nagas to fight in the trenches in France. This fostered more unity and fraternity between the different Naga peoples and also made them aware of the barbarity of European civilisation. By the time of the Naga Club's Memorandum to the Simon Commission in 1929, independence was



Angami children (Photo:Kevislie)

clear goal of the Naga people.

In the first half of this century there was a reformulation of the two-sided strategy of 19th century British rule in Nagaland. On the one hand there was a line favouring administration by Britain encapsulating a system of indirect rule and on the other the growing demand for the recognition of Naga independence coupled with the rise of nationalism. This division was reflected in the ranks of the British too when discussions rose in the 1940s as to what would happen after Indian Independence. At that time the positions were either in favour of a Crown Colony of Britain, separate from India, or full independence of Nagaland. The former position was recommended by Sir Robert Reed in 1943, whereas the latter was encouraged initially by Sir Charles Pawsey who supported the formation of the Naga National Council in 1946.

It should not be thought from this that the British and missionaries fostered a desire for the regaining of independence within a nationalist framework among the Nagas. On the contrary, it was the Naga people themselves who, understanding the nature of the colonial rule, mapped their independence which they had had before the British came onto a national identity which arose within the conditions of colonialism. Independence and nationalism are not necessarily the same and it was the Naga people through organisations such as the Naga Club and the Naga National Council who forged a national identity on the basis of opposition to the differentiating influence of indirect rule.

ΙI

Whereas we might characterise the 19th century British dealing with the Nagas as being oppressive in that they used direct force to put down any hostility to British plans in the region, the 20th century was more repressive. The indirect

rule of the British repressed the unifying nature of emerging nationalism by encouraging the notion of "tribal identity".

Here it is important to distinguish between divisions made on a tribal basis and on a cultural basis. The right of any indigenous or non-indigenous peoples to their culture is a fundamental aspect of self-determination. Culture does not necessarily work in opposition to broader federal or multiethnic models of pan-indigneous nationality. However, tribalism is a word used for the repression against creating larger unities of political organisation. Some people prefer to use the term nation for the obsolete "tribe" - a practice which should be encouraged.

In this section I wish to bring out from the literature on the Naga peoples from the 19th and 20th centuries two sets of conflicting images which have had political implications for the recent history of Nagaland. The first writers who entered the hills frequently came out with epithets common among the colonial powers initially encountering indigenous peoples:

"cunning, treacherous, vindictive and warlike" Jenkins in 1832 (Elwin op.cit:ll4).

Butler in 1875 (Elwin op.cit.:47) describes British relations with the Nagas:

"One long sickening story of open insults and defiance bold outrages and cold blooded murders on the one side, and long suffering forbearance, forgiveness, concessions and unlooked for favours on the other"

Although nowadays we might well consider the Nagas as having been at the receiving end of the outrages, it would appear from the autnor that he is referring to Naga resistance.

Pemberton in 1827 (Elwin ibid.:42) refers to the hill people as a whole as "savages". This sums up the way in which authors tried to convey a sense of wild and untamed, savage attributes to the Naga peoples. This is a theme which continues in muted form throughout British occupation of the Naga Hills.

Little seems to have been known about Naga social or cultural life apart from superficial observations prior to the settled British administrative period after 1880. The most positive comments on the Naga peoples before then came from writers such as H.H.Godwin-Austin who in 1872/3 was impressed by the layout of the irrigation system for wet rice agriculture and Woodthorpe who mentions the size and thickness of stone walls in the Angami villages.

A shift takes place in the writings later on in the century. A distinction between savage people and fine material culture is replaced by some more positive comments. Johnstone in 1896 describes the Angami as:

"A fine, interesting race". (Elwin op-cit:598)

Material culture is still admired but aspects of Naga social and cultural life receive more notice from writers. As Britian was heading towards universal sufferage, the word democracy became something positive, rather than subversive. Naga democracy, noted by Moffat Mills in 1854, gets a worthy quote from Butler in 1875:

"Every man follows the dictates of his own will, a form of the purest democracy which it is very difficult indeed to conceive as existing for even a day; and yet that it does exist here is an undeniable fact." (Elwin: op. cit:525)

Coupled with the democracy of the Nagas there was the factor of independence of villages. These "village states" were likened to Greek city states, an image which Britain used at the time to conjure up as the height of civilisation. In this way, the Naga people were regarded as having a cultured nobility which was, perhaps one of the reasons the British excluded them from the hierarchical influences of the plains. Horam uses this analogy (1975:73) in a more recent context.

J.H. Hutton (1921:38) sums up this aspect of European perceptions of the Nagas:

"The least that can be said of the Naga is that in general he has mental outlooks and mental processes far more consonant with those of the European than has the ordinary native of India, whose thought has for generations been stunted by the cumbrous wrappings of caste and Hinduism"

On the other hand the fascination with savagery continued to obsess European writers about the Nagas. The main topics here were infanticide, free sex and head-hunting. In addition to emphasis on nakedness, the image of the wild tribal peoplewas perpetuated by references to slavery and constant warfare.

Quotes like Butler's account of the return of a head-hunter (1847) "contemptuously dragging the heads of his enemies around the centre of the village" started to divorce the killing of people by decapitation with its cosmological significance, from warfare in general. This created the impression of people who killed for no other reason than to take heads, building up a definition of the Nagas as the "head-hunting" tribe.

Although anthropologists such as Hutton, Mills and Furerhaimendorf have placed these images of savagery into some context, there is still a strong attempt by people to characterise the Naga people by false assumptions.Head-hunting is seen as separate from warfare, slavery is not seen in the context of adoption, free-sex is not seen in the context of pre-and post-marital residence. This is not to say that none of these practices existed, the objective here is simply to draw out the images which the British used to characterise the Naga people.

The imagery here can be divided into the two concepts - savage and noble. The British admired and feared the Nagas over their years of occupying Nagaland and used both aspects of their characterisation to work against their demands for recognition of independence and self-determination.

The very "nobility" of the Nagas in their democratic "village states" was one factor which indirect rule admired. Yet it worked very clearly against the recognition of Naga nationalism. When the British first arrived in Nagaland alliances were first and foremost with villages. In a later quote from Woodthorpe (op. cit. 47) we see:

"They (the Nagas) have no generic term for the whole race, nor even for each of the various tribes constituting this race. A Naga, when asked who he is, generally replies that he is of such and such a village, though sometimes a specific name is given to a group of villages."

As the Nagas became gradually occupied by British administration the tribal division became more important. In Hutton's introduction to Mill's book The Lhota Nagas, of 1922, and in the appendix to his book The Angami Nagas (1921), there are several classifications of the "tribes". They are distinguished mainly by social and cultural features but residence and linguistic factors are also involved. The unity of the Nagas as a whole is subsumed under the need for an overall classification of the many groups between which there may be some relationship, but only in terms of classificatory division.

The "independence" of different villages and then of "tribes" was seen by the British as providing one of the reasons for indirect rule. The British put a stop to tribal warfare and provided the overall umbrella government administration to keep the peace in Nagaland. Thus the "nobility" of Naga democratic villages and tribal distinctiveness was a feature of "traditional" life which the British sought to preserve by not encouraging any form of national identity. "Naganess" was not a feature which the British recognised, even though they were instrumental in its development:

"The truth is that, if not impossible, it is exceedingly difficult to propound any test by which a Naga tribe can be distinguished from other Assam and Burma tribes which are not Nagas...The expression "Naga" is, however, useful as an arbitrary term." (Hutton 1921:xvi.)

This is not to say that Hutton was wrong in his account of the state of Naga national identity in 1922, it is more the case that the British as a whole did little to respect this when it did emerge, because it did not conform to the anthropological desire for preserving what was traditional and avoiding historical change.

The "savagery" aspect of the British characterisation of the Nagas was another reason for ignoring the rise of national identity and calls for independence. How could "savages" who were head-hunters possibly have any form of self-determination? The British were necessary to keep them in order and even if the British left Nagaland someone else would have to take over the responsibility of their affairs. This argument was that of "backwardness" which the Simon Commission used in the softer wording "exclusion" and dominated the debate in the British Parliament after the Commission's report came out in 1930.

It is possible to see a shift of emphasis in British perspectives of the Nagas during the century they were in the hills. Whereas the earlier documentation emphasises the human "savage" as opposed to material sophistication of the Angami villages, later documentation emphasises the human "nobility" of village democracy which could triumph over savagery only with the help of British indirect rule.

This section has not tried to describe any feature of Naga society or culture. It has looked at the oppression and repression of language. I would suggest that we draw a parallel with the political features of British occupation of Nagaland outlined in the previous section. Oppression of the Nagas was coupled with a view of them as "savage". The repression was coupled with a view of them as "noble". The emphasis of the former in the 19th century shifted in the 20th to the latter. Nevertheless both were present in both periods and provide a legacy which we can see today.

In spite of the images which have been used by the British to characterise the Nagas, there have been several scholarly attempts to describe some of the basic social and cultural aspects of their village life. Many of these descriptions, such as those of Hutton, Mills and Furer-Haimendorf are old, yet they are still relevant in broad terms because of the persistance and strength of Naga traditions. By reviewing some of these social and cultural features it is possible to show how unity of structure and the diversity of organisation need not necessary imply that tribal division and national identity are mutually exclusive.

# 1) The Village

Villages are situated mainly on hill tops or the shoulder of a spur, where it is warm, well-defended and there is an adaquate water supply. Throughout the various tribal nations of the Nagas the village plays a different role in social Among the Thendu Konyaks powerful chiefs called ang (Furer-Haimendorf 1969:41) or ong united the village as the embodiment of its fertility and cohesion. A Sema chief does not have such a religious role, but holds the relatively small villages together by relationship ties, adoption and control over land tenure. Among the Lhota and Rengma, the unity of the village is expressed ritually with hereditary clan chiefs. The Ao have a system of village councils organised according to age (Mills, 1926:181). Villages with less hierarchy emphasise unity in ritual such as the Thenkoh Konyaks and the Angami where the Zievo who is a descendant of the village founder mediates between clans and the spirit world.

As can be seen here the village is a constant territorial unit of great importance among the Nagas ranging from a relatively more hierarchical to egalitarian systems of political

organisation. But what is crucial here is that where hierarchy exists in Nagaland it is not based on exploitation of resources by one person but on a basis of distribution. A person has status from his generosity not his avarice.

## 2) The Morung

Every village in Nagaland is divided into wards or khels. These division are basically geographical, though it is usual for people of the same language group or clan to live in the same khel. In every khel there is at least one morung. This is the "bachelor's house", where every boy lives and sleeps from puberty to marriage, when he goes to a home of his own.

Morungs differ according to the tribal nation under consideration. The Aos have the largest which serve as a basic social identity and framework for their age-group system. The Ao morung is a microcosm of the village. The Thenkoh Konyaks also identify themselves with particular morungs, but among the Thendu Konyaks where the chiefs are more powerful, the morung is less important. Whereas the Lhotas and Rengmas consider the morung to be important, the Sema with their chiefs make the institution in a model form in times of scarcity (Hutton 1921b:37). The Angami morung is not as important as the clan but in some villages it is more important than others.

## 3) The Clan

"There is no person who does not belong to a clan in the village" (Horam 1975:59). Living members of a clan can be considered as a continuation of the family unit on the paternal side, the eldest surviving male as head. According to Hutton (1921a:109) the Angami clan is so important that it almost forms a village in itself. Although clans are not ranked, this is more in evidence in the more hierarchical tribal nations such as the Thendu Konyaks. The Sema chief, along with his small village and adopted relations would constitute a clan in itself (Hutton 1921b:122). The Aos combine

the clan and <u>morung</u> system (Horam op.cit.: :65) which are arranged in a loose hierarchy which is the case among the Lhota and Rengma.

The village and its <u>khel</u> divisions, the <u>morung</u> and the clan are based on residence, age and kin relations respectively. Every Naga tribal nation combines these in different forms as a part of its social life. Sometimes one principle is emphasised over another and sometimes they coincide. The variety and spectrum of social organisations in Nagaland are arise from one series of possibilities.

# 4) Household and Gender relations

In all groups the family or household is extremely important to understand the formation of character and loyalties. The family is a basic production group which often works its own fields. However in any important political or social activity the household cannot act alone without the support of the village <a href="khel">khel</a>, the <a href="morung">morung</a> or the clan. The basic division of labour by gender is fairly uniform throughout Nagaland with men taking the more physical jobs. Even if women are less powerful than men in the political arena they hold considerable sway in domestic affairs.

#### 5) Marriage

Marriage within the clan is usually forbidden by the law of exogamy (Horam: op.cit.:97). However if there are very large numbers in the same clan, as sometimes happens with the Sema, then lineage exogamy can take place. Marriage is often arranged by the young people themselves who fall in love, other times there can be go-betweens.

Broadly-speaking, it is possible to differentiate marriage among the more hierarchical tribal nations such as the Thendu Konyaks and the Sema where brideprice is high, marriages are arranged, formal and divorce is of low frequency and the more egalitarian groups such as the Ao and Angami where the bride price is lower, the ceremonies are less formal, there is a wider scope for choice of partner and a higher divorce rate before children are born. This differentiation is more of a relative continuum which varies between and within the different tribal nations of the Nagas.

## 6) Trade and Warfare

Initially the monographs point to the Konyaks, Aos and Lhotas as great traders, but the Angamis and all the different groups are great traders between each other and with the people of the plains. Although land is the most important way of gaining wealth whereby one can give distributive "feasts of merit" to the rest of the community, trading was and is an important supplementary form of income. The Feasts of Merit are ways in which a donor can pass his surplus on to the rest of the community by participating in a series of feasts culminating in a mithun sacrifice and the raising of a stone monolith. As Mills said in 1926:257:

"It is the ambition of everyone to proceed as far as he can in the series and thereby gain for himself the favour of the spirits and the prosperity of great men of the past."

Where chiefs are more fixed such as among the Sema and Thendu Konyaks, the Feasts of Merit play a less significant role, however among the Aos and the Angamis they are of great importance. The other groups such as the Lhotas and Rengmas also consider these feasts important. The main commodity distributed at Feasts of Merit is rice beer, but in the larger feasts mithun meat is also necessary.

Traditionally warfare concerned feuding between villages, trading interests, land shortage and population increases and the desire to demonstrate bravery in battle. Far from being endemic in Naga society, to lose more than one person a year in a village was a serious loss. As Mills points out

"The Konyak villages of Tamlu and Nausang, with only a valley between then were at war for 16 years. The casualties on both sides totalled four." (Mills,1926:209)

A brave warrior could enhance the prosperity of his village and clan. This is explained by Mills(1936:161) as coming from the <u>aren</u> or spirit residing in the head of a person which was spread throughout the victor and his community. In this sense it is perhaps better if the term "head-hunting" be erased once and for all in writings about the Naga nations because it confuses the motive for killing with its means. The equivalent would be to characterise the French as "head-choppers" because they guillotine those condemned to capital punishment.

In recent years Feasts of Merit and brideprice have been replaced by the wedding as an important means of showing generosity to the community or ones wife's family. Traditionally a person who showed himself capable of generosity in peace or bravery in war gave a "blessing" on the fertility of the community and became, in Angami villages a <u>peyamia</u>. These two ways of gaining status were based on loyalty to more than just the family or clan but to the village as a whole.

# Religion

The Naga people are Christian. 95% of the village population have embraced Christianity. Some have made a break with the past but some still consider their traditional religion and Christianity to be completely compatible (Horam:op-cit: 154). The creatress God need not be unrelated to Christian theology and the spirit world of animism can easily fit in with, for example, the Holy Spirit. This indigenous Christianity still recognises the soul as a mode of contact with the ancestors. Lycanthropy is the soul's voluntary attachment to a tiger or a leopard. In early reports of this phenomenon it was attributed to people in the more hierarchical groups such as the Sema and Konyaks. The more individual expression in a village the less it appeared. It is a sign of the suffering in Nagaland at the moment that the phenomenon of lycanthropy has been reported among people caught between loyalties to their villages and demands from the outside powers.

Apart from the feasts of merit and victory feasts after battle, there were traditionally agricultural rites and life cycle rites which were necessary for the growth of crops and a good harvest as well as sending individuals through the rites of passage from birth, through marriage to death and the afterlife. All rites among the Naga consist of two principles: genna and sacrifice. A sacrifice consists of a crossing of the boundaries separating the community and the spirit world. After a sacrifice, meat and/or rice is distributed. Then there follows a genna period which is a quiet, liminal period of inactivity where the boundaries are restated and the aren or the blessing conferred by the rite can take its natural course.

This brief survey of some of the main social and cultural features of Naga life as mentioned in the works of Hutton, Mills, Furer-Haimendorf and Horam are not meant to be allembracing. They demonstrate that each of the Naga tribal nations has distinctive ways of life which are all variations on certain basic social principles such as village, morung and clan and the inter-relations between these. The different groups vary according to factors such as population density, individual expression and hierarchy. However they all bare certain family resemblances which demonstrate a unity of Naga society and culture.

With regard to the ritual and political life, the importance of sacrifice and <u>genna</u> traditionally brought together many different practices within similar structural principles common throughout the area. At the same time, it is also noticeable that the adoption of Christianity on a large scale has provided a complementarity or substitution for these which has meant the transformation but not destruction of traditional Naga religion and preserves its important link link with political life.

The preceding section has provided a brief background to Naga ethnography but also shows that implicit within any anthropological writing about a people is some political implication. The object of the general presentation is to show how, in contrast to taking each tribal nation separately (such as Hutton, Mills and Furer-Haimendorf) or a particular set of institutions (Horam) it is possible to show each group as a manifestation of different possibilities which do not preclude a Naga Nation as a whole.

When we look at the period after Indian independence, it is possible to see some of the same features noticable under British rule being repeated by the Indians. It is important to see that colonialism is more than simply a European taking over another country, it is a set of economic and political relations which work in opposition to the fundamental principle of self-determination. Earlier in this paper the contrast between oppression and repression was used to characterise both political strategy and use of language to define the Nagas. Under the Indians it is possible to use these terms also without any great shift in meaning.

It took seven years from Indian independence for serious fighting to break out in Nagaland. Over these years Indian policy over the fate of the Nagas became tougher. The civil disobediance of the Naga National Council led to an Indian response of imprisonment and sending armed police into Nagaland. Between 1956 and 1964 reports of torture and massacre of villagers by the Indian forces accumulated (see Maxwell 1973:11-12). According to Indian government figures of the time 1,400 Nagas were killed as against 162 in the Indian army (ibid.). However, Naga figures put the number of Naga dead as considerably higher. The proportions draw comparison with the attack on Khonoma in 1851 by the British.

The attacks on Naga villages, the burning of houses and crops as well as the harassment of the inhabitants was, without doubt, a policy which parallels closely what was earlier described as "oppression" under the British as they occupied the Naga Hills a hundred years previously. The movement of the Assam police and then the Assam rifles through Nagaland, subduing the population, taking advantage of any division which might arise within the ranks of the opposition and attacking anyone who did not agree with their goals or who tried to resist, sounds familiar to those who are aware of the previous history of Nagaland.

After the 1964 cease-fire some may well say that the "oppression" continued. According to Maxwell (op.cit.:16-17) atrocities and violations of human rights have continued. However it would appear from reports that the fighting has not been so intense as a result of several factors, among them the presence of Nagaland state, the threat of the Indian armed forces, Nagas who, even if not in support of union with India,desire peace and the policy by the Indian authorities to present a more acceptable face to the Nagas.

The result has been that while not as flexible as the later period under the British, oppression has been overtaken by repression. Organisations such as political parties which the Indians don't care for are banned, freedom of expression is curtailed and any indigenous attempt at expressing notions of self-determination is crushed. Nagaland state is a transformation of the notion of indirect rule in that Nagas are nominally in charge of a state which has its ultimate control in New Delhi. Structurally-speaking, the Indian take-over of Nagaland from the British has actually followed the historical pattern set up by the British themselves of oppressive "conquest" followed by a repressive indirect rule.

Whether or not one takes account of the arguments in favour of Indian presence in Nagaland or not, there is no doubting

the parallels.

When we look at the literature about the Naga people since the British administration it is possible to see some familiar traits too. We noted earlier how the first accounts of the Nagas concentrated on savagery which was later refined into description of head-hunting, sexual freedom and constant warfare. This image of the Nagas has been preserved in the descriptions of the resistance movement. The Federal forces are called "hostiles" (Maxwell ibid::17), the Naga army are "guerillas", "terrorists" or "anti-social elements". It is standard among writers such as Yonuo (op.cit.) to refer to those who stand for independence as "extremists" as opposed to the "moderates" who are in favour of union with India. In the same way that the British accused the Naga resistance fighters of being savages: rebels, terrorist and separatist, in a Nagaland context, have similar connotations today.

The statement of Nehru (cited in Yonuo ibid.:218)
"The Army has shown remarkable patience in the face of considerable provocation"

#### and Elwin, 1961:

"Who are these Nagas, for whom India has offered so much sympathy, given such special privideges and felt such great concern?"

are remarkably reminiscent of Butler's statement of 1875 quoted earlier.

The other aspect of Naga characterisation under the British was nobility. We have noted how Horam (op.cit.:73) refers to the Greek City states and in his attack on Christianity as being largely responsible for loss of Naga culture, we can see him as following more in the tradition of the British. It is Yonuo who expresses the Indian perspective of the noble Naga within the Indian Union put forward in the media and by Indians in authority in Nagaland. (ibid.:410):

"In essence, the Nagas, through unity and solidarity, sustained power of their efforts for knowledge, Nagaism mingled with other human civilized systems, will emerge into the mainstream of India and the rest of the world..."

It is possible from this to compare the use of language to the "oppression" and "repression" mentioned earlier in connection with British rule. The savagery aspect has been preserved for those Nagas supporting independence while the nobility aspect has been used for those who conform to the goal of indirect rule under the Indian Union.

It is important to understand that the comparison here is between British oriented perspectives of the Nagas when they were administrating them and Indian perspectives today. British and Indians do not exclusively hold these opinions and many do not. They are images which support the practice of "oppression" and "repression" which both countries have carried out in Nagaland.

Another factor which should be considered here is that because a series of parallels can be found between Britain and India in Nagaland, it does not mean that nothing has happened there over the past 150 years. On the contrary it is very apparent that the most significant changes have been the rise of nationalism, the adoption of Christianity and the opening of Nagaland into the international arena in the Second World War which not only gave the Naga people experience in dealing with peoples from outside but trained many of them in the arts of modern warfare.

Both the British and the Indians have been opposed to Naga independence and to the extent that there is still a very strong military presence in the country it would show that the indigenous population are not trusted. In this exway, it is difficult to see Nagaland at the moment as being under anything but a form of neo-colonial control which continues the indirect rule system with Nagaland state as long as the Indian army is necessary to keep it in existence.

This article has dealt with two issues, one is the nature of colonialism and the other is national unity in cultural diversity. Both of these subjects come together in the discussion of the concept of self-determination. Self-determination has been one of the basic demands of the Naga peoples. International legal experts have several debates about the nature of self-determination. The three presented here are no more than orientations to a discussion which could perhaps point the way to further study.

The first case is put by Rosalyn Higgins (1963:105) who says:

"If, then, the right of self-determination is the right of the majority within an accepted political unit to exercise power, there can be no such thing as self-determination for the Nagas. The Nagas live within the political unit of India, and do not constitute the majority therein. Their interests are to be safe-guarded by Indian obligations on human rights and the protection of minorities."

The position here reflects the United Nations position that "the principle of self-determination cannot be regarded as authorizing dismemberment or amputation of sovereign States" (Cristescu, 1981:41).

However, the application of this principle by Higgins begs the whole question as to whether India constitutes a political unit of which Nagaland is a part or not. She adheres to a "plebiscite" definition of self-determination, in which case the plebiscite which the NNC carried out in 1951 within the political unit of Nagaland, could be argued as a vote for accepting independence as the mode of self-determination.

Within the context of Nagaland the Nagas are not a minority and according to the views of the nationalists, India is an invading colonial power. Indeed this article has pointed out some similarities between British colonial rule and the control which India holds over Nagaland.

A second approach to self-determination has been exemplified by Oftuatey-Kodjoe (1977). According to his definition the beneficiary of the right to self-determination is a "self-conscious politically coherent community that is under the political subjugation of another community" (ibid.:156). There are ethnic and national definitions of community which this paper, in sections II and III show to be applicable to the Nagas by means of their socio-cultural diversity and national unity.

The question of subjugation under Indian rule lies on the viability of Nagaland as a state in the Indian Union. The fact that this arrangement was made without consultation and that the state has neither its own Governor nor High Court questions its validity as a sub-state. In addition the constant presence of the Indian army suggests that Nagaland state under the Indian Union can only be perpetuated by rule of extra-constitutional laws such as the disturbance act and the regulations (see part III of this document). These regulations give Indian troops free rein to treat any Nagas "under suspicion" in whatever way they see fit. There are different definitions of subjugation, but on the basis of the evidence coming out of Nagaland at the moment it would appear that the country is in a state of subjugation.

Ofuatey-Kodjoe (ibid.:160) continues his definition of self-determination as "the right of all communities to equality and full self-government". The mode of self-determination, as mention earlier and in the recent Cobo report to the United Nations, can vary from internal autonomy to sovereign independence.

A third approach to self-determination stems from the Charter of the United Nations where it says that peoples are the direct and principal holders of equal rights and the right to self-determination. This is echoed in all the other legal instruments adopted by the United Nations. The crux of this argument is that self-determination applies to all peoples.

In Aureliu Cristescu's United Nations study (op.cit.39-41), there is a discussion of the definition of the term "people". The position set out (p.41) is as follows:

However the elements of a definition which have emerged from discussions on this subject in the United Nations cannot and should not be ignored. These elements can be taken into consideration in specific situations in which it is necessary to decide whether or not an entity constitutes a people fit to enjoy and exercise the right of self-determination:

- a) The term "people" denotes a social entity possessing a clear identity and its own characteristics;
- b) It implies a relationship with a territory, even if the people in question has been wrongfully expelled from it and artificially replaced by another population;
- c) A people should not be confused with ethnic, religious or linguistic minorities, whose existence and rights are recognized in article 27 of the International Covenant on Civil and Political Rights.

Whether the Nagas are seen as a nation or not is irrelevent in UN terms because all nations are considered peoples anyway. On criteria a) the Naga are certainly a people as noted in section III of this paper. Their relationship to the territory of Nagaland goes back as long as history tells which means that they fullfill criterion b) also. The final criterion c) brings up the case again that within Nagaland the Nagas are not a minority, which reinforces the notion that they are a people.

The conclusion of this article is that anthropologically and historically the Naga would appear to constitute a people in the UN accepted sense of the word, a community in subjugation as discussed by Ofuatey-Kodjoe, and capable of plebiscite in opposition to the views of Higgins. As a result of this, it is worth legal experts looking further into the rights of the Nagas to self-determination, whether or not one talks of the independence manifestation of this right.

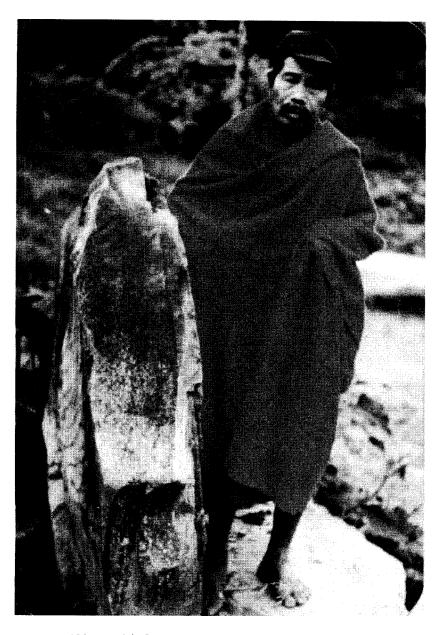
In conclusion, it should be emphasised that, in spite of the legal issues concerning self-determination, indigenous peoples continually emphasise that self-determination is a right to which one is born. Consequently, it cannot be negotiated nor bartered away. In their plebiscite of 1951 and in statements, both before and after the independence of India, the Naga people and leadership have affirmed their independence as the chosen manifestation of their self-determination.

In the light of the issues raised in this paper: colonialism, nationalism, self-determination and independence, it would do well for people to look more closely at the case of the Nagas and Nagaland in the hope that the future will bring a peaceful solution to the recognition of their rights.

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A Naga Village Chief

Part II NAGALAND FROM INSIDE

Chapter 1 The Problem in its Context

At the end of October, 1984, I was in Chiechama village and saw a member of the Indian army which was posted there trying to rape a girl. She screamed and shouted and so he let her go. The next day, in response, there was a student demonstration. One of them was shot. When a journalist went and asked the army why they had done this they said, "We just shot into the air to frighten them". But there was the student, so badly wounded that he had to be taken to hospital. A young girl and her husband - they had just got married - were caught up in the demonstration and were arrested by the army, he was beaten and she was raped. The Naga Student Federation has given the army a memorandum to investigate these events.

In March, two boys were studying in their rooms. This was in a Mao village. The army had got some information that the Naga army was there. They surrounded the house and shot, killing both the boys. They were only 18 or 19 and were working for their final school exam. When the army entered the house they found out that they had shot two students. They tried to give all sorts of explanations about "guerillas" and the "underground".

There are many incidents like this. The most recent was quite strange. In the first week of November 1984, the army came to search in Chürama village. They entered three houses and ordered the owners out at gunpoint. The soldiers then searched the houses. One of the owners had the courage to challenge them and asked, "What are you doing?". The captain in commmand said, "It is my right and duty. I am looking for rice wine". In another house they said that they were looking for a nationalist Naga who had come back from China. The funny thing is that they searched every corner of the house, shot at the bedsheets and even opened small containers. The people were wondering what armed men they would find in those small boxes.

These are some of the latest atrocities and violations

committed by the Indian army which I have seen or heard about in Nagaland. These sorts of events are happening all the time. Some people say that because the Naga army is not attacking the Indian army in open combat things are fine now. The Indian press keeps saying that everything is all right in Nagaland and that the fighting finished ten years ago. This is not true. There are still incidents of direct conflict from time to time.

In fact the people are suffering more from indirect oppression. For example the constant presence of the Indian army in every village means that if there is a village then there must be an army post. Indian soldiers are stationed around every village in Nagaland. If it has a Naga population of a thousand then there will be a hundred or two hundred soldiers there. In some villages where the presence of nationalism is stronger, more members of the Indian army are posted there and the camp will be right in the middle of the village. Normally, however, they are settled about a kilometre outside at a place where they can observe the village.

What the Naga people are demanding is that the Indian army withdraws from Nagaland. The civilians who remain will not then be able to function because they have not got the support of the Nagas. The Indians have occupied our country and I should explain historically how they did it.

Before 1832 the tribal nations of the Nagas were independent and we had little to do with the outside world. Our only neighbours were the Ahoms to the west, the Burmese to the east and the Manipuris to the south. We had good diplomatic relations with our neighbours although there were some wars. However we never took their country and they never took ours.

We had traditionally village republics within tribal nations and we functioned independently of each other, yet within one system. You would need an anthropological study to go into the details. In 1832 two English captains called Jenkins

and Pemberton happened to march across our land to get to Burma and Manipur with 700 soldiers and 800 coolies. The result of their exploratory invasion of our country was that we had 40 years of war - the Anglo-Naga wars. In 1879 the last Anglo-Naga battle took place in the village of Khonoma and the British in their records said that it was the worst battle they ever fought in the hills. General Nation was in command of the British. In 1880 an agreement was made with them.

The nature of this agreement is a mystery to us because as far as we can tell it had only two clauses:

- the Nagas would not attack tea-growing British subjects in Assam.
- the Nagas, at least those in Khonoma, would pay a house tax to the British Empire of a rupee a year.

This agreement was very vague. According to the Nagas it was an agreement with one village, but the British might well have taken it to be an agreement with all the Nagas.

As a result of this agreement the British came and set up administrative posts. The sent in administrators and eventually they were ruling. But they had a different policy in Nagaland than in India. They called Nagaland an "excluded area" which was not to have anything to do with the rest of British India.

The Nagas realised then that they had more or less lost their independence to the British. So, in 1929, when the Simon Commission came, they gave the British a memorandum saying that "the British were the only people to conquer us and once they leave we will be independent again". The Simon Commission took note of this and took the memorandum back to England. The Nagas trusted the British.

In 1947, the British were leaving the sub-continent of India and so the Nagas realised that once they left they would be independent. They prepared themselves for independence, organised and set up a government. On 14th August, 1947, just

a day before the British gave independence to India, the Nagas declared themselves independent and became a Nation according to the understanding. On 15th August, 1947 India became independent. India took it for granted that all those who had been under British rule in the sub-continent would come under their power. So, strictly-speaking, the Nagas had 24 hours independence before India.

The Indian army did not move into Nagaland until 1956, when the Naga National Council set up the government called the Naga Federal Government and organised the Naga Home Guard which became the Naga army. As Nagaland began to function as a Nation, the Indian army moved in to occupy the country. That is how the war between the Indian army and the Naga army began in 1956. The Indians moved in and we fought for them to go back to India and in fact what is happening today is a continuation of that struggle.

However, between 1956 and today many things have happened. For a start, in 1958, there was very severe fighting between the Indian army and the Nagas. Then a group of people formed what they called the Naga People's Convention. They went to Delhi and were fooled by the Indians into betraying the Naga cause. They did not represent the Nagas, and without a mandate signed a 16 point agreement with Nehru, accepting Nagaland as a state within the Indian Union.

This made Naga politics more complicated because the Indians took complete advantage of the situation and said that some Nagas had agreed to become part of India. But 99% of the people had already voted for independence and so the Nagas who signed the agreement represented only 1% of the population. The Nagaland State was created in 1963 and these people have formed a puppet government. They are given money and other things in order to run a so-called State Government. There is a State Assembly which is elected, but it has no power and we will discuss it in more detail later.

The Indian press and government have given the world false information about Nagaland. It is important that world opinion and the general public understand exactly what is happening in Nagaland. People only seem to hear the Indian version which says that Nagaland is asking for Independence and the Nagas are a cessionist movement. The fact is that we are not asking for Independence - we are already independent. We are an occupied nation and we want the Indian army to withdraw so that we can become independent again.

People must realise that the Naga issue should not be mixed up with other Indian problems. Some other states may be asking for independence, and they may be cessionist movements but we are not. The Naga situation is entirely different. It is really important that people understand the root of the problem, what happened in the past and what is happening now.

Chapter 2 Three Case Studies

The three case studies which follow trace, through my own experience and through the experiences of two people I know, the history of Nagaland over the last twenty years from the perspective of some Angami villages. As in other parts of this document, the names of those who are still alive, and of some villages have been changed.

### 1. Zakiesietuo Angami

My name is Zakiesietuo Angami and I'm from Chürama village. I study in Delhi. Now I must tell you in the beginning of 1956 when the armed forces moved into my village. First there came the Assam police and we heard later that the Indian army was moving in. Just before the army came to the village we left - not only our whole family but our whole village. The village split up because it had a population of about 3,000 in those days. Over several nights groups left the village. My family and relatives left together, making a group of about 100 people.

Almost as soon as we had left the army burnt the village. My brothers and father went back and saw that our house had been burnt down and our rice and all crops were destroyed. The Indian army also destroyed our church (including the piano which was a very good one) and the library.

I think that the deepest impression of my life and the events which shaped my whole philosophy and thinking were the three years I spent in the jungle. I was just about to start school when we left the village. We had to spend our time moving from place to place, hiding from the Indian army who were patrolling the jungle, searching for us - for everybody.

Many people were in the jungle with their families and children. Because the jungle was so thick sometimes we came to within 50 or even 20 kms from the army, but usually we would be quite a long way away. My brothers and sisters would go to villages and other groups to get rice. Often only a little rice would have to last us for weeks, but most of the time we lived from hunting and trapping. We would collect roots and fruits and in everything that we did we were led by the spirit and food was provided. The great sprit, or God, what we call <u>Ukepenuopfu</u>, the creator, it is through her that we survived.

It was a terrible experience because we were constantly

afraid that we would be found by the army when we were camping. We had to move almost every week and sent young people out to look out for which village the army was in or where it was moving.

There is one particular instance which always stays with I always remember it because we had been travelling in the jungle for one day, walking all the time. In the evening, at sunset, we arrived at a river and we camped there, making little huts with leaves and collecting firewood for cooking. We began to prepare food. My mother was so tired that she fell asleep and in a dream my great aunt, who had been dead for many years (she died before I was born), came. She said, "You must leave this camp". So my mother got up and said how we must leave the My father became furious and everyone was angry because we had just arrived and we were very tired and were cooking. But my mother said we must leave the camp. So in one hour we packed up everything and we walked up the river and we climbed and crossed another hill. We went into another valley. all dark because we had left very late in the evening but we reached a sort of cave and slept there. Now the next morning my brother went back to the camp again because we had forgotten something. He found out that almost the same time that we had left, the army reached the camp. They came and burnt the camp and had settled there. We realised that if my mother had not been warned by my aunt in the dream, all the men would have been killed and the women and children taken. During that time when the Indian army found any camps they would kill all the Naga men, rape the women and sometimes take the children to their posts. I don't remember exactly where this took place but the memory of these events remains very vivid.

I remember that my father, at some point when we didn't have enough food, went out and shot two wild cats. They were just there in the tree when we really needed meat. So we had meat for two or three days. Once we were in a camp and we noticed that there was a small amount of salt water which came from

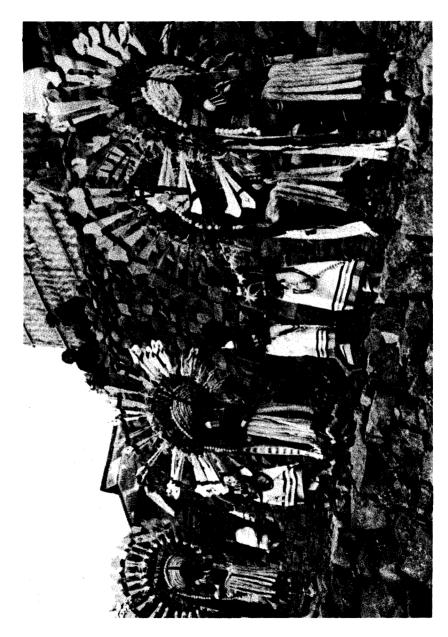
a rock and birds used to come and drink there. So we put a trap there and every morning we stayed there, there was a bird. So we had some meat.

We continued to live like this until the late 1950s. I don't remember the exact year, but it was when the Naga Peoples' Convention were negotiating in Delhi, that we returned to our village. We didn't know what they were negotiating about but many were finding life in the jungle very difficult. So we came back to the village. We didn't settle in it but about 2 km. outside the original site. That is where we lived for 10 years and I went to school.

In the early 1960s we started a village school. It was not very good. We went to school at about 8 and the whole thing was finished at about 10 am. Most of the time we were playing. We lived a sort of normal life in the village except that most of the men were fighting in the jungle and only the women, children and old people remained in the village, growing rice and doing other work.

The men who fought in the jungle, they would come to the village to get rice and other provisions. If the Indian army found out the villagers would be punished. Very often the villagers were tortured. My brother remained in the Naga army when we came back to the village and then went to East Pakistan. When he came back he was arrested and went to prison for a year in Manipur.

In 1965 I got a scholarship to study away so I left the village for several years. What happened to me between 1956 and 1964 was typical of other Naga tribal nations. Almost all went into hiding in the jungle at that time - Aos, Semas, Lhotas. And the Indian army was chasing them, trying to wipe them out. However not every village was affected. The Zilia nations (Zemi, Yangmerongwe and Ziliamrong peoples) helped us with rations even though the army was constantly coming to their villages. Many of their villages were burnt down



but some people stayed on or got rice for us. Even so they took a great risk. If any of the villages were suspected of being in contact with us the Indian army would occupy the village or surround it to prevent people leaving. The worst was among the Chakazan villages. They were burnt many times - some as much as 8 times. People would come back to the village and the Indian army would come right back and burn it down again as they were suspected of supporting the Naga army.

## 2. Diethopu

I was telling of my own story and as a child how I lived in the jungle. Now in the 1960s things began to change. In 1964 some peace agreement was signed. The cease fire came, but even in the cease fire period people were shot. My friend the teacher, Diethopu, was in the village at that time. In the early 1960s he was still young and was studying at the school.

All his family including his two brothers were involved in the nationalist movement. Three years after the cease fire, his brother, who had been in the Naga army, came back to the village. The cease fire was meant to be in operation and there was actually meant to be no more fighting any more.

One morning, when everyone was out of the village in the rice fields, he took his mother out for a walk. Although it was peace time and there was not much fighting taking place, he was stopped by the army who just started shooting. He began to run and the women started screaming "run, run run!" but

he was shot in the back. He was shot many times and he fell to the ground, but he got up and kept running. By the time he was dead there were about 20-30 bullets in his back.

This really made people angry because it was peace time. In addition he was a captain in the Naga army in the past and was a hero. So my friend, the teacher, was very very bitter and his elder brother was bitter also. He wanted to take revenge by going over to the army camp and shooting anyone he could. He didn't care what happened to him, but his family stopped him because there was a risk that if he went and killed some of the Indian army they would come and kill the whole family. So they stopped him.

One evening the brother put on his best shawls and best clothes and said "Well, I'm going out". His mother asked him where he was going and he said, "I'm going out". And he went out to his brother's grave and shot himself. The surviving brother, my teacher friend, nearly went out of his mind and went through great psychological torment. I was with him at this time. Actually he thought that a person from another Naga group had been responsible for the death of his brother and the thought that this person must have reported to the Indian army about his brother. So he got a gun from somewhere and wanted to take revenge and went around searching for this man.

This was a very crucial time for this man. He really searched in his heart to find a meaning for what had happened. Why had his brothers died, why was he under Indian occupation? Out of this deep search he came to the conclusion that he could go and kill the informer, the man responsible for the death of his brother. But he said "If I do this I will also destroy myself". So he realised, "If I have the courage to kill a man, I must also have the courage to love him, to make him a better Naga and not a betrayer, someone who will fight for the national cause". So he went to talk to the informer and told him to his face that he thought he was responsible for the death of his brother.

The man was very surprised and said, "You know, you must not forget that my own brother was killed". Then he said something very interesting: "We seem to have lit a fire which we cannot put out but you go and tell your mother that the past is past and together we will fight for our nation". This is an example of how people go through all kinds of experiences as a result of occupation. It is very easy for outsiders to understand that one group is killing another, that there is a Naga army and an Indian army and they are fighting. But all of mankind has a spirit and we all go through much more than just killing. I mean that you have to search deep into meaning for life and men have gone out of their minds because of this.

The torment described here resulted in the first suicide case I have come across among we Nagas. But such psychological anguish is more and more frequent with occupation. We can see from the events which happened to my teacher friend that the peace agreement meant very little. His brother thought it was peace time and he was shot. Even after the cease-fire the rapings, beating and torture continued because the Armed Forces Special Powers Act which had been passed in Parliament in 1958 was extended with Regulation 5 of 1962. The law says that the Indian army can shoot on suspicion. And that is how it works.

## 3. Avinuo

I can now tell you about a woman I know from Topami village. Her name is Avinuo and she is a close friend. In the 1950s her brother was one of the first Nagas to be killed. He was burnt alive. He was a missionary, a pastor to the Chakhesang tribal nation. The place where he was killed was a mission compound called Bible Hill. The Indian army has occupied it as an army camp. Even today students protest that the army should be there and say that it should move so that the people can preserve the place in the pastor's memory.

Now this woman never got married at the usual age because she joined the Naga army and went to Pakistan. When she came back she was captured with others and went to prison for a year in the early 1960s. Ten years later she was settled in the village like any other villager and she looked after her old father. Her brother was in the army but was in the Federal Government as a minister. He was one of the few who continued fighting and was shot in 1975 at Kohima. Her father died some years later as did her husband who, after a short marriage, was struck with sickness.

Today she continues to live in the village, a broken woman. She is very actively involved in the women's society which was formed by the Naga National Council. They are organised for village women to get rations, to supply food for the Naga army, to stitch their clothes and some have their own arms. This woman is actively involved with the woman's society today. Her story was actually in an Indian magazine India Today. She said to the Indian journalist "I believe that we will get independence and I believe that the Indian army will withdraw. But I believe that it will come through peaceful means and I think that they will withdraw."

This is the story of a woman and how much she has gone through. Many, many other women go through similar experiences. She is still alive and in her late 40s.

Chapter 3 The Political Economy of Nagaland under India

First of all it is important to discuss the different resources in Nagaland and why the Indians want them. In talking of resources the most immediately pressing issue is oil. After that we should look at forest products, minerals, industry and land.

## a) Oil

Oil extraction is very important in Nagaland at the moment. A company called the Oil and Natural Gas Commission of India, (ONGC) has already started drilling for oil in Woka and now they are trying to drill in Chumukedima village. When it appeared that there was oil in Nagaland, ONGC was in competition with the Indian Oil Company (IOC) as to drilling rights. I was approached by an IOC man at that time who said "You know, ONGC is cheating you. I as a technician know that there is 100 times as much oil as they claim. If you give the rights to IOC we will give you more royalties." He wanted me to approach the Naga Student Federation. But no one wanted to have anything to do with the oilmen. That was 1980.

It is not exactly clear how much oil there is in Nagaland, but it appears that there <u>is</u> a lot and that there is enough for 100 years or more. This is a big issue for the Naga people at the moment because it could mean the coming of new industries into Nagaland.

Exploration started in Lhota territory in 1980 and 1981. Oil was found at a place called Woka and extraction started in 1982. The drilling is taking place outside of the town of Woka, in a village. The first thing ONGC did in Woka was to get the Nagaland State government to sign an agreement in return for some royalties. The Lhota people reacted and the Naga Student Federation protested with many memoranda but the company just went ahead.

What they are doing now is to extract the oil and are trucking about 150 loads of crude oil out every night. They take it at night so that the protesters can't see it. The

oil is taken from Nagaland to some parts of India where it is refined.

The situation in Chumukedima village is very serious. The ONGC used similar tactics as they had used in Woka. They bribed the leaders of the village by saying "If you don't allow us to extract oil from your village, we can still extract it from another". They can do this by tapping the same underground source from another point on the surface. The villagers thought it better, at least, if it were done in the village as it might grant some employment opportunities.

In addition, the Naga state politicians were bribed by the company and went to Chumukedima village. They said:
"You see, our state will be rich and you will be rich, so why listen to those students and other politicians who are trying to stop what you want to do." So the village agreed to allow the oil industry to come into the village. They came and built camps, houses and brought all the machinery. Then the students burnt the camp houses in 1984 and the police were called in to protect the ONGC workers. Both the Naga Students Federation and the Federal Government of Nagaland are complaining and protesting and at the moment it is a very sensitive issue. This can be seen in the following article from the Oking Times dated July 17th 1984 under the headline "ONGC Warned and their Activities Condemned",

"The activities of the Oil and Natural Gas Commission (ONGC) in Nagaland is now a burning issue for the Naga people who have their love and concern for their land and people. Completely ignoring the protest of the Naga people, the state Government of Nagaland under the Indian Union and the ONGC in collaboration are continuing to exploit the Naga people of its natural wealth which is rich and abundant in the land of the Nagas. In this regard the Naga Student Federation had, on behalf of the Naga people, protested several times and had made their stand clear that ONGC will not be allowed to exploit

the Naga people of its wealth.

"The Federal Government of Nagaland had also warned the Chumukedima people that they will face the dire consequences arising out of it if the rich oil available in their locality is allowed to be exploited. It is not the fault of the Chumukedima people, but it is the fault of the ONGC who have made the Chumukedima people the scapegoat of the issue.

"After thorough study of the issue from all angles, the Angami Students Union has issued a Press communiqué on last Thursday which was signed by its President, Ino Keviletuo Kiewhuo, vehemently condemning the ONGC in regard to its activities. The communiqué disclosed that the Angami Students' Union and the Chukedima villagers have come to a conclusion that the extraction of oil at the said area is against the interest of the Nagas. It also conceded that it is surprising that the ONGC and the state Government of Nagaland under the Indian Union are trying to lure the people away with false promises which will never be fulfilled in the long run..."

The real reason for all this protest about the extraction of oil is that until there is a final settlement of the Naga political problem, all natural resources should not be touched by outsiders. This is stated in the Hydari agreement article 4: "That land with all its resources in the Naga Hills should not be aliented to a non-Naga without the consent of the Naga National Council". This is why we are very clear that unless there is a political solution there will be no natural resources. The natural resources should not be taken out.

Another reason why the oil exploration and drilling worries us is that once extraction begins in earnest it will attract outsiders. Indians will come and work for the oil company and "Indian" towns will emerge in Nagaland. There are also many other side effects, but the most important thing is that we don't want our oil to go out of the country.

## b) Forest

At one time the forest was one of our richest natural resources, but over the last 20 years it has been destroyed. The little remaining will not last long. The presence of the Indian army has been the main factor in this destruction of the trees in Nagaland. There are several ways in which this happens.

There are several forces constructing army roads through Nagaland to parts of India and burma. One force is called the Border Security Force or Border Roads Force and the other is called the Engineering Force. These are paramilitary units which build their roads deep into Naga forest. They cut down the trees with bulldozers and open the area for business men who cut down more trees to gain some cash by selling off the timber. When a road is constructed by the army, the business men follow to destroy what remains. These businessmen are Naga individuals in collaboration with Indian companies.

During the fighting in the 1960s, the Naga army would often shoot from the jungle, so the Indian army would clear the forest on both sides of the road for at least 30 metres in order not to let the Naga fighters hide. Labour for the road construction was often forced. Some Nagas were hired but in many villages the inhabitants had to cut down their forest. The worst period of this sort of road construction was in the early 1960s.

Nowadays the main trouble with the army with regard to the forest is their cutting firewood. There are estimates of between 100,000 and 150,000 Indian army members in Nagaland. Now if you have a camp in every village and need wood for cooking and heating, it is necessary to be constantly cutting the supply of the villagers. In some villages there are hardly any trees left.

In addition to the trees, the army camps cut down local grass to feed their animals such as cattle and goats. Some meat comes from the army rations, sometimes they buy it, but as the camps are permanent settlements they sometimes include farms and animals. All in all the presence of the Indian army is having a serious effect on the ecological balance in Nagaland.

#### c. Minerals

Although there are minerals in Nagaland it is difficult to talk in terms of numbers because much of it is secret.People have heard that there is at least gold and uranium. One area where there are mineral deposits is in Tuensang district. At this stage it is not possible to elaborate further.

### d. Industrialisation

A typical example of the effects of industrialisation can be seen in Tuli, an Ao village, very close to Assam. The Nagaland Paper Mill was started in 1970 and was intended as a Nagaland state run project (that means India is involved). The Nagaland state government couldn't handle the business so they sold out 50% of the shares to Indians. The result of this was an influx of as many as 20,000 Indians to Tuli.

When it was planned, the mill workers, the engineers and the officials would make up 3000 people. Then the population increased to 10,000. What with the business people attracted to the area, sidewalkers and people who cut bamboo, in a matter of 10 years there were 20,000 Indians. At the next election there is planned to be one Indian from that area in the Nagaland State Assembly.

As far as the Naga population is concerned I think this sort of influx is one of the greatest dangers facing the Naga people. India uses "population politics" a lot and there are many ways in which you can control a people by sheer numbers.



Naga man and woman

The paper mill is not an isolated example. In Dimapur they have started up other industries. A sugar mill owned by the Nagaland state government was sold recently to a brewing company, Mohan Meakin because the government could not manage the business. All around Dimapur other small industries are emerging. The population has considerably increased over the last 12-20 years and the newcomers are all Indian. In Dimapur now 80% are non-Nagas and only 20% Nagas - all in a town of 60,000 people. In Dimapur there are two non-Naga MLAs (Member of the Legislative Assembly), and one of them has become a Minister in the Nagaland state government. This is all direct Indianisation of Nagaland and part of their assimilationist policy which we will discuss more further on.

# e. Cultivation, Irrigation and Hydro-electricity

Naga cultivation has traditionally been of two types: wet rice agriculture which groups such as the Angami practice and slash and burn agriculture - dry rice or "jhuming" which many other groups use. The Nagaland state government certainly does not encourage jhuming although they are not deliberately trying to stop it. There has been a lot of propaganda saying that it is bad for the ecological balance and that the burning destroys the forest. All this is to persuade people to stop jhuming and practice wet cultuivation more.

Many of the Naga tribal nations such as the Ao, Lhota and Sema who have traditionally practised jhuming do not have enough water to work wet rice in irrigation terraces. In places where there is enough water it is possible that some will change to irrigation cultivation. Recently some Rengmas and Semas moved to areas where they could have wet agriculture and the land was suitable for terracing. But this is exceptional, in most of the traditional jhuming areas there is simply not enough water.

Although hydro-electricity has not become a real problem

yet there are some projects. The proportion has not really effected any land, but channelling water away from the rivers has added difficulties for local villages' irrigation terraces.

There has been one particular case where we thought that a dam was to be built. The village of Dzüleke was to be hit. Either it would become a tourist village or it would not survive. If this project were to go through a lot of terracing would be submerged in the surrounding area. We have heard nothing about this project recently and hope it has been shelved.

## f. Transmigration and Land - the Politics of Population

Even though there is no evidence of Indians being given incentives to come to Nagaland, the effects of the enormous migration on our country is very similar to what is happening in other parts of Asia and the Pacific under the term transmigration - the taking of indigenous land and the attempt at making them a minority in their own country.

We have seen how in Dimapur over the last ten years 20,000 Indians have moved into Nagaland. They are not only attracted by the small industry but also as businessmen and farmers. The Indians are managing to get land by all sorts of tricks. Sometimes they come and work under a Naga boss. For example, a Naga State Minister will buy land in the Dimapur area which he cannot look after to he hires Indian labourers to look after it. After some years they buy the land and bring their families. I know of three Ministers who have employed between one and two hundred Indians to cultivate their lands.

There need not be any incentives given by the Indians to come to Nagaland because there are more jobs and money there at the moment. Not only are Indians attracted but also people from Bangladesh, Assam, Bengal - Muslim peoples. They are coming mainly to the foothills of Nagaland between Nagaland and

Assam and cultivating the area. Some of this land belongs to the Nagaland state government, so the immigrants just settle and start growing on the border areas. Then after living there for several years the land will become theirs.

It is difficult to know whether this is a direct or indirect policy, but sooner or later the Nagas will become a minority in Nagaland. If immigration goes on at this rate in 20 or 30 years there will be more Indians in Nagaland than Nagas and then they can vote to become a part of India. This is what happenend in Tripura. In the state of Tripura the indigeneous tribal people, the Tripuris was, 50 years ago, about 90% of the population. Today the make up 20% and they are dominated by Bengalis from Bengal and Bangladesh. In the Tripurese assembly 58 members of 60 are non-indigenous people. In Sikkim we can see the same process except there Nepalese have moved in.

As we saw with the industrialisation of Nagaland, Indian labour is given preference over Nagas. Contractors come and bribe Naga politicians and so big work such as bridge construction or houses go into Indian hands. In Kohima district there is a small cement plant which is the prototype of a series of planned bigger ones. Indians are to be used for employment in the plant.

In addition there are other ways in which Indian people can get into Nagaland. Sometimes they destroy their papers and say that they have been living there for many years, sometimes they bribe officials. Another practice you can see in Nagaland is when an Indian bribes a gullible Naga who will "adopt" him. So many of these Indians have Naga "parents". If you find an Indian with a name like Sharam Sharah you might well find he is "son" of K.Angami. This is because he has been adopted and is now indigenous!

There is a case where this worked in 1983. An Indian army brigadier's daughter was given a place at a medical college

as a Naga because her father was living in Nagaland. Of course the students were very angry because the place was reserved for a Naga and Naga students were denied a place. They protested and the brigadier took the case to court, first in Kohima and then in Gauhati in Assam. He pleaded that he had been adopted by a village and was therefore a Naga. His daughter was consequently a Naga too and so qualified to get a Naga place. He won.

The entry of many immigrants has given rise to border disputes between Assam and Nagaland. Some years ago and again recently in 1985 people have been killed because they settled on disputed areas.

But we must be clear on this subject. Nagaland is still under the Inner Line Regulation set up by the British which states that no Indians can settle in Nagaland. Even though Indian Law says this they still come in. The richest business men in Dimapur are all Indians and Indians are still taking over land in Nagaland.

Many of the activities of the Naga Student Federation in recent years has been aimed at checking the influx of Indians into Nagaland. Several methods have been tried. One is to check their permits, because everyone needs a permit to stay in Nagaland. Nevertheless no one can check when they come in because there is a steady stream of buses and trucks going between Nagaland and Assam all the time and a train comes in too.

When they are settled it is possible to check for permits at town gates. Indeed, at one point the Naga Student Federation tried to collect the whole Indian population in Kohima without permits and put them into trucks and sent them away. But these Indians we're incredibly resistant and in a few days they were back again. Last year the Naga Student Federation did this again and rounded the Indians up in a football ground and found trucks to drive them back to India. The Indian army

didn't intervene because the students were acting legally. They were checking the Indians' permits and not harassing them.

In spite of all this the Indian presence in Nagaland is a big problem. They have penetrated nearly all the villages. You can find Indian shops, tea shops and small businesses in even the smallest villages. It is crucial not to under-estimate the implications of the vast influx of Indians into Nagaland which is not only comparable to transmigration in other parts of Asia and the Pacific but is also against the law of the Inner Line Regulation which the British set up and which the Indians have said they consider to be still in force.

## g. Floating Money - the Politics of Development

Nagaland state government is a puppet government. It can only operate with the support of Indians in Delhi and the force of the Indian army. The state government has nothing to show that it is working and so the Delhi government gives aid to Nagaland state. In fact more money goes into Nagaland than any other state in India per capita.

This "floating money" is not controlled and goes into the hands of the state politicians, contractors, agents and businessmen. This is creating an extraordinary phenomenon among the Naga people - millionaires. These rich Nagas can buy land, bring in Indian labour, afford Indian and Nepalese servants and live a life style which is totally alien to Naga culture.

Many people are trying to get hold of this "cheap money" without having to work for it and it is becoming a source of evil in Naga society because people are losing the sense of earning money.

There are several notable examples of how Naga state policians have gained much money from their positions. Needless to say corruption is rife and in addition to the money from India there are many other financial advantages from political office. One man, who is still a minister, and has been both Chief Minister and Education Minister in the past made a considerable fortune from property speculation. He bought and built so many houses that he is reputed to be getting 50,000 rupees per month. His family and relatives need not work and they constitute an example of a Naga leisure class - Delhi for holidays, Calcutta for shopping etc.

Another Chief Minister of Nagaland state is S.C.Jamir. He became very rich through his political work in Delhi and Nagaland. He even has a bank account in Katmandu. He lives in an enormous house in Dimapur where he has paved the floor with marble from Rajastan. He owns houses in many parts of Nagaland and employs servants and hired labourers. Here is an example of the <u>nouveau riche</u> who have emerged in Nagaland over the last ten years.

People with this amount of money become very powerful and can control large areas of the economy, particularly through owning shares in businesses. However we have to realise that this money has its source in the "floating money" given in "development aid" from India. As we can see, the beneficiaries from this money are either the rich Nagas or the Indian contractors. Anyway, however it is, the money will end up benefiting the Indian economy more than that of Nagaland.

### h. Economy and democracy - the politics of corruption

There are two ways in which money can influence the make up of the Nagaland State Assembly. One is to bribe the electorate and the other is to bribe the candidates. There have been two main Naga parties in the Assembly. The Naga United Democratic Front which formed a Ministry once in the 1970s. However they were pro-Naga National Council in that some of them advocated Naga independence openly. As a result of this the Indians made sure they didn't get to power again. Now the main Naga party is the Naga National Democratic Party which would be ruling now if it were not for the Indian Congress I Party.

The election system is not fair as many voters are bought off during the elections. I can give an example of a candidate who distributed blankets and drink during the elections. He brought Indian labourers in to vote for him and got people to fight with the rival candidates' agents. But of all the parties, Congress I is the worst. In the last election, in 1982, Congress I MPs flew from Delhi to Kohima with money to distribute to Congress I candidates and they did this openly. This has the effect of drawing in candidates, even though the people themselves may not support the party. A candidate who stands for election will get money, a team and agents and also a jeep. Often he can win simply because of the money.

I know an Angami who was interviewed and was asked why he had joined the Indian party to stand for election. He was honest enough to say, "I know I will not win, but I need the money. If I stand in the election as a candidate of Congress I, I will get money and a jeep. I will spend half on my election campaign and the rest I will keep". Another man who joined Congress I even changed his name into an Indian name to get voters in a constituency where there were a lot of Indian workers and labourers - in the locality of Kohima. He changed his name to Chandra Kumar and boys went out at night shouting for the Indians to vote for him. He paid these people with the money he was given. In fact, no one really took him seriously, least of all himself!

In the last election, Congress I did win but how they did it shows the real evil in the election system. In addition to

the Naga parties and Congress I there are usually several independent candidates elected to the Nagaland State Assembly.

After the election the Naga National Democratic Party won most seats. However, Congress I openly offered the Independents money and they joined them. And so as a result of being given maybe 200,000 rupees an MLA can defect from one party or position to another, depending on the amount of money offered. In the Nagaland State Assembly Ministers have changed parties several times. In this way a whole election can be a fake -democracy is not the name for this corruption.

There have been reports which say that the new Prime Minister Raji Gandi will pass a law preventing these defections. If this is the case it will mean trouble for the Indian party in Nagaland state because they will never win without the aid of money and defections. If this were to happen even the State of Nagaland under the Indian Union would become pro-Naga.

Really Nagaland state under the Indian Union will never be pro-Indian. The Naga Ministers just say this for the sake of it or to humour the Indians or even to keep themselves in power, but in their hearts they are always Nagas. I think that even the Chief Ministers themselves who talk about Nagaland being a part of India, deep in their hearts they are Nagas. They are compelled by the situation to be like that.

The identity crisis which this split in loyalties brings has made some Ministers go out of their minds. The first Chief Minister of Nagaland, P. Shilu Ao was appointed without election by the Naga Peoples' Convention. Today he cannot accept the fact that he betrayed his people and he has suffered much mental disturbance for which he has needed treatment.

In addition to the Nagaland State Assembly the Nagas have one representative in the Indian Parliament. The most recent member was a Congress I candidate who won with all the fakes and money crutches of the state elections. But before then we have had some pro-Naga MLPs in Delhi. One women member had been

involved in the Naga independence movement and as a result was harassed and imprisoned by the Indian army. She had a baby while in prison. Later when she was elected to the Indian Parliament she was quite effective, speaking vigorously against Indian army rule.

## Conclusion

This chapter has looked at 8 different aspects of the political economy of Nagaland and how Indian control has stifled Naga self-development and freedom of speech. In addition there are three main areas of violations which should be emphasised.

- 1) The illegal taking of resources from Naga territory by non-Nagas.
- 2) The transmigration of Indians into Nagaland illegally and in contradiction to the Inner Line Regulation which the Indians said that they would uphold.
- 3) The faking of elections where a pro-Indian party can buy off the Assembly even when a Naga party has won more seats.

Chapter 4 Cultural Repression

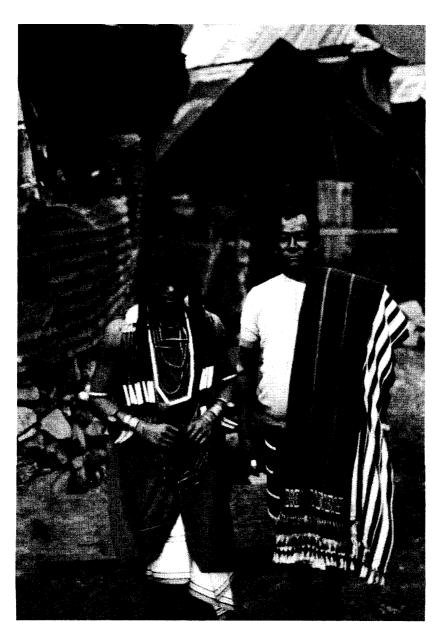
### Education

Education in Nagaland is a false education. It has no relevance to Naga society whatsoever. Although education is meant to be free and compulsory in Nagaland, this means very little because the primary schools to which everyone has to go don't function properly. The schools in the villages have unqualified teachers and the schools in the towns are dominated by expensive private schools which are effectively businesses. Those who are educated privately might learn English and English history but they eventually become a small ill-fitting section of the population whose education cannot help them in traditional Naga society.

Most rich people (about 2% of the Naga population) have private tutors in their homes. They bring teachers in from the schools by offering them a higher salary to teach their children than a whole class under the state system. Many headmasters say "All my good teachers are being used by the rich. I pay them 700 rupees a month and they pay them 800". In this way educated people, the officials bureaucrats and doctors in Kohima and Mogokchung who make education decisions don't care about what is happening in schools because they have private teachers for their children.

The problem starts with the poor pay. Usually only those people who can get no other job become teachers which is not good for quality. Most do not want to go back to their villages once they are educated and so those who fail their exams and cannot get another job teach there. For example in the villages of Sotsumae or Jakama, some teachers have been taught up to classes 6,7 or 8 and are teaching children things they don't know.

There is naturally traditional eduction in the villages from the <u>morungs</u> and the elders, but we must face the reality that we need a school education. It can be relevant and healthy to train the mind and help to give people a good



Naga man and woman

quality of life. But it is painful to see my own village's education potential. Most of the teachers are not qualified, the children have one class a day and finish at 12 pm. The teachers often have their own farms and are more concerned about their rice with which to supplement their salary. Those children who are keen are not given the chance they need and drop out at 12,13 or 14 years old.

In addition, parents also want their children to work on the farm and so they are told "Go to school and straight after you come to the farm". So the children go to school, have roll call, sing some songs, learn a lttle history and geography, perhaps, and then they are off to the farm.

For those children who do not drop out in their early teens, they can complete a secondary education and go on to College along with those who had a head start from private tutoring. What is really shocking in the College is the syllabus. In the first year of a B.A. History degree the first subject is the history of Britain with special emphasis on Henry VIII, the Reformation and his wives. What use is that in the real village world of rice growing? If they have done their primary and secondary history correctly they can add this to their knowledge of Ashokar, Akbar, Shah Jahan and the Taj Mahal. It is as if English children and college students were given priority on the Chinese Tang dynasty or Angami religion. The whole curriculum is a mixture of Indian and English but nothing on Naga history. One cannot even say that they teach a reinterpretation of Naga history - they don't teach it at all. Many people know more about England than Nagaland or India.

A college education is essential for getting a job as an official in the Indian Administrative Service (IAS). This is the most lucrative job and you can get servants and a car as well as security in your employment. Nagaland is producing hundreds of B.A. qualified students every year who want to

become officers in the IAS.

The state government is having difficulty in employing all these graduates and there is a considerable amount of overstaffing. For example, in an education office, or any other department for that matter, if there is work for 5 people. they can employ up to 50. The employees don't do anything except come into the office at 9,10 or 11 o'clock, drink a cup of tea, do a bit of paper work and go home. In some offices it is quite comical because there are so many officers, but there are no clerks. You have a director, assistant director, joint director, assistant research officer, deputy registrar and the list goes on. In a small office you can find 20 officers - a whole imported Indian bureaucracy which is something very new to the Nagas. If you want to apply for a scholarship, for example, you have work through maybe 10 officers, getting them all to sign a piece of paper before it gets to the politician who actually makes the decision.

There is even a department called the "Employment Scheme Department". The people here work to ensure that young people get jobs so that they will not become politically involved. It is often those Nagas who are educated who become active in politics and so if they can get him a job he is more likely to keep quiet. This has happened in many cases, even though unemployment is quite high for graduates. Once you have a job as an officer, you can get a jeep, a comfortable house and it will be more difficult to give all that up to live in the jungle or to lose it all by becoming politically active.

Many of the wealthy people in Nagaland such as the ministers, bureaucrats and businessmen, send their children outside Nagaland for their education. The most popular places for this are Shillong, Darjeeling, Delhi, Calcutta, Bombay or Banglalore. In this way the alienation of the rich from Naga society perpetuates itself over time into a kind of class who can speak good English and Hindi but do not understand Naga life.

Last year I went to Shillong and found out that there were as many as 2,000 Naga students studying there. When I went to Nagaland house to stay I couldn't get a place. The reason, so I was told, was that all the IAS officers had come with their children for school re-opening. They had brought their wives and servants too - the 20-30 jeeps outside bore this out. It costs about 2-3000 rupees to travel to Shillong and back yet some Naga villagers earn only 100 rupees a year.

In spite of all the bad things about education in Nagaland there are some positive points. Nagaland has done better in education than in any other field in the sense that there are more Naga students in higher education than in any neighbouring area. The literacy level is also high compared to Assam and the rest of India - as high as 42%. Secondly almost all Naga villages are aware of the benefits of education particularly those people who have some money, even though they are not the nouveau riche. Most families would suffer by saving on holidays, clothes, meat, food or drink to give some education to their children.

Although my father was rich enough for me to get some education, my sister had a big struggle. She and her husband would eat less and spend less on clothes so that they could help the education of their 6 children. Because the schools are so bad they have an extra tutor for the children. In spite of the stupid curriculum people are struggling to get an education for their children. The result of this is that we do get many university students from Nagaland.

All those studying at Shillong and Delhi are university students. Some years ago the figure for all pupils and students was 100,000 - a high percentage of the population. This is reflected too in Manipur where the Nagas are also well educated. However in spite of these good aspects it is important to stress that the Naga people are still getting the wrong kind of education. The books come from Delhi and the curriculum is politically and culturally meaningless.

## Christianity

90% of the Naga people are Christian and one cannot deny the important role of Christianity in Nagaland. The first missionaries came to our country in the 1860s. They were American Baptists and rapidly came into conflict with the British who were colonising Nagaland at the same time. The fighting between these two groups of white people - some from America and some from Britain - meant that the Nagas suffered.

On the one hand the missionaries said and taught the Naga Christians that everything traditionally Naga was wrong. They were pagans and should not sing Naga songs, wear Naga costumes or participate in Naga festivals. That destroyed much of the richness of Naga culture. On the other hand the British administrators, like Hutton and Mills, they vigorously attacked missionary activity to the opposite extreme. They would punish any Naga who became Christian if they could. There is the case of a man called Tholeu who lost his job with the British when he became Christian.

Nagas who went to missionary school were told that they would not get a job unless they went to the schools set up by the British. However those were only primary schools. The British aim was not to educate the Nagas but to give them basic knowledge of reading and writing. They were not educated too much in case they began to think like the British. The missionaries on the other hand were quite happy to educate the Nagas and they sent several to be educated as doctors at the early part of the century.

Later Catholic missionaries came to Nagaland. As far as Naga culture was concerned they were more sensitive than the Baptists - allowing traditional songs and the drinking of rice beer. This was the greatest mistake of the Baptists. They forbade the drinking of rice beer, but this is an essential food for Nagas. It is our daily diet and without drinking it

we would starve. Even though Catholics are a minority in Nagaland, this was one positive point about them.

Nowadays it has become fashionable for intellectual outsiders or even Naga scholars to attack missionaries. In order to attack Christianity one must know, above all, how to attack missionaries. But I consider that these people are mixing two things. Missionaries are something completely different from Christianity.

Many missionaries make great mistakes and should be condemned for the harmful things they have done. On the other hand one should say that some of them were genuinely concerned and it was a part of their ignorance when they said that one must become like Americans or Europeans in order to be Christian. We must learn from their mistakes. But it is complete lunacy to say, as some do, that because of a few missionaries all Christianity is wrong and that 90% of the Nagas will become animist again. We must come to terms with the fact that the Nagas are Christian.

I have thought very deeply about the relationship between traditional Naga society and Christianity. Even though I speak English, sometimes wear European clothes and often eat non-Naga food, I am still, in my heart a Naga. I am proud of this and it is the spiritual peace of my culture and my identity. Other things I speak, eat or wear are by-products. My philosophy, my Naga identity and my culture comes from inside.

I must admit that even today there are some Christians in Nagaland who are a bit ashamed of Naga culture. They say we should not sing Naga songs because they are not Christian. Many sing American songs because theu think that this is Christianity. But they give Westerners and Hindus reasons for saying, "Look here, you have become Christian and have lost your Naganess". This is not true.

Europeans do not have the monopoly on Christianity. What Europeans think of as their culture is just a matter of time

and change. After all, the Chinese and Indians were writing their philosophies 5000 years ago when Europeans were just coming out of their caves. Christianity came to Europe from Asia and some Indians were Christians 500 years before the Europeans. When Europeans became Christians they made it a European indigenous religion. They changed their names and founded festivals in relation to their cultures.

Now I, like many Nagas,am a Christian, but I am not a European. I have a relationship with my God. Now my God can speak to me through my dreams, just as happened to my Angami ancestors. I don't have to be like the Anglicans or the Catholics and go through all those rituals. I don't need them. What I am talking about is Naga Christianity - an indigenous Naga Christianity.

In Angami, God is ushevinphü. She is female, the creatress who is "the woman who gives life". Jesus Christ's teachings are emphasised much in Naga Christianity. The soul in Angami is ropfu which is inside the body. Terhomia is outside the body and becomes a spirit. The Holy Spirit is a good terhomia. It is through the terhomia that I feel and dream contact with God. Christianity is not strange to the Nagas because it is related to our past traditional religion. Christianity can be understood in many ways and its theology has gone quite deep into Naga culture. Several Nagas have studied theology and it is quite a popular subject - some even travelling as far as the USA. Many theological seminaries have become more flexible over the years and will accept Naga interpretations. In some colleges Naga theological students perform Naga dances and songs so it would appear that they have become more flexible. However, if they didn't the Nagas wouldn't go to them.

## Indianisation

We have already mentioned how the education in Nagaland is oriented to Indian culture, history and language as well as the legacy left by the British. Indianisation in education is a clear policy of the government so that the Nagas will start to think like Indians. However there are other more subtle ways of Indianisation apart from education.

Although Hindi is taught in the schools there have been people who have refused to accept it. In extreme cases these people have been punished. The television in Nagaland comes from Delhi and so is purely Indian. The radio is controlled from Kohima but it is all geared to the Indian system and culture. Indian music is played before programmes and India is referred to as "our country". One woman announcer said something in Angami about Nagaland as "our nation" and she was arrested.

The media is strictly censored. The Nagaland state government brings out comical Newsletters from time to time. These funny propaganda letters are posted to teachers, lecturers etc, in Nagaland. The Minister who sends them includes extracts from Indira Gandhi's speeches about how beautiful India is, how Nagaland is the pride of the Indian nation and how the Nagas are becoming good Indian citizens. This stuff comes out every week and people laugh at them because they are not very convincing.

What are actually dangerous are movies which are not forced but more commercial. Naga people like movies and they are all Hindi produced with Hindi songs and based on Hindi culture. They are set in Bombay and Calcutta and tell about how Indians live. The Nagas take all this in without realising how it can convert them into Indian thinking by being carried away with the romanticism and liveliness of the films. There are daily movies shown at the two or three picture houses in Dimapur and thousands of people attend. When the villagers come into town they don't want to miss a good movie and so the effect is widespread.

In looking at Indianisation in Naga society we have to look at the inequality which has been introduced as a result of Indian occupation. The first thing is to distinguish between class and caste. Class is defined economically and is largely to do with money. Caste is a question of race, blood and purity. In theory a high class person can be of a lower caste and a lower caste person if he has money, be in a high class. However in practice it is usually that money finds itself into the hands of the high castes so the two types of inequality are different but close.

In Nagaland caste does not count at all because the Nagas react very strongly to the caste system. However the class system has been accepted. The "Babu Sahibs" are gentlemen in the towns such as the educated, doctors, ministers, contractors, engineers and the elite. They have found their way into the class system as a direct result of Indianisation. The upper class in Nagaland is very like that of India. As we have seen earlier most of the money in Nagaland comes from India and goes back there again, but it passes through the hands of the richest people in Nagaland.

The upper classes in Nagaland emulate the Indian way of life. They employ servants, treat people in a deferential manner and even look down on their own villages which is something a traditional Naga would never do. They totally forget the Naga philosophy of equality and brotherhood and even though they talk of "their" village, they will not return there after their education is over.

The servants (<u>kanchas</u>) and coolies of these high class people are increasing in Nagaland. The concept of coolie is very alien to us. Nagas never had coolies in the past and such labourers are treated as they would be in Bombay or Delhi. For example, a high class woman in Kohima or Mogokchung will sit down and order her servant to cook or wash and order a coolie to carry her case. This is not Naga behaviour at all.



What happens as a result of this is that people become conscious of their class and become ashamed to carry things, to work with their hands or in the fields as this would be below their dignity. The coolie does it now and the dignity of labour, which is a very strong feature of Naga life disappears from the upper classes.

Fortunately it has not gone from the villages. But we Nagas must resist this middle class and wipe the concept of class away or else we will all become drawn into these unequal relationships. Even though the majority of Nagas oppose these things, with transmigration of Indians and the deteriorating political economic situation, the Indians will be able to take over.

We have spoken earlier about the transmigration, the bureaucracy and the political system which has been imported from India. All this has an effect on the traditional egalitarian values of the Naga.

There have been several cases of Indian businessmen marrying Naga girls so that they can stay and get the right to practise their business in Nagaland. He can then control a company in Nagaland under his wife's or son's name. The spread of values through mixed marriages is not really a problem other than this sort of thing.

There are now so many Indians in Dimapur that three years ago the Governor of Nagaland state tried to create a special Indian controlled district there. We Nagas protested and 10,000 Angamis travelled down to demonstrate. Although the proposal didn't get through the Indians are still there and it remains a possibility.

The corollary of Indianisation is "cultural betrayal". This relates mainly in the spheres of education and health. As we have already referred to education I will concentrate here on health. The health service in Nagaland is not good,

especially in the villages. The reason is that most doctors who are educated refuse to come back to their villages to serve the community. These are the Naga doctors and they are behaving like the Indian doctors (half of all the doctors in Nagaland are Indians) and prefer to remain in the upper class.

In my village 10 doctors have been trained but none of them are serving in the village. They are all in the towns with their excuses as to why they don't want to return. They say that life is not easy and the facilities are bad in the country. There is no difference in salary between the town and the village, in fact working outside towns can mean financial incentives.

To become Indianised and to give all one's effort into life in the town when one's own village is going through difficulties is a betrayal. Indeed Indianisation and those who succumb to it are a part of the betrayal of Naga culture.

Chapter 5 Political repression in Nagaland

It is hard to ascertain the exact number of people who have been killed by the Indian army since 1956. Figures go as high as 100,000. Sometimes the Indians give a higher number than the Naga army and sometimes its the other way round. Somebody once calculated the figures given in the Indian newspapers of Naga deaths and arrests over the last 20 years. When they were put together they equalled the total population of Nagaland. However, although the figures are confusing thousands and thousands of Naga civilians have been killed by the Indian army.

The worst period under Indian control was from 1956 to 1964 when the peace agreement (see Part III) was signed. After 1964 the repression was more subtle. The period from 1956-1964 was a period of terror and I would compare it to that of the Nazis. All Angami, Ao, Lhota, Rengma villages were burnt, some many times. This was bad enough but in addition the crops were destroyed every time and people who were captured were tortured, even to death, and hung upside down.

Tortures were very frightening. Chilis were put in people's eyes and electric shocks were given. Sometimes they were done as experiments. Another frightening thing was the Naga Village Guards. This was a regiment of military police which the Indian army formed from Naga villagers who had remained in the villages and had not joined the nationalists because they were pro-Indian. These VGs, as they were called, were trained to do the most cruel jobs. At first they were given uniforms, guns and money and then were trained to almost enjoy killing. Ultimately the VGs were under the control of Indian officers but they had some officers of their own.

There are many extreme cases of what they did. I know of a case where they cut off the head of a Naga army man and wrapped it up giving it to his sister saying, "Here's your lunch pack". Another Naga army man was wounded and said he was thirsty. In response he was shot in the mouth - "that's

your water".

After 1964 the Village Guard decreased in importance and some years later they were abolished. After 1964 many of the VG officers went out of their minds. They went crazy, killed themselves, shot each other or had unnatural deaths. Many had nightmares. I know of one who dreamt he went out hunting at night out of the camp. His friend saw him but in the form of a tiger and so shot him. Another VG became sick and was so afraid of death that he wept and called out "What has happenend to me?" It is obvious that many of the VGs went through psychological torture as a result of the evil they had committed.

In my village about 100 people were killed. Most were in their 20s. Many who were killed one cannot remember so well, but friends and relatives who were killed stay in your mind. I must tell you about Apu. He was from a different Naga group to me but he went to school in my village. He joined the Naga army and was captured. The Indian army tortured him and used all kinds of electric shocks to burn his body, then they hung him upside down. They didn't do it because they wanted information from him but because they enjoyed doing it. I met him when he came out and he was a broken man. He was absolutely black. He said to me, "I don't want to live any more". That is what I remember most. A month later he died. There are many people who died like that or who were broken after 10 years in prison.

A serious problem for the Naga people between 1956 and 1964 was the destruction of crops and the re-grouping of villages. Often the crops of a village were destroyed by the Indian army or else villagers were forbidden to leave the village so their crops went bad. Sometimes they even forced the Nagas to destroy their own crops

Village re-grouping was when three or four villages were gathered together like a concentration camp which was called

a "village grouping". The people would be surrounded by the Indian army and could not leave the grouping without permission. They were allowed to go out maybe once in the morning and once in the evening. If it was harvest time they could go out for maybe 6 hours and then had to return to the grouping. This took place in many other tribal nations apart from the Angami. Sometimes the Indian army tried to stop harvesting altogether in prevent rice getting to the Naga army.

This practice went on until as recently as 1975 when still in some areas people were allowed out only between the hours of seven and four to harvest whereafter they were expected to report back. Often the rice went bad because this exit from the grouping was allowed only on some days.

One of the most appauling acts which the Indian army has been doing is raping the women. This was particularly bad during the years 1958 to 1964 but it still continues on a smaller scale - maybe 2 or 3 times a year.

It is a great social stigma for a Naga woman to be raped. It can affect a woman's whole career, her marriage and can leave her with much psychological depression because of her shame. Some have got over it because they know it was not their fault but many have not. It is so shameful. There is a song about an Angami girl who was raped by a member of the Indian army. It is typical of what people go through:

She was a happy child
She went out to the rice fields
Singing like a free bird.
She was born of the rugged mountain.
But one day a soldier came to her land
She was tortured and raped
He took her dignity away.
Her home is where she belongs
And she will rise up again to
Sing in glory and
Tell her people a new story.

This phenomenon of being raped by soldiers is not a sexual thing. It is something which is really horrible. I don't

think these soldiers get any sexual satisfaction from what they do. It is something more like defiling the whole people through the women. There have been written accounts of raping in Nagaland (see Part III). Even now in the villages there is a continuing fear and women will not go out alone without the men to the rice fields. They prefer to be accompanied by young men and go in groups. I think this is the worst kind of evil.

In the last 20 years there has been a change in tactics from the Indians. After the state came in 1963 and the peace agreement in 1964 repression became more subtle. We have already seen the development of the class system in Nagaland, the role of money and corruption. This is the state's part in the political repression and it is related to what the Indian army is doing because the state and the army openly co-operate.

The Indian army has stopped burning villages. In fact they have little direct war because the Naga resistance has shifted to Burma. The Indian army is making more use of psychological warfare using what has been known elsewhere as a "smiling policy". They try to win people over by making friends with them. They give temporary rations to the villagers and medical aid. They even make pictures of the army helping the Nagas. I consider this policy to be very dangerous because it fools a lot of the villagers.

One Indian officer was honest enough to tell me that every Indian army officer nowadays before being posted to Nagaland goes through a special training course in how to deal with the Nagas.and how to win them over. They learn that it is very difficult to win the Nagas over with bullets so they learn a little of their culture and history and are taught that the Nagas are "easily aroused emotionally and irritated" and in order to avoid this they should be subtly controlled.

One particularly irritating practice of the Indian army is their rum distribution. This goes on in open co-operation with the state. Traditionally we Nagas had our own rice beer but we were never alcoholics. We did not know whisky and rum until the early 1960s. Spirits have been introduced into Nagaland in three ways: the state, the shop and the army camps. One Naga general told me "Our boys can resist bullets but we cannot resist the bottle".

In every army camp there is a canteen where they sell rum cheaply and any villager can buy it. The soldiers drink it too but for them it is on ration. However they give it to Naga villagers as a part of the "smiling policy". I was in my village when an Indian army general came. asked the villagers to meet him so they came and heard his speech. "Yesterday we came to your village as enemies, today we come as friends. Together the Nagas and we will build this nation into a great nation. Your contribution is important. You are a wonderful people, a hard-working people and without the Nagas, without the Hill People we are not complete. are not complete without the Indians and altogether we are all Indians. I am very happy to be in your village. Your Nagaland history is my history. My history is your history. Today I have brought a few gifts for all of you." And then he opened up cases of rum bottles and gave them to the villagers who were very happy. For the next few days they were all drunk. The Naga Mothers' Association protested and said to the army general "Please don't give any more rum to our villagers."

This is typical of how the Indians can break up any coherence among the villagers and also throw them into the hands of the state liquor shops and camp stores. After the rum distribution, the villagers want more, and then frequent the shops. Drink is purposely being introduced into Nagaland and now there are more liquor shops there than in any other part of the sub-continent.

Drinking has two effects. On the one hand it saps much of the energy and will to resist of the people and secondly it is in itself a symptom of the desparation which the people feel under India. Many villagers feel that their lives are hopeless and without a purpose and they go and drink and then become alcoholics. Some of our brightest young men are alcoholics.

There are informers in every village. They go and tell the Indians where the Naga army is or who are nationalists. The Nagas call these informers C.I.D. They also inform on any family who has supported or given rice to anyone who does not support the Indians.

An informer can be a very powerful person because he not only gets gifts from the Indians but has the capacity to give the army the suspicion they need to kill someone without any trial. According to the law any officer has the authority to shoot in a disturbed area at anyone under suspicion. However these informers take great risks because if the Naga army finds out who they are they will be shot.

In the last 20 years the Indian army has really established itself in permanent camps, places for their families and even farms and shops. Most camps have a helipad so that should another war start like that of 1956-1964 they have a good chance of stamping out the whole thing. They have mapped every stream and river in the jungle which would take away a great advantage that the Nagas had in the early 1960s. At that time the Indians did not know the terrain in Nagaland, but now all that has changed.

After the creation of Nagaland state there was much confusion between state politics, the military occupation and the Naga Federal Government. At the beginning the state collaborated with the army and the state was entirely in support of everything the army did as it needed to be guarded from being shot by the Naga army. However, over time, elections



Naga man and woman

have changed the policies of the state government so that the Indian army has withdrawn to their camps and are not so much in the towns and villages. Even so, the army is daily marching through the towns and villages of Nagaland. Policies have changed but essentially the acts of the army have not.

During the war there were many examples of extra-judicial killings where, as in the Chakashang villages, groups of 50-60 people (mainly men and children) were lined up and shot. At another place a number of boys were killed and, afraid somebody might report the incident to higher authorities the bodies were cut up and put into latrines. They were only found after a civilian court ordered dogs to carry out a search. The most recent example is from two years ago where there was fighting in a Kamugan village where 20-30 people were killed and a neighbouring one where 40 were shot.

There are several areas which are not discussed with regard to political repression and that is the psychological effect on the oppressor and oppressed. Fear, emotional crises and guilt all arise because people cannot forgive themselves for what they have done or else they cannot understand why they had to go through such horrors.

We have already mentioned the first Chief Minister of Nagaland who after accepting the state along with the Naga Peoples' Convention, formed a government without an election and under the protection of the Indian army, became very rich. He is suffering from mental instability now as are several of those whose guilt is tormenting them. Another psychological problem for the Nagas is for those young people who for 10 or 20 years have gone and fought with the Naga army. When they come out of the army they have given the best years of their lives to the nationalist cause while their friends who did not fight are richer and have become established in some business or job. These ex-army people

sometimes take to drink, but these are few. In fact one of the largest groups who are dissatisfied and frustrated at the moment are the young students. They are at university for their education but there is no real future for them. This is not a question of jobs as much as the pressure and fear for the future. They are asking questions like "Will there ever be an independence? Will the army ever withdraw?" These questions are deep in many of our hearts.

In addition to this stress there is the constant effect of having the army sitting outside every village and the possibility of people being tortured, raped or shot. Even worse is the constant irritation of seeing a foreign army in your land, in your village, There is a fear of seeing people with guns marching around the farms and the villages.

Although many people are in despair and confused and are naturally depressed, I personally have some hope for the future. Whether India withdraws now or not, it is a question of history and the historical process. We are an occupied country but we have to keep on living without giving in, even though the army is still there.

This is where many people make a mistake. they do not think about how to go on living while the army is there. Their aim is to fight for independence and they come to a point where that is all there is to life. Others become so dispondant that they give up. We must work out a philosophy of life - of how to live under foreign oppression. We must be a people and yet fight for our independence and always hope. The Chinese used to say that "It is better to light a candle than curse the darkness". We must continue the fight rather than give up now.

Chapter 6 Naga Resistance

In Nagaland you can say that 99% of the people are resisting Indian occupation in different ways. They may have different names, associations, organisations, political parties and ideologies but they are all fighting for the same thing freedom. The trouble is that the majority of the people, the silent majority, is often the weakness of a resistance movement because they are so inactive. However even the inactive supporters of resistance have support in their hearts. Betrayers of the Naga cause are a very small percentage indeed.

The Naga Club was founded in 1929 and out of it came the Naga National Council which was founded in 1947 and which itself formed the Federal Government of Nagaland. The NNC declared independence on 14th August 1947 and formed the government. It is a well-structured government with a Parliament, President and Prime Minister. In the 1950s it formed a Home Guard which later became the Naga army.

The Naga Federal Government is a most important political institution and functions exactly as a nation. There is no difference. It has its bureaucracy, an army, a government and the features of a sovereign nation. The only difference is that the capital of Nagaland, Oking, is moveable. It moves from place to place depending on where the council of ministers is. Oking is not a geographical place, not stationary like London or Paris. It is sometimes in the north of Nagaland, sometimes in the south, anywhere, but mostly in camps. Oking is not usually situated in villages but in free zone camps - i.e. an area where the Indian army does not penetrate or go near.

Parliamentary elections are done according to three states and the tribal nations therein. Each tribal nation is represented in the Parliament and the members are called Datars. The representatives are supplied by regional councils formed by village councils. In this way the NNC and the NFG has a grass roots representation. It is a decentralised federation based

on the principle of village community bases.

A group which recently split from the NNC is called the National Socialist Council of Nagaland. It is influenced more with the ideas of Mao Tse Tung and follows a more centralised plan in its manifesto. It sees the struggle against India in class terms and advocates armed revolution. Even so, in their manifesto they still claim that the state religion is Christian - "Nagaland for Christ!", it says.

In October, 1984 there was a prayer day for reconciliation between the different groups. All the different organisations and churches of Nagaland were going to pray so that the NNC and the NSCN would become reconciled. Whatever happens all Nagas are by birth members of the NNC and so it is only so far that anyone can separate.

Most of the Naga army consists of eastern tribal nations and those living in Burma. The "Burmese" Nagas have in the past been an important support for the Nagas as they provided food for those camped there and helped the fighters pass through from China when they went there to train.

Apart from the Naga Federal Government who are the nationalist resistance to India, there are also what we call "Nationalist Workers" who form organisations to keep the idea of the Naga Nation alive.

Nationalist workers groups include the Naga Elders' Conference which has two representatives from each Naga tribal nation. They also do political work. The Naga Club has also been revived and has two representatives from each tribal nation. It has a big office in Kohima. There is a strong Naga Women's Society and a Naga Mother's Association.

The most active of these groups is the Naga Student Federation. This is well organised with two representatives from each tribal nation. There is a President, a General Secretary and several office bearers. They have monthly assemblies and

an annual gathering which is very big and effective. The NSF are the only nationalists who are active. They go around the villages and protest against army atrocities and bring out leaflets and pamphlets. They are the only group who celebrate Independence Day on March 22nd.

Within the NSF there are "tribal unions". The Aos have Ao Student Unions and the Angami the Angami Student Union. These student unions are under the NSF and are all working in resistance to India. Their office is in Kohima but their annual gathering is in a different place every year. Although young students are involved, many NSF members are over thirty and full time political activists.

In addition to the organisations mentioned here we should consider the masses of people who take part in protests. They come out for marches and demonstrations and every day you have thousands of people who will join a protest against some violation.

There are also people who are resisting Indian rule from within the Nagaland state. The Naga United Democratic Front does not exist any more and turned into the less radical Naga National Democratic Front and it contains some pro-Naga members. At one time the UDF controlled the Nagaland State Assembly in the 1970s and many of the excesses of the Indian army were stopped.

This is Naga resistance. It takes place at all times and in many ways. I think everyone is really fighting, in their education, their talk, drama and songs. This is the way the silent majority fight, but their are not active enough to be effective.

In addition to the Naga struggle for resistance within Nagaland there are also other Hill Tribe peoples who are fighting for their rights against nation states of the region. Between all of us there are some similarities and also a lot of differences.

There has been a lot of talk about unification of these Hill peoples over the years. There was once an idea of a Crown Colony under the British and more recently there has been mention of the philosophy of NAMAT which is the unification of seven different sister states in northeast India: Assam, Nagaland, Punajal, Maniour, Manghalija and Tripura. There has also been talk of a Pan-Mongolian state of people who are not of Indian origin and who do not belong to the Indian state. This would include the Chin, Katchin and Nagas in what is now Burma, Nagaland etc. Another proposal has been a Whatkai state - based on the mountain range which runs through India, Burma and Nagaland. It is the highest range in the region.

People express many philosophies for the unification of these peoples. Ideally speaking it is a great solution but at the moment we can see it as more of a dream than a reality. In practice nothing of that sort will now emerge. We have to wait and see what history says about the outcome. There is much division in the area and we would have to evolve a philosophy of life where we can unite together. There is nothing like that at the moment.

The other problem is the difference between the Naga struggle and other struggles. From the beginning the Naga fight has been for sovereignty and independence. We consider that our scountry is occupied and our sovereignty has been violated. The other peoples of the region are struggling for more autonomy within India, Burma or Bangladesh which is a different thing. The Nagas have already been recognised as independent by certain agreements and accords and we have a

legal right to independence.

As well as the groups such as the Mizos, Kachins, Karens and Chakmas who are fighting for their rights, there have been recent developments in certain areas. For example the Meithi people who are the indigenous people of Manipur and became Hindus 3-400 years ago now want to revive their own religion again. There has also been a movement among the Khasis who are developing an awareness of their oppressed situation.

Another factor we should also consider is how these different groups are divided by the nation states with which they are in conflict. Groups fighting one government, say Bangladesh, may find succour with a government like India which we are fighting against. This can very easily lead to a divide and rule trick to make indigenous peoples fight each other. It is important that we work together with other groups in the region but that we never lose sight of our own aims and aspirations.

Chapter 7 : Conclusion - the Future.

It is too early to comment on how the struggle will turn out, but whatever happens it will continue now in two ways. One is to continue the struggle to live as people which is the more important, the other is the struggle for independence. Both are linked very closely and are equally important for the survival of our culture and survival as a people.

I am absolutely clear in my mind that Nagaland will have independence some day. The question is when and how. This is history. Unless something strange and dramatic happens, things will continue as now. But I do not see how or why the Naga people should not have independence. It will become a historical necessity that this independence is recognised. The struggles of a people can take 200 years or even a 1000. People can be occupied by a superpower but they can survive. History has taught us this. The Irish fought for hundreds of years, as did other colonial countries. In a sense the Nagas lost their independence only in 1880 which if you look at history is a like a day.

It is just as if we have been under foreign rule for a night and we are waking up. In that way it is impossible to feel hopeless. In the process we have to suffer and also history has told us that people cannot be 100 per cent patriotic. There will always be betrayers, traitors and the silent majority. But whatever happens a cause like that of the Nagas will always have the sympathy of the majority of its people. It is he who stands and fights for what he believes in who will bring us out of our struggle.

I also believe that in our struggle we are learning how to survive and to live as a people and forming our philosophy. The suffering which the Naga people have faced, under dictatorship, people in prison, torture, all this enables us to understand what other peoples are going through all over the world. The Naga struggle is not just an isolated case but in a sense a universal problem.

On the other hand, we Nagas are geographical neighbours to China and India, the largest groups of people on earth. We have to learn how to keep our identity and culture. I, like 90% of the Nagas, believe in God and if God has put us there he must have a purpose for us to live there. What it is I don't know, but maybe in the future we are meant to play a role in bringing India and China together. Maybe we can help them and be a link between them. In a way, although we are not Indians, and most of our people hate Indians, our history in the future will be linked with India and its heredity. Likewise it will also be linked with China and its heredity.

Before I conclude I must make one thing clear. What I am talking about are the hopes and aspirations and the struggle of a Naga individual. It is an example of a Naga who is going through this struggle and because of it is coming out a better and a happier human being. Therefore in my struggle I see more and more of the spiritual values of the Naga struggle. There is an inner struggle which co-exists with the outer struggle, otherwise the new elite, the new class will destroy us.

Our challenge is that the Nagas can provide an example and an inspiration to other peoples seeking freedom. Our cause has openly threatened the Indian government when other groups say "give us a state or we will follow the Naga way and become like Nagas". Unfortunately we do not always show the right way. We can become small and narrow and don't accommodate people. This creates tribal division and tribal jealously. My uncle once wrote to me about this sort of problem. He said that we Nagas must admit if we are wrong and so when we fight and stand for our rights it may become an eye-opener for others.

If we don't get independence now it does not mean that we stop living. We must learn to live before independence is recognised so that we can live afterwards. The Naga way of of life, philosophy, ideology and spiritual life is going to evolve as a result of this struggle and it will bring us into understanding with more people.

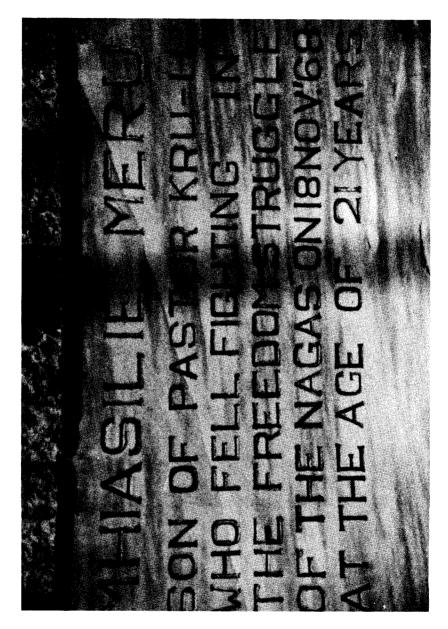
If we stop living, if we give up hope because independence may not be immediate, then we are killing ourselves. I am afraid that many people, many of our leaders, patriots, nationalists and student leaders, give up hope because they do not see beyond as well as before independence. To me the greatest challenge is the formation of the philosophy of life before independence and how it is going to be after. If you do not work that out the question of "what afterwards?" becomes a stopping point, all vision has gone.

The struggle and the goal are related. While the independence struggle goes on and we fight in the jungle, we also fight for our education and culture, for our villages and for our society. It is equally important that our villages create a sound educational school system because Naga villages are the backbone of society. Naga society is a village society.

We have struggled for thousands of years in different ways and it is in this that we feel the spirit of our ancestors who took part in the struggle speaking to us through history. My village is important and to every Naga his village is important. That is the root of the struggle and that is why I will go on with the struggle. I will fight for my people. But that does not mean that I must hate others. That does not mean that I must stop thinking about other people either.

History will tell us what happened to the Nagas. Our grievances are real and our fears are real. The people are afraid for their future. Many people talk about the Nagas being wiped out and that they may become an extinct race. Some even say that in some years you will find Nagas only in museums. I do not think so. The Nagas are not a finished race, they are a rising people.

Part III - Documentation on Human Rights, Accords and Agreements and Special Laws



A : Human Rights in Nagaland

## 1. VILLAGE DIARY

Our tongue cannot express the suffering we faced under the India Government army since our struggle began to regain strength.

But we submit a short report of events between 1954 and 1964 in Mokokchung village.

For let it be known to the people of the world who regard the Naga people with sympathy.

> PEOPLE OF MOKOKCHUNG VILLAGE. NAGALAND

Dated 27 April 1964

MOKOKCHUNG VILLAGE DIARY: UNDER THE OPERATIONAL SCHEMES OF THE INDIAN ARMY SINCE 1954-1964, THE REPORT OF WHICH IS COLLECTED IN SHORT

- 1. On 26 April 1955 the houses of Mr. Temsumerent and Mr. Semakchang were demolished by the Assam Police Battalion under O/C Phukan. On the same day a lady named Mrs. Paugilika was lying in bed for delivery of her baby. She was taken outside the house by force and gave birth in the street within one hour. She was beaten mercilessly.
- On 14 May 1955, two ladies Mrs. Longrinungla aged 40 and Mrs. Mungoankala aged 20 were on their way to the village from their fields. They were raped by the Assam Police Battalion under the command of O/C Phukan.
- 3. In May 1955, Assam Police Battalion under O/C Phukan burnt down 200 granaries in the field and destroyed all the paddy crop of the villagers, on which our livelihood depends.
- 4. On 9 September 1955, the Assam Police battalion under the command of O/C Phukan stopped the harvest and destroyed all the paddy that was collected. On the same day, those police personnel raped the following women on the waysfrom the fields:

Miss Juntiyangla,	age	14
Miss Mapumenla,	age	13
Mrs Zulutemla,	age	23
Mrs Cheniyangla	age	26
Mrs Ningohilemla,	age	24.

- 5. On the same day, i.e., 9 September 1955, Mr. Lamu Sowa, age 50 years, and his wife Tonutemla, age 30 years, were arrested on the way from the field and were taken to Mokokchung Police Station with their paddy load. They were severely beaten. The husband died within a week.
- 6. On 29 April 1956 Assam Police Battalion and 9th Gurkha Rifles burnt down all the houses and granaries of the village. On the same day some people were arrested and beaten very badly and one old man named Tiatemjen, age 60, and Oberoi Deacon was arrested and shot dead at Mokochung town. His body was not returned to his relatives.
- 7. On 17 May 1956, a young man of the village named Mr. Som-samayang, age 20, who was a Royal citizen was shot very badly by the Assam Police. He was hunted like a wild animal.
- 8. On 14 July 1956 a little girl named Sowasangla, age 13, was shot by the Assam Police and 9th G R while she was working in her paddy field. The girl received a bullet injury on her chest.
- 9. On 10 December 1956 the Assam Police Battalion under the command of O/C Phukan attacked the peaceful village and killed two young men and injured one:
  - Mr. Alemliba, age 14, was killed on the spot.
  - Mr. Jemtimemba, age 13, was killed on the spot.
  - Mr. Subongmeyu, age 15, received an injury on his leg.

- 10. On 14 December 1956 the Indian army under the command of a lieutenant, entered the village and destroyed the house of one Chubatemjen. All his household belongings were broken and thrown outside, and he was forbidden to collect them again.
- 11. On 1 April 1956, out of some prisoners two young men were taken to a forest and used as targets for shooting competition.

  Mr. Yashingba, age 26, died on the spot. Mr. Pozuba, age 26, received a bullet injury.
- 12. On 25 April 1957 under an Indian Army Major, 500 army personnel appeared and forced all the people to gather at a spot. They selected the following innocent persons from the crowd. These were led to the army camp and the following treatment was given to them.
- (a) Their legs and hands were bound together with rifle chains and telephone wires. Huge stones weighing 40 seers were placed on their stomach, and they were hung from the rafters of the camp. They were given a severe hiding, water in which chilli and sour things had been squeezed, was poured into their eyes. In such conditions, they were kept three days.
- (b) Legs were bound together and between the tied legs, bamboos were placed, at the end of which the Indian army men sat and started playing see-saw, fracturing their victims' legs.
- (c) Long bamboos were rolled under weight on the victims' chest, stomach and legs.
- (d) The victims' relatives were meanwhile led to the compound and made to pay a fine of RS 500 in cash to earn mercy. The relatives paid as they wanted at least the victims' bodies.
- (e) Some medicines were applied when the people seemed about to die, and for this also, the army physicians charged money which was taken under force from us. Names:

Temsumern, age 60; Imozoba, age 65; Tekechuchang, age 60;

Lanupekia, age 50; Jakjemsongha, age 55; Aeleur, age 45; Pangerwati, age 23; Shabangwala, age 30; Kaldoba, age 70; Wajingyashi, age 70; Imsutemjen, age 25; Lanychungeshi, age 28.

- 13. Between April and June 1957 all the villagers were confined inside 50 small cottages under strict military orders and guard without proper food and medicine. Ten innocent villagers died from starvation and torture.
- 14. From 25 July 1957 to 23 January 1958 the villagers (numbering 800) were forced to move to a concentration camp at village Chuchuyimbang and confined there. Thirty villagers died from starvation and torture.
- 15. During February to March 1960 all the fields for jhuming were burnt down. They covered five years of cycling.
- 16. All the women folk above six years were forced to collect building materials (bamboo, wood and thatch) from the jungle for army barracks. This was done during 1956-59. Only the Almighty knows what more they did to the innocent women during those days.
- 17. The Indian army personnel even entered the church building and arrested two young men who were attending church service, on a night of June 1957, after which both of them were confined and beaten without any reason.

Between 1954 and 1964 the number of innocent villagers who were arrested and confined in Indian jails, concentration camps etc. amounted to 200 persons; many among them died, and many others were maimed.

18. The 2nd Madras Regiment and 14th MPP numbering five hun-

hundred surrounded the villages on Sunday 27 October 1963 at 2 am. All Christians were forced to stay in a place all day long, and prevented from going to church.

Source: Nagaland File pp. 194-197

# 2. EXTRACTS FROM TOP SECRET DOCUMENT APRIL 23, 1959

TOP SECRET (TO BE DESTROYED BY BURNING ON CODE WORD 'SAMPAT')

3 GRENADIERS 00 No. 1 COPY No.

(Ref map sheet No 83 K/NW  $\frac{1}{2}$ " No 2908/AC APR. 23 1959

INFO

# 1. Hostiles

## (a) Strs, weapons, locs

- (i) The approx str of hard core hostiles still at large is estimated at 1500 - 2000. They are reported to be armed with rifles, stons, MLs, spears and DAHs.
- (ii) approx str within our sector and responsibility is about 160 armed with rifles and LMGS. About 60 of these hostiles are reported to be in area LAZAMI. The loc of the rest cannot be stated definitely - in all probability they may be in any one of the Nullahs where there is plenty of water for use and thick growth to hide in.
- (iii) The usual tac employed by the NAGAS is hit and run raids, ambushing and other activities associated with Guerilla Warfare. They usually refused to give pitched battles.
  - (iv) Some hostiles may also be found in the various villages in our area of responsibility, as they depend upon for food and the villagers are actively sympathising with them.

# (b) Prominent hostiles

Hard core hostiles leaders whose apprehension is particuarly required is given in appx 'A' att.

# (c) Future intentions

These are expected to be mainly -

- (i) kidnapping or killing of overground leaders and terrorising the villagers for money and food;
- (ii) attacks on VG posts;
- (iii) ambushing and sniping of our convoys.

# 2. Own tps

(a) 301 inf Bde and att tps is required to apprehend/ liquidate hostiles in areas A,B,C and D as shown on the sand model and to capture arms, amn and eqpt be longing to the hostiles

## INTENTION

3. 3 GRENADIERS with att tps will apprehend/liquidate hostiles in area B and capture their arms, amn and egpt.

#### METHOD

- 4. The op will be conducted in four phases:
  - (a)  $\underline{\text{Phase 1}}$  Move of tps to the scene of their action.
  - (b) Phase 2 Est of stops to seal the area.
  - (c) Phase 3
    Isolation and searching of villages.
  - (d) Phase 4
    Est of stopbutts and vigorous patrolling simultaneous with consus of villages and identification/apprehension of hostiles.

# 12. Task

Villages as given above will be isolated, searched and all inhabitants gathered at central places in the village for identification/apprehension of hostiles.

# 13. Time

Villages will be isolated by 0415 hrs  $\mathfrak{D}+1$  and search commenced immediately.

- 14. Census of villages will be obtained from GB/DB.
- 15. Identifying pers will be arranged by this HQ. In their absence GBs/DBs will be used. The security/safety of identifying pers will be ensured.
- 16. The technique for cordoning and searching villages will be as explained verbally.
- 17. As soon as the inhabitants have been gathered and search completed the subsequent work of identification will be handed over to one Pl per Coy. The remaining two to be freed for next phase of the op except for B Coy. B Coy will retain a Pl each for THERUGUNYU and THEGWEPEKENYU and send the remaining Pl to Bn HQ as Bn res.

# 27. Important Instrs.

The following important instrs will be kept constantly in mind throughout this op:

- (a) All attempts will be made to capture the hostiles given appx 'A' att.
- (b) All hostile hide-outs, camps, amn and other dumps are destroyed by burning;
- (c) All villages/kheti huts known to harbour hostiles or hide weapons are thoroughly searched.
- (d) All river valleys are carefully combed and any hostiles found therein eliminated.
- (e) Hostiles are forced to give battle after contact has been est with them.
- (f) The pursuit of hostiles, if they are on the run, is

- (f) The pursuit of hostiles, if they are on the run, is relentless and determined and they are not allowed to get away to fight another day.
- (h) As the ops progress, the aims and ideals of our Govt/civ adm are properly and skillfully propagated amongst the people living in the tribal areas of NHTA.

## MISCELLANEOUS

SEVERE DISCIPLINARY ACTION WILL BE TAKEN AGAINST ANYONE COMMITTING THE FOLLOWING OFFENSES:

- (a) RAPE.
- (b) LOOTING.
- (c) TORTURE.

Cap. Offg Adjt (KANWAL SINGH) 230900

TOP SECRET

# 3. A MEMORANDUM FROM WOMEN'S ASSOCIATION

Memorandum submitted to Shrimati Indira Gandhi, Honourable Prime Minister of India, New Delhi by the East District Women Association for taking stern action against those officers and other ranks of 95 BSF for their heinous crimes committed upon some Tangkhul women in East District of Manipur

## Respected Madam,

An inhuman treatment meted out to some Tangkhul women in the East District of Manipur during March 1974 by some personnel of 95 BSF has surpassed in all its manner of actions any heinous crime ever recorded by the history of this great nation of India.

## NGAPRUM INCIDENT

Under the command of Major Pundir, the Commandant and his assistant Commandant Capt Negy, about a Company of 95 BSF marched to a remote village Ngaprum on 4 March 1974 on the pretext of defending our nation and protecting our villages. But alas, the Commandant's intention was quite beastly. ordering the constables to lie in ambush around the village, Major Pundir and Cap Negy stayed inside the village ordering the leaders and some young girls of the village to stay with them for their personal attendance. When the night drew near, they ordered some villagers to arrange their beds. The V A Secretary Shri Ramthar and Miss Rose aged about 19 years together with two other young girls came for the purpose to the house where these officers were staying. After the arrangement of their beds, the girls were going away but Miss Rose was forced to stay back alone before the eyes of Shri Ramthar. She asked the reason why but she was forced to remain quiet at the point of a pistol. Miss Rose was forcibly taken into a room by Major Pundir who raped her while Capt Negy was guarding Shri Ramthar. When Major Pundir had done his job, he came out to guard Shri Ramthar and Cap Negy took his turn. Her cry for "Excuse me" and "Namasti" could not move the hearts of these Officers; instead they forced her to remain quiet by pushing their pistol on her throat.

On further enquiry, we learn that it was a preplanned arrangement with one of the villagers Ngaraipam who was a deserter from BSF. Because of his help he has been reinstated in the 95 BSF with back date. One of the three girls was Ngaraipam's sister.

For our tribal people, it is a sign of hospitality to attend on any outsider for their comfort. But these officers took advantage of our hospitality and innocence. Miss Rose was the most beautiful girl in her village and she was reading in Class VIII. Obviously, she was chosen for their desire. The crime of these Officers was too much for her and she ended her life on 6 March 1974. She left letters to her dear ones before her death. But the most important letter was forcibly burnt by the BSF.

## GRIHANG INCIDENTS

The crimes committed by other beastly 95 BSF personnel under the command of Major Dhram Prakash at Grihand village from 3rd to 6th March 1974 were no less than the incident at Ngaprum. By beating and torturing the villagers mercilessly, Major Dhram Prakash and his other ranks selected innocent women for more torture.

One Miss Ngaishangla, about 23 years of age, was molested and beaten brutally on 3rd and 4th March. On the 5th she was tied up and brought inside a school room. Her garments were stripped off her and she was inhumanly molested, beaten,

and finally injurious weapons including one official stick were forcibly inserted into her privates. As a result, she profusely bled for three days and could not walk for several days. She is still under treatment.

Again on the evening of 6th March, at about 6:30 Mrs. Puthingla, Miss Shiningnla and her father Shri Rinahan aged about 64 were taken out of their residence by two constables under the order of Maj Dhram Prakash. They were forced to walk away from their village and after walking about a mile, they were beaten up. After making Shri Rinahan unconscious, one of the constables took Mrs. Puthingla into the jungle from the main road. All her garments were forcibly taken off at the point of a gun and she was pulled by her hair, severely beaten and molested. After this unhuman episode, the other constable forcibly took Miss Shingla and repeated the same bitter episode.

Common sense and human nature fail to know how it would be necessary to select women for the punishment of their brothers who are in the underground Naga. The brothers of Miss Shiningla and Miss Ngaishangla are still reported to be in the underground Naga. But because of them, womenfolk could be punished and at all cost, making the women naked and molesting them was never called for. Moreover, no human being would dream of pushing sticks into the private part of women.

It is a great tragedy but the security forces who are to protect us and are expected to maintain high discipline would be let loose to satisfy the demand of their flesh. Were their acts not an insult to humanity and a mockery of our Constitution?

The cry of these young women who have suffered such inhuman treatment could never be wiped out even if those culprits are hanged. The lives of these young women have been ruined and they will now live a life of shame and frustration.

## WE DEMAND:

Respected Madam, we come to you with tears demanding the immediate institution of a Parliamentary Enquiry or Judicial Enquiry into the matter for stern punishment of those BSF personnel. It is a very sad thing that the charge sheet against them has not yet been sent by the Police. Some of the high ranking Officers including Police have been heavily bribed to hush up the case.

We earnestly urge your honour to take immediate action against those BSF Officers and other ranks who have been involved in the crime, for the restoration of human dignity and security of women.

Head Office:

Yours faithfully,

Wino Bazar, Ukhrul

- 1. Miss Masophi Luithui, President
- PO Ukhrul, East Dist 2. Miss C. Mahala, Gen Secretary
  on behalf of East District Women
  Association, Manipur

Dated, Ukhrul 10 May 1974

## Copy to:

- 1. Chief Minister of Manipur, Imphal
- 2. The MLAS of East District
- 3. The Dy Commissioner, M E D Ukhrul.

Source: Nagaland File, pp.205-208

# 4. REPORT OF NAGA PEOPLE'S MOVEMENT FOR HUMAN RIGHTS

Human Rights Week in Nagaland, 10-15 December, 1978.

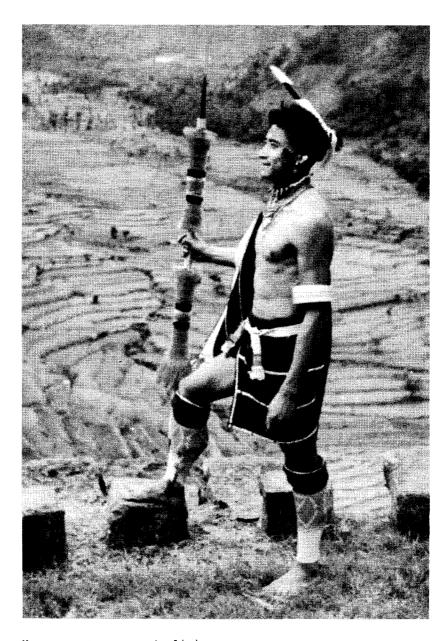
### INTRODUCTION

The NPMHR was formed on 9 September 1976 in response to the Naga people's long-felt need for an organised movement to protect and further their human rights which have been trampled under the boots of the Indian military for the last twenty-five years.

The NPMHR is based on the universal belief that violation of human rights in any part of the world is a threat to the human race as a whole and protection and promotion of human rights anywhere is the concern of all. Facts reveal that the national ruling classes everywhere are based on the suppression of the basic rights of their own people and subjugation of other societies; that whenever resistance to this becomes strong the ruling classes collaborate to strangle it; and that only through organised efforts of all the oppressed people can they be defeated. NPMHR therefore, attempts to give organised expression to the Naga people's fight for their rights while exposing to the people of India and to the world, the imperialist policy that the ruling classes of India have been pursuing through the mighty military machine against the Nagas.

## HUMAN RIGHTS WEEK IN NAGALAND

In observance of the 30th Anniversary of the Universal Declaration of Human Rights by the United Nations, NPMHR organised a Human Rights Week in Nagaland from 10 to 15 December 1978. In spite of the disapproval from the State Government of Nagaland the Weekk's programme was carried out successfully. The NPMHR workers were given a rousing welcome in all the villages they visited and public meetings were organised in which



Naga man (Photo:Keviselie)

problems of human rights were discussed intensively. Meeting human rights workers was a great relief for the people and they tried to express their long-suppressed feelings despite the prevailing atmosphere of fear. Many of them in tears, gave moving accounts of the frequent torture, hunger and humilation upon them by the Indian armed forces. Almost everyone of them had lost some person in the family. The lives of many still remain under constant threat. Many crippled for life by the tortures also attended these meetings.

One is at a loss to find suitable words to describe their sufferings. Some of the types and forms of repression used by the military and para-military of India on the Nagas are the following: (i) Execution in public; (ii) Mass raping; (iii) Deforming sex organs; (iv) Mutilating limbs and body; (v) Electric shocks; (vi) Puncturing eyes; (vii) Hanging people upside down; (viii) Putting people in smoke-filled rooms; (ix) Burning down of villages, granaries and crops; (x) Concentration camps; (xi) Forced starvation and labour, etc.

The following are a few examples of the heinous crimes committed by the Indian Army narrated by speakers at the Rally. The Indian Army forced two Chiechama villagers to carry the dead body of the first National Home Guard killed by them (Indian Army) on 18 March 1956, their hands tied to the pole to which the dead body of the Home Guard was strung. One of the carriers was already handicapped having only one arm. On reaching Chiechama village the two villagers were tied to a tree and bayonetted to death before the villagers. The Indian Army forced more villagers to carry the body of the National Home Guard parading it around villages before taking it to Kohima where it was kept displayed at the Kohima Rest House and then at the main bazar. Similar horrible deeds were repeated on several occasions.

An old lady, Dzuviu, of Kohima village narrated in tears

how a girl from Lotha area was first raped and then hung upside down, after which sticks were thrust into her private parts. Her hands and legs were severed and her trunk was again molested. All this was done in front of the villagers who had been rounded up by the Indian Army. This act of bestiality was equalled by another in which a pregnant woman was shot in the legs after which a rope was tied round her neck and she was dragged around. In this process the foetus came out which they put in her mouth.

In 1962, at Metikhru village of Phek district, the Indian Army rounded up all the 12 adult male members and after torturing them for hours took them into the village chief's house where their heads were chopped off one by one. One of them who survived with serious injuries managed to reach the outskirts of the village, but the Army followed him and burned him to death. The womenfolk were chased out of the village and their village was burnt down. The Captain commanding the Indian Army responsible for this heinous crime was promoted.

In 1963, six Naga students from Pfutsero Government High School were kidnapped by the Indian Army and later butchered into pieces which were scattered in the jungle.

Four girls were tortured and raped in the Yankeli Baptist Christian church on 11 July 1971 by a contingent of the Maratha Regiment. These girls were all below 18 years of age. They were dragged out from among the villagers who had been rounded up. Villagers were not allowed to move out of the village by the Indian Army for four complete days.

In Ngaprum village of Ukhrul, Miss Rose, a girl of about 19 years, committed suicide on the day after she was raped by two Army officers - Major Pundir and Captain Negy of 95 BSF on 4 March 1974, before the eyes of the helpless village elders who were held at gunpoint. She wrote in her suicide note that she did not see any reason for living in a world where such nasty crimes could be committed in the full knowledge of her people and nothing could be done against it.

At Ukhrul Hospital, Miss Ngashingla, a girl of 24 years from Brihang village, was brought in a near-dying condition by the villagers. She had been tortured and raped for three days from 3 to 5 March 1974, by a group of 95 BFS personnel under the command of Major Brahm Prakash. On the third day she was dragged to the school building where the other villagers had been rounded up. She was dragged by her hair, around the class room, kicked and beaten, and stripped. Sticks were forced into her private parts causing profuse bleeding. the villagers of Grihang suffered immense torture for these three days. Fathers were taken to the outskirts of the village with their wives and daughters, who were raped before their eyes by the Indian Army personnel. The villagers of Ngaprum and Grihand were then threatened that if news of the BSF's crimes came to the knowledge of the general public, the villagers would be wiped out.

On 18 March 1978, a delegation of Naga leaders with the prior consent of the Indian Government left Kohima to meet the Naga Federal leaders in the liberated areas to discuss matters relating to political settlement. (This was in connection with the Shillong Accord clause 3.) But as usual, this delegation was intercepted at the border by the Indian Army, who also shot dead one of the delegates and arrested the rest. This particular incident which took place at Meluri speaks a lot about the public pronouncements made by Indian leaders besides the nature of powers wielded by the military authority which can even override the Governor who represents the Central Government.

The history of the Indian Army occupation of Naga areas

is rife with countless incidents of such killings, rape, burning of villages, torture and humilation. The Assam Government and later when the Indian Army took over the operation. forced labour was imposed on the Naga people. Villagers were made to carry heavy loads for even 100 Kms, and when they collapsed or could not walk they were whipped and some were shot dead. Women were also forced to dig trenches, build bunkers, draw water and fuel for the Army. Villages were burnt down many times and villagers were herded into concentration Those whose relatives were suspected of being in the Naga Movement were kept separately along with their children and starved for days. People in these camps were given very little food. They were unable to cultivate their fields. and when they were released after two to three years, they had become so weak from malnutrition that many died on the way back to their villages.

Some speakers also mentioned the socioeconomic exploitations within the present framework of administration. Legal constraints, acculturation through education institutions, influx of non-locals as government servants and as businessmen, emergence of big industries and consumption of resources for the profit of rich industrialists from outside, disintegration of Naga territories and the increase of corruption were emphasised with grave concern.

An overwhelming number of speakers at these village meetings with the NPMHR strongly expressed the view that human rights could not be secured and brutalities stopped unless political freedom is acquired. So they reiterated their support for the Naga National Council (NCC) stand, viz, "to resolutely defend the sovereign independence of the Naga people through non-violent means."

They expressed their deep gratitute to all the organisa-

tions/groups/individuals who raised their voices against Indian military. They extended their solidarity and support to all those working for the protection and strengthening of human rights throughout the world. They were hopeful that through the efforts of these bodies the cause of the Naga people would be brought before the United Nations.

As the NPMHR reached out to more and more people with its programme, gaining their confidence, the State Government stepped up efforts to prevent the holding of the Rally of 15 December by enforcing Section B of the Assam Maintenance of Public Order Act 1953, banning public meetings and rallies for one month starting from 14 December 1978. This effort of the Government to prevent open/public examination of the problems of ensuring universally recognised human rights throughout Naga inhabited areas caused resentment among the public. And people began coming in groups from remote and nearby villages to the NPMHR office to extend their unreserved support to its programme and readiness to go to jail with NPMHR members. When it became obvious that the NPMHR and the people were determined to hold the Rally as scheduled and face the consequences, the State tried to reduce the attendance of the Rally as much as possible. Using the mass media as well as jeeps and loudspeakers, it announced that rallies were banned and the assembly of more than five persons amounted to a violation of the ban. Anyone violating the probibition was punishable with two years imprisonment and fine.

Despite of these efforts, the Rally was held and was attendded by a huge crowd. The State Government apparently realising that it had overstepped its bounds baulked at implementing the prohibitory order to the letter. The following resolutions were adopted unanimously at the Rally:

1. That the Armed Forces should be immediately withdrawn

from all civilian areas:

- That all the black laws including (i) Assam Maintenace of Public Order of 1953, (ii) Nagaland Security Regulation Act of 1962, (iii) North East Armed Forces Special Powers Act of 1972, should be immediately revoked;
- 3. Condemn Mr. Morarji Desai's statement "exterminate the Nagas and I will not have any compunction in it."
- 4. Condemn the State Government of Nagaland for its effort to prevent peaceful rally/procession by proclaiming Section 8 Assam Maintenance of Public Order Act of 1953 over the entire Kohima town for a period of one month in an obvious attempt to disrupt the NPMHR Rally at Kohima on 15 December 1978.

Since its inception the Governor of Nagaland has been vested with "special responsibility with respect to law and order in the State of Nagaland" under Article 371A(b) of the Constitution of India. Several draconian Acts have been enforced in Nagaland by the Governor in exercise of the aforementioned Article which rendered the State Assembly powerless.

Because of the general threat to life prevailing among the Naga people ,the NPMHR was constrained from making more extensive investigation of the human rights problems.

NPMHR takes this opportunity to appeal to all the organisations groups/individuals working for human rights to extend solidarity and support to the Naga people in their struggle for restoration and protection of human rights.

Delhi 1979

Source: Nagaland File, pp 234-240.

# 5. REPORT OF A FACT-FINDING TEAM

### MANIPUR

The total area of Manipur State is 22,938 sq Km of which a tenth is the valley inhabited by the Meiteis, Vaishnavite by religion, who are the majority. The hills make up ninetenths of the total area and are inhabited by some 29 scheduled tribes, mostly Christian. The majority are Nagas, the next largest groups being the Kukis and Mizos. The team visited East District which is inhabited traditionally by the Tangkul Naga people. The total population of the State is 1,071,742 (1971 Census) of which 62,229 persons live in the East district.

### VILLAGES VISITED

The team visited villages in the sensitive areas en route to Burma where the underground has its base. It is in these Naga areas of Manipur that there has been continuous underground activity, and the insurgents have been active. The underground, we were told, does not spare informants. It eliminates them immediately. On 14 March 1981, four people were shot at Ukhrul of whom two died. Thereafter, there were a series of other incidents. In all 14 persons died. Some of our respondents told us that villagers were terrorised by the underground. Added to this was the inter-faction rivalry amongst the insurgents with the villagers caught in the crossfire. It is in this context that we must understand the recent ambush.

## THE AMBUSH

On 19 February 1982 there was an ambush on the Imphal-Ukhrul Road near Namthilok, in which 22 personnel of the 21 Sikh Regiment including some Officers (this regiment had recently arrived in Manipur) were killed by the insurgents.

Immediately, a State-wide search for the culprits was launched. Practically every village in the District was cordoned and searched. Hundreds of people were interrogated and several suspects arrested.

We interviewed a large number of these people representing various social strata and political persuasion. They expressed their sympathy for the widows of the jawans killed in the ambush. However, they felt that it was a painful dilemma because even though only a few people supported the underground they were all suspects in the eyes of the army. After the ambush, when nearly each village in the East District was searched, the aftermath of these searches and interrogations was a general feeling of insecurity and fear. This came out when people asked us to get an assurance from the Major-incharge of the Army Post near their village that he would not harass people for talking to us. We did try to get the assurance on this count.

# THE PATTERN OF ARMY OPERATION

Our interviews revealed that consequent to the ambush, the army operations had a similar pattern.

- (a) In each village we visited we were informed that the army started combing operations immediately after the 19 February incident. Each time between 20 and 40 jawans with officers arrived at a village often early in the morning when the people were still asleep. For instance, army personnel visited Nunghar, Huishu Kalhang, Paorei and Kuirei between 3.30 and 7 a.m. At Huining, however, the army carried out its first operation at night.
- (b) The Headman of the village was told to announce that all villagers should gather at a stipulated place. And the jawans visited each house and ordered people out of their homes. Men and women were often pushed and kicked out of bed.

The sick were not spared. Many times women were not allowed to clothe themselves properly and had to go out in the cold without their shawls.

- (c) At Paorei, in an interview with 18-year old twins, Ningthingla, Sothingwon and their mother Ningkhuila, our respondents told us that since their house was on the far side of the village, they did not know of the Army's arrival. One jawan suddenly entered their house and held and started pulling Ningthingla's hair. He tried to touch Sothingwon's face and kiss her. Harngaila from Phungcha also related an incident when on the evening of 5 March, four jawans came to search her house just before sunset. After searching her house, one of them blocked her way and tried to catch her. Khangala of Kuirei village reported that the Sikh Regiment came early in the morning and chased everyone out of the house without even letting them to put on their shawls.
- (d) The people of the entire village were asked to assemble often at the playground or church compound. Men and women were told to stand apart. Sometimes married women were separted from the unmarried women. People were kept standing for hours. During this period they were not allowed to eat or drink. They were not even allowed to attend to the call of nature. Women sometimes were compelled to urinate in the playground while the watching jawans taunted them. The army personnel questioned the villagers about the underground's whereabouts and shouted and abused in Hindi which they could not understand.
- (e) Sometimes the army camped at the village for a few days as in Phungcham and Huishu. Most often the village was visited after a few days gap as in Kuirei and Paorei. On these visits some village people were selected and taken away to the nearby army and post. The selected suspects included pastors, cultivators, contractors, even ex-servicemen and government servants.

(f) The Chairwoman of Huining Village Women's Association related her experience of the operation: The Sikh Regiment came on the evening of 5 March. She was back from a hard day's work in the fields and was washing herself. She heard their arrival and went out with her two sons; one is a lad of about 12 and the other is a baby (the third is away studying). women and children were taken to the church and all of them were forced inside. It was suffocating. The children wanted to go to the toilet but the army did not give them permission. They were forced to urinate and defecate in the church itself. Since it was so crowded some were forced to urinate and defecate on the sacred pulpit. They were released on 6 March. The villagers had been up the whole night so they were all sleeping when in the afternoon the army came again. ged into people's houses and pushed them out. Her son was kicked out. Once again they all assembled at the playground. The .men were separated and made to carry the jawans' loads. She watched her son and husband being pushed and kicked along with the others. The jawans kicked whoever was within their reach and showered abuses. The women were once again locked They were feeling so tired and emotionally up in the church. exhausted that they just wanted to lie down on their beds. Therefore, she as the Chairwoman of the Women's Association, consulted other members and together they decided they would buy two shawls with the Association's funds and present them to the Major and Captain. (Each shawl costs anything between RS 250 and RS 300.) The present had the desired effect and the women were released at ten in the night. They found the men too had been released. They went to sleep. But worse was to come. On 10 March, the Sikh Regiment arrived again. routine of assembling at the playground was repeated. While they were detained they told us that the Jawans looted the houses and walked away with eggs, rice, and anything else they could find.

### WOMEN: THE MOST VULNERABLE VICTIMS

Women are the most vulnerable in any such situation. They are vulnerable because they are victims of special kinds of harassment. For instance, Nungbi girls had to pass by the army post on their way to school and the jawans had exposed their private parts. A woman of Viewland Mahila Mandal at Ukhrul also said she had heard similar complaints. On the pretext of telling women to go to the playground, women were touched and manhandled. Women also suffer as wives and mothers. They have to wait for hours, even days without knowing the fate of their husbands who have been picked up on mere suspicion. If the men are hospitalised after the torture, women have to raise funds for the treatment, as in the case of Peter's wife of Huishu. The most pitiable plight is of widows who have to bear a terrible financial burden.

We reproduce specific cases to illustrate this special vulnerability of women:

### SPECIFIC CASES

A. Vangamla told us of the day her husband was taken away from Huining village. The Headman identified her husband as C Paul, the Assistant Pastor. He and C Daniel, Headmaster of Government Junior High School, were arrested by the Subedar. Their hands were tied behind their backs. The Headman tried to tell the Subedar that there were two C Pauls in the village. The other one, who was a college student, had already been taken by the army on the previous occasion and severely beaten. He had been subjected to electric shocks and was at that time lying in Ukhrul hospital. The Sudebar did not listen to the Headman. Instead, he made him sign a blank sheet of paper. When the Headman, whose name is H.Machihan, asked why he was being made to sign he was told not to ask questions. Under the threat of guns he signed. C Paul's hands were untied and he was also told to sign. His hands were tied again

and they were led off.

Since that day both the wives of C Paul and C Daniel have been searching for their husbands. Immediately after that incident they went to the Subedar and asked where their husbands were. They told that 21 widows of the jawans were also crying and that C Paul and C Daniel were responsible for their fate.

The wives along with the Headman and other Village Authority (V A) members went to the District Headquarters at Ukhrul. They met the Superintendent of Police and the Deputy Commissioner. This was on ll March. They were told that C Daniel was helpless and his phone had been cut off. On 15 March they saw their husbands blindfolded and handcuffed at the Pettigrew College where the Sikh Regiment had camped. Two months later, on 8 May, they received a letter alleged to be written by C Daniel saying they were both well. On the 11th, the wives met the Deputy Home Minister. In fact they have met many important persons and told their story to various authorities but neither have heard any definite news. The village is afraid to support them in case others were treated in the same way. But the village people insist that the two arrested men were not involved in any political activity whatsoever. The two women have no more tears, they are dry eyed. wonder whether they are widows.

- B. K. Livis is not a widow yet. She is watching her husband die before her eyes. And there is no hope of his recovery. He lies near the fireplace with a red shawl covering his stomach which is swollen like a hideous balloon. We saw the entire family gathered around him watching on helplessly.
- K. Livis was married to Vareichung on 24 January this year. Just a month after that, on 26 February, the military

personnel of the 21 Sikh Regiment came to Nungbi Khullen Village. They barged into the house of T Ronhung where T Vareichung was having dinner with three other friends. They were also taken away at gun point and made to lie down. Then 20 sepoys beat them, some with rifle butts, firewood, boots and with a dao. This went on for 45 minutes. The security personnel did not give any reason for this treatment. The men were left lying there.

- K. Livis nursed her husband for 20 days but he did not recover. Then the family decided to take him to Ukhrul hospital which is about 15 miles away. But the Ukhrul hospital was not equipped to deal with a serious case like this. So he was taken to the hospital at Imphal. There the X-ray revealed that his liver, lungs, heart and stomach were damaged beyond repair. On 17 July he was brought home. And that is where we saw him a living corpse. Young Livis had married a strong healthy man who had been the Captain of the village football team.
- C. Hormila is a widow at 28. We interviewed her at Ukhrul hospital where she is recovering from a caesarian operation performed to take out her dead baby. Her husband, Yarphui was going from his village, Maremphung, to Ukhrul, on a truck along with other villagers when the army stopped them. The men were severely beaten and her husband had to be hospitalised at Imphal. His whole body was swollen and he died on 1 July. She said that they had killed him out of revenge for the death of the jawans. And now she is left with her four children without any means for supporting the family. If she returns to her parents she must leave behind her children according to customary law. Could we request the army to give her some compensation? She asked.
- D. Mrs Akim is a Tangkhul woman married to a Bengali who

runs a big shop at Ukhrul. She said in the month of March (she cannot remember the exact date) about 20 jawans of the 20 Assam Rifles came and took away her husband. They gave him electric shocks and tried to make him say that he supplied rations to the underground. He said he sold things to whosoever came to his shop and could not differentiate among them. He was given a severe beating and as a result he was in hospital for two months.

- E. Shangyola (Paorei village) is a 21-year-old mother of two children. She enacted her experience: "On the morning of 5 March," she stated, "a sepoy came into my hut. He kept showing me his stick. I was alone in the house. He pulled my cheeks. I screamed with pain. I frantically held on to my baby and tried to run away. He pulled my hair, beat me with a stick and pulled my lungi. I was trembling with fright. Clutching my lungi with one hand and the baby with the other, I ran out of the house and reached the playground where the rest of the villagers were gathered. My vision was blurred. The women were crying because they could hear the cries of men who were being given electric shocks in a nearby house.
- F. Of the same village, Thanmila, 26, told us that every year the army made them take thatch to the camp and they were neither paid for the thatch nor for the labour. On the day of the operation she was weeding the garden when a jawan appeared. Since her house is far away she had not heard the army coming. The jawan tried to rape her. He pushed her on the ground and pulled at her lungi which she tried to tuck between her legs. She screamed for her husband who was inside the house. He came out and stood dumbstruck. At that moment another jawan appeared and signalled to the first to hurry and collect the people at the playground.
- G. At Phungcham village we arrived late when the women

were busy in their houses tired after a long day's work. But the men came forward and told us of their ordeal on March 5/6 when the army carried out an operation in their village. P.R. Machihan said two sepoys burst into his bedroom and pulled his wife out of bed by the hair. He flashed a torch on their faces. They were told to go to the playground. He heard the cries of his neighbour, L. Langaila, a widow. He rushed to her to find a soldier with an arm around her waist and pulling her by the hair. She was crying out in pain. He told the soldiers in Manipuri that he would inform the Officer. They left her and went into P. Hangmila's house and tried the same thing on her friend Alice. P.R. Machihan was beaten up severely by the jawans the next day for trying to help these women.

- H. K.S. Athing is a young woman of about 18 or 20 years. She along with two others, Kathingle and Thotwonla, were taken away from their village Kalhang to Nungbi post on two occasions-22 and 25 February. We went to see her at the house and she began by saying that she was scared for her life. The army had told the Pastor (a day before we arrived) to tell her to keep quiet. She was frightened because she felt she had already said too much in her affidavit to Court. She said after the incident the villagers are "murmuring". She had given up her school and the three of them feel that their lives had become meaningless.
- I. At Nungbi three women, Ruth, Chareiphi and Zingmila, told us that they were forced by the army personnel to lift their lungis so that their private parts were exposed. They said they were frightened to discuss the incident. Next day at Kuirei, where we had halted for the night, we got the following letter from a girl which illustrates the fear of the women:

The Chairwoman, Indian Women Survey Society, New Delhi, India, through the Members.

Subject: Request for Cancilling ( $\operatorname{sic}$ ) of the particular name.

### Madam:

I, the undersigned have the honour to state that there was a mistake in giving of my particular name to your file yesterday (18.8.82).

Really, I am in a position of perplexed i.e., extremely feared (sic) considering in any case of sending for (calling) me by the army. As you know that I myself am a virgin nowadays (sic).

So I request you cordially to cancil of the given name without fail for which I shall ever remain grateful to you.

### TORTURE OF MEN

Under the law in force in those areas, a person can be picked up by the army on suspicion of being underground and interrogated for as long as the army thinks necessary. The interrogation method included electric shocks (in private parts), brutal beating and general humiliation. Those picked up included headmen, pastors, students, ex-servicement, teachers, businessmen and Government servants. We reproduce a few specific instances in each category:

(a) Headmen: The Headman of Phungcham village told us that he had been taken by the Sikh Regiment on 6 March 1982 to the 20 Assam Rifles Camp. He was blindfolded and told to strip. He was severely beaten, given karate chops and told to confess that he knew about the whereabouts of the underground. When he said he knew nothing he was given electric shocks on his thumb five or six times. He was later handed over to the police and now there is a case registered against him. He has been in hospital and when he came to the village he learnt that the Court had sent summons. He does not know what he has been charged with nor does he have a lawyer.

- (b) School Teachers: School teachers like Siraphui, 40, and Sharei, 48 of Nunghar's junior primary school said that they have been tortured. Siraphui told us that he was picked up sometime in March and severely beaten up. Mr. Sharei said he was taken from his village in the third week of May by 20 Assam Rifles personnel without being given any reason. He was kept in a trench at Nungbi Post without any clothes on. Next day he was taken to Somsai camp and put into a trench for two days and two nights. It was only when the District Council Chairman approached the C O of 20 Assam Rifles and told him that Mr. Sharei was a government servant that he was released.
- (c) Government Servants: Government servants were not spared. K. Mavangai, a 74-year-old retired government servant (Lambu Subedar) was indignant when he was stopped on his way to his fields on 7 May, by some jawans of the army. His dao was taken away and he was told to remove his clothes. He told the jawans that he was, like them, a government servant and his son was in the army. That did not deter them from harassing him.
- (d) School Boy: K. Khuileng, a young boy of 15 related the following incident to us: On the morning of 6 March he was going to Ukhrul from his village Phungcham. He was excited as he was going to get his new trousers from the tailor. On his way he was detained by two sikh Regiment jawans. They asked him whether he knew any underground. He said no, he did not. They asked him if he knew any girls outside his village. He replied he did not. Then one of the jawans tied his hand and took him into the jungle and there took off all his clothes. Then the jawan committed sodomy. He went to Ukhrul hospital the following day. He said he feels very angry with the army but still does not want to join the underground.
  - (e) Contractors and businessmen: We also heard reports

of torture from contractors and businessmen. S.A. Peter, a contractor of Huishui village was arrested along with eight others, on their way to Ukhrul, on March 3/4. Among them was a jawan of Assam Rifles and school children. He was so brutally beaten that he could not walk. He was tied up and beaten on the soles of his feet. His hospital bill came to about Rs 6,000. His wife had to borrow money from various people to meet the costs. He was one of the eight people who suffered similar type of treatment. One Wungazai was given electric shocks in his private parts and hot water was poured into his nose.

- (f) Pastors: Pastors have not been spared. In his statement Pastor Mashangva of Huishu village said he was arrested on 3 March by 20 Assam Rifles and taken to Poi and then Chingai post where the Sikh Regiment personnel took him to their camp the next morning. He was severely beaten and pushed into a trench. In his statement he said: "The trench was so small that I couldn't bend but then two personnel jumped over my back and started pushing me inside stamping all the way. I was then hung upside down and they started beating the soles of my feet mercilessly. My hands were tied, my mouth gagged while they applied the electric current over the ears and the mouth."
- (g) Reverend M. Limai, ex-Secretary of Tangkhul Naga Baptist Convention was very bitter. He said on 13 August the army had forced the Pastor of Tora village to open the church so that it could camp there. "The army treats the church like a public hall and not a holy place. Would other Indians tolerate it if the army camped inside a temple or a gurudwara?"
- (h) S. Mahuiri, an ex-pastor of Kalhang, was taken on 22 February to the Sikh Regiment post at Awangkasom. He was severely beaten. A the post he was asked to undress and raise his arms. Because of the severe beating he could not do so. A jawan asked him to show his worst injury. He showed it.

The jawan poked him with his fist on the spot and he fell down unconscious. He was continuously tortured till 3 March when they were handed over to the police. The magistrate sent him to the hospital.

(i) Ex-servicemen: Some ex-servicemen we interviewed also said that they had been beaten by the army. They spoke bitterly about the fact that despite their having served the army they were regarded with suspicion. One of them said with emotion, "Humne Hindusthan ka namak khaya Hai." Z. Ningaima, K. Akhai and V. Kahaosan whom we interviewed at Ukhrul, felt that such indiscrimate torture, specially harassment of women could not alienate the pople from the army.

## OTHER FORMS OF HARASSMENT

We were informed that the army forced the villagers to give their labour free. A.S. Khuyum, the Headman of Huishu village informed us that this year, like every year, they collected thatch for the 20 Assam Rigfles Camp at Poi. Further, our interviews revealed that during operations while all the people had been collected, in the playground or the church as the case may be, the jawans took away various moveable items like money, chickens, eggs, torches and shawls, etc. A.S. Khayao from Huishu informed us that after the operation pens, torches, eggs etc were found missing. From the same village Ashow said he had lost one shawl, money and a pen while another man said that he had lost a Ricoh watch, a necklace and muffler. One woman in Phungcham said that she had lost Rs 2,000, one watch, 2 kg sugar, 9 eggs, chilli powder and one plate.

# THE DILEMMA

This torture has accentuated the dilemma of the people who are caught between the underground and the army. The case of Mr. L. Sara of Nunghar is an illustration of this

terrible dilemma. Mr. Sara is a cultivator and has two terraced fields. His brother joined the underground and is believed to be dead. His son is in the Indian army and is posted at Nagpur. Because of his brother he has been picked up by the army and beaten up. On 21 February he was picked up and beaten. He was taken away to Nungbi post and kicked by a number of jawans like a "football." He was in the Imphal hospital for more than a month and as a result he is not able to do strenuous work to this day.

## CIVIL AUTHORITIES

Apart from interviewing the people in the villages and at the Ukhrul District Headquarters, we also had long discussions with the civil and military authorities. In our long interview with the Deputy Commissioner, he said he had visited several villages after the army operation (The Chief Secretary and Deputy Home Minister had also visited some villages) and had received several complaints of excesses committed by the army. However, he could not discuss those with us since the matter was <u>sub judice</u>. We asked him to tell us why such incidents of torture had taken place. He replied that they were "just a temporary aberration when the chain of command broke."

We asked him whether it was true that he himself had been detained for several hours at an army post. He said it was true.

"Was that also a temporary break in the chain of command?"
"Yes",he smiled.

"Is it not unusual?"

"The situation is not usual."

We asked in what way could the villagers have their grievances against army personnel heard and get redressal. The D C replied that they could always go to higher autho-

Naga man in traditional dress

rity.

"Could the civil authorities help in any way?"

"The District Magistrate," he replied, "cannot arrest a jawan even if he commits a crime unless it is murder or rape."

"How do civil and military authorities coordinate?"

The D C said the liaison was done at the State level.

"Is it true that the army camped at Pettigrew College campus at Ukhrul without the D C's permission?"

He replied that apparently there was some misunderstanding because there was nothing on record to show that the civil authorities had granted permission. However, since the matter was being investigated he would not comment further. (The Sikh Regiment had camped at the college till recently despite the protests of students and several other organisations.)

"Did he think that it was legal for the army to detain people for interrogation for many days as they liked?"

The D C said the army had the power to do so under the law now in force but probably it would not stand the test of reasonableness if it was challenged in a court of law.

"How was it that the army had not caught a single underground despite using methods designed to elicit information?"

He replied that it was very difficult to prove in a court of law that someone was a member of the underground. Therefore the police has let people go for lack of evidence.

### MILITARY AUTHORITIES

We interviewed two Majors at their posts - Major D S Multani of Sikh Regiment at Awangkasom and Major Ramesh Chandra of Assam Rifles at Nungbi Post. And on our return to Ukhrul we had discussions with Brigadier H Joshi, Commander, 59, Mountain Brigade, who commands the three battalions in the area - Sikh, Assam Rifles and Garhwal. Each of them emphasised that the army was playing a positive role in that

part of the country by providing various facilities to the people. Empty army vehicles were used by the local people for their use - a practice not allowed anywhere else in the country. Besides, the army transport was used to take people to the hospital. In fact, recently, five people were flown to the hospital because they were emergency cases. The M I rooms at the posts were a source of medicines for the villagers who came there for first aid because the civil hospital at Ukhrul had no proper supply of medicines. Besides the army supplied rations at government-controlled prices, ran canteens in which toothpaste etc. could be bought by the villagers cheap.

We asked whether these efforts had not been somewhat negated by the recent incidents of torture and harassment. One Major answered:

"Security forces have to carry outcertain tasks. They cordon villages and then search them. The villagers are collected at one place and sometimes our informer helps us identify the suspects. This operation can last up to three or four hours, but never three to four days. But no women has been either molested or harassed. Not a single soldier can move out of the camp without my permission and knowledge. Not even a fly can move out. Not a single man can be seen loitering about. During patrolling responsible officers always accompany the jawans."

The Brigadier, however, said that it was not possible for an officer to accompany the jawans each time they went on patrolling. He too denied that women were in any way harassed.

Each of them brought up the case of the three girls of Kalhang village on their own, without our asking. They said the girls were suspected of helping the underground. One Major said that it was true that there were no policewomen so

a male village elder had been told to search the girls. He said the father of one of the girls had been brought with her. But they said that none of them had been touched or kept overnight.

We asked them to tell us why they thought the people feared the Sikh Regiment to such a degree. One Major replied:
"The Sikh Regiment has been feared for the last 25 years.
When Aizawl was taken over by the insurgents it was the Sikhs who saved it. They are the best troops with a tradition of valour and bravery."

The Regiment arrived in Manipur on December 1981 and the Brigadier said that there were protests from the people against the coming even before they arrived. The underground also knew that for the first time a full-fledged regiment was coming and it would curb their activities. Since the Sikh Regiment's arrival the activities of the underground had been effectively curbed by blocking their way to Burma. It was the first proper military battalion to be posted to the area.

The Brigadier said that since he came in April, 157 people had been interrogated. We asked under what law were these people questioned and whether there was any time limit within which they had to be handed over to the police.

The Brigadier said the army had special powers under the Armed Forces Special Powers (Assam and Manipur) Act, 1958 as amended in 1972. It could cordon and search villages, question anyone and detain them for as long as they liked.

"What is the safeguard against abuse of power?"

The Brigadier replied: "I am here to coordinate. I have been in service for more than 26 years. I am here to keep track of everything. The moment a person is arrested I am told."

He said he could not immediately tell us the number of women detained.

"Are there any cases of abuse of power?"

The Brigadier replied that there had been some. For instance, a case of sodomy at Nungbi village (not one cited by us earlier in which the jawan concerned was court-scourt-martialled). He cited another two cases.

"Is it not possible that there might have been more which remained uninvestigated?"

He denied such a possibility at least since he had been posted there.  $\ensuremath{\mathsf{P}}$ 

We again asked the Brigadier whether he was aware of the terror created in the villagers especially for women. He replied: "I think all this talk of terror and fear is highly exaggerated. I see women going to the fields everyday. I go to the village and sit with the villagers."

Each time the army officers got extremely emotional and asked us whether we had once thought about the 21 widows of the jawans who died in the ambush. The Brigadier said he had seen the victims lying in the hospital. He said: "It would be foolish of me if I said the troops were not worked up after the ambush but things are getting better."

One of the Majors said: "The villagers know where the ambushers are but they don't hand over the murderers. If I was not in uniform I would not help people who killed Major Shekhawat who was a friend. Just because we kept some girls standing for a few hours so much fuss is made."

We pointed out that revenge would never be an answer to the problem. In fact it would only serve to alienate people further. To which each of them pointed out their efforts at befriending the people. One Major's wife teaches in a local school. The other said they had invited the villagers for tea and pakoras on Independence Day.

"Did they collect certificates from villagers to the effect that no atrocity was committed since February?"

Each of them said such certificats were a routine. It was purely a coincidence that certificates had been collected from villagers on the day before we arrived at each village. The certificates were given on a voluntary basis.

"On what basis did you interrogate the suspects?" The military authorities said that they had many informants in each village who gave them information.

"How many underground have you arrested?" They said they had not arrested any because the villagers protected them or were scared of them.

"Would not indiscriminate torture force people to join the underground?"

The Brigadier replied that it was not true. In 1980, 100 people had gone underground. In 1981, 154 but this year none had.

We then asked him for an assurance that no one who had talked to us would be held suspect for that reason. It would be sad indeed if our respondents were to suffer as a result of our visit. He assured us that this would not happen.

### SOME OBSERVATIONS

Our trip was short and exploratory in nature. We had gone to the East District with the limited objective of investigating into reports of army's harassment of people, specially women. However, during our trip we became aware of many dimensions of the problem. The ambush of 19 February has a long drawn and complex history. The ethnic diversity of Manipur and the interstate and external links of the underground movement underline these complexities.

### A COMPLEX SITUATION

(a) Like some other States of the Northeast, Manipur has been an insurgency-prone area for a long time. The militant

PLA (People's Liberation Army) and the PREPAK (People's Revolutarion party of Kangleipak) have their base mainly in the valley. The pro-Phizo Federal Group and the break-away NSCN (National Socialist Council of Nagaland) led by T. Muivah and Isaac Swu, though based in Burma and the adjacent State of Nagaland, have their spillover effect in the East District of Manipur. All these groups have connections across the border and are said to receive arms from China. Internally, overt political groupings have often taken advantage of the conflict situation in several ways.

(b) The induction of the army and para-military forces into the area has brought in its wake a situation where the security personnel, maintainers of law and order and defenders of our borders, have assumed overriding powers under various special powers acts. This situation has further complicated matters. And in any confrontation, whether it be among warring factions within the insurgents or between them and the military, the worst sufferers are the ordinary citizens, more so the people of the villages lying en route to Burma. The people are caught between the devil and the deep sea and subjected to the excesses on both sides.

### THE ROLE OF THE MEDIA

(c) The media has not helped to create a better understanding of the area or its people. It has consistently over the years portrayed the Naga people as an exotic people, semisavages living on cockroaches and snakes, and all "hostile" to India. The result is that the country is left with a stereotype picture of the Naga people which has become a hurdle in the way of an understanding of the Naga people's contribution to Indian culture and their integration.

#### UNDERDEVELOPMENT

(d) Added to this is the backwardness of the area. Even

a statistical picture will reveal the sharp contrast between the development of the valley (which itself when compared to other parts is relatively underdeveloped) and the complete lack of it in the hills.

The majority of the people are cultivators and survive on the produce of their own fields. They grow paddy for their own consumption and maize, vegetables as cash crops.

It is mostly women who take the crops to the markets. They have to walk long distances to reach the market at Ukhrul since there is no proper public transport. Communication is a serious problem. Of the total 2,670 kms of roads in Manipur State, the East District has only 761 kms. Most of the roads are unmetalled and become virtually impossible to travel on during the rains.

There is no water or electricity supply. None of the villages we visited was electrified. Even the District Head-quarters does not have a regular supply. The rampant corruption, we were told, prevents the proper channelisation of funds. Thus on paper, various roads are said to have been built but in fact they are just mud paths.

Medical facilities are almost non-existent. None of the villages that we visited had even a midwife. Of the 160 doctors in the entire State only eight are in the East District. The Primary Health Centre is at Ukhrul.

#### LACK OF POLITICAL WILL

(e) There seems to be a lack of political will which combined with the corruption, underdevelopment and lack of an effective civil administration has on the one hand aggrieved and alienated the common man, particularly the youth, and has also resulted in ever increasing powers being given to the

army.

### MILITARY RULE

(f) For the past 35 years this area has been under virtual military rule. The only solution thought of has been to increase the power of the army. For instance, in 1972, the Government introduced a Bill in Parliament to amend the Armed Forces (Assam and Manipur) Special Powers Act, 1985. It sought to extend its operation to the entire Northeast and give the Governor and the Central Government power to declare any part of the area as "disturbed." At that time, MPs of the Northeast States like Tripura, tried to oppose the Bill on the ground that harsh rules and regulations would only result in a continuation of the old British colonial Police. It was argued that the Government should recognise the struggle of the people of the Northeast as part of the struggle for democracy. However, the Bill was passed (Lok Sabha Debates 1972, vol XII).

#### RELATIONSHIP BETWEEN CIVIL AND MILITARY AUTHORITIES

(g) The concentration of powers in the hands of military authorities has resulted in a very uneasy relationship between the military and civil authorities. A few instances will bring out the nature of this relationship. The civil authorities at Ukhrul have received a complaint from a villager at Huining. He had brought water to his fields with great difficulty from a spring in the hills. It was his only source of irrigation. The local army post has taken away this source by diverting it to its camp. The civil authorities feel this is an illegal act and the villager ought to be given back his water. The army says it will pay compensation which, according to the civil authorities is no solution in The case of Pettigrew College is another example (see interview with D C) of the lack of communication between the army and civil authorities.

## NO REDRESSAL OF GRIEVANCES

Under the circumstances, the people cannot really be expected to go to the civil administration with their grievances. The civil authorities cannot take cognisance of any crimes committed by jawans or officers except in case of murder or rape. There are no safeguards for a citizen's life and liberty and he or she has no official channel through which to get a hearing. A representation to Government is hardly a remedy against arbitrary action. It could be only if the Government is made an appellate or revisional authority by the law.

### CONSTITUTIONAL SAFEGUARDS NON-EXISTENT

In fact, the Indian Constitution does not seem to exist for the people of that area. The principles of natural justice and Fundamental Rights guaranteeing citizens against arbitrary State action have little place in the day-to-day life of the people.

- (a) The people are under a constant threat of being picked up at any time. The life and liberty of a person detained by the army is in danger as our cases have shown.
- (b) The people cannot even freely express their fears or feelings because of the constant army presence. In each village we went to the army had been there just before us collecting certificates from villagers declaring that the people had not been harassed by them. The villagers were made to sign these certificates and under that threat many were too scared to speak out.
- (c) In certain areas there is curfew from early evening; the possibility of it being clamped at any time without prior notice has made it difficult for people to move about freely. Villagers of Huishu who visited us at Kuirei were too scared to go back to their village till we had got an army assurance that they would not be detained. And the day before they came

to meet us the army personnel had come to the village and warned them not to go to Chingai village for two days(as per our schedule we were to go to Chingai from Kuirei but due to bad roads we decided to remain at Kuirei and meet the Huishu people there). Women are specially scared to move alone and this has affected their work in the fields which has seriously affected cultivation and the household economy.

- (d) People have been taken away by the army and even the minimum safeguards offered by the Special Powers Act are not complied with. The Act stipulates that any person taken into custody shall be handed over to the officer-in-charge of the nearest police station with the <u>least possible delay</u> together with a report of the circumstances occasioning the arrest. It is significant to note that persons like C Paul and C Daniel arrested by the army have not been handed over to the police in clear contravention of the law.
- (e) The people were specially bitter about the treatment of pastors and the church. In using the churches as camps and in the harassment and disrespectful treatment of church functionaries, the army has appeared to have shown scant respect for the religious feelings of the people. Similarly, the behaviour towards headmen and village authority members, and other highly respected members of the community, have hurt the sensibilities of the people.
- (f) In fact, the aftermath of the ambush has resulted in further alienation of the people of East District from the rest of the country. The army's behaviour has created a wide gap in communication which formal tea parties can hardly bridge.
- (g) What is worst is that there seems to be a gap in the perception of the people and that of the army. None of the military authorities we met were even willing to recognise that their operations had created a general fear and panic.

#### EFFECT ON WOMEN

The above are some of our general observations. We would like to discuss how these problems have cumulatively had a particularly adverse effect on women who are, as we have shown, the most vulnerable victims of the unsettled situation, the underdevelopment of the region and also the military presence.

- A. The underdevelopment has a specially adverse effect on women. On an average, a woman loses two children because of the complete lack of medical facilities. This we gleaned from our talks with several women. Family welfare statistics reveal that while 1,090 IUDs were inserted in Manipur Central District (valley area), between 1976-79, none were inserted in East District. It is significant that between 1961 and 1971, the sex ratio has become adverse to women.
- B. A Naga woman may seem to have more freedom than her sisters in caste societies (there are no specific signs to indicate married status or widowhood like sindoor or white sari or any kind of segregation during menstruation). However, the Naga woman does not enjoy the same rights as the man in her own society. She has no property right. She is not found in the traditional political decision making. A woman Headman is unknown. In the Church organisation, some women have reached the position of a director though there is no woman pastor. It is a patriarchal society and woman is very much the property of man. The man pays a bride price at marriage.
- C. The inferior status of women was reflected when we interviewed them. It was with great difficulty that we persuaded the men that women should respond themselves. When they did they were quite articulate except on the subject of sexual harassment.
- D. Added to this has been the fear created by recent army operations. Every woman we interviewed expressed this. They said that it was now impossible for them to go to their fields alone as they did before. Also, nowadays they left

home later and came back earlier from their fields and always in groups. This had adversely affected cultivation and ultimately the produce, as in Phungcham village. Many have suffered substantial losses in their meagre cash income from sale of vegetables etc. as in Nunghar.

- E. Widows and wives of men disabled by army torture are in a difficult position. They have had to bear a heavy financial burden to meet hospital expenses and to make ends meet. A widow gets no land and she is often not educated enough to get any job. Even if she gets one it is poorly paid. There is no provision for compensation.
- F. Women do not have even the legal safeguards offered to their sisters in other parts of the country. There is no provision that they should be arrested and searched by women police only. They have had to suffer the humiliation of being searched by men. There is no way of ensuring that they are not kept at the army post at night, specially when there are no women social workers, etc.
- G. There is no protection against the security personnel's invasion into their privacy. Jawans have barged into their bedrooms at any time of day or night, or broken into their kitchens.
- H. Perhaps, the worst of all is the presumption nurtured by the media and others, that tribal women, in this case Naga women, are promiscuous. In fact, among Tangkhul Nagas, a woman who is even suspected of being raped is treated as being polluted and in all probability will not find a man willing to marry her. Not only is there a social stigma, their religion looks upon her as having committed a sin.

### WOMEN'S STRUGGLE IN EAST DISTRICT

Women have begun to organise themselves around these issues. They have raised their voice against the oppression. There are women's associations in every village which are

Christian organisations attached to the Church. But the best example, perhaps, is the East District Women's Association. This organisation has taken up the issue of the sexual harassment of women by the army. It was formed in 1974 as a direct response to the sexual assaults by BSF men. Among the victims was Rose, who committed suicide after being raped. The members of this organisation have had to face many odds and make considerable sacrifices to keep it going in the face of such problems.

PRAMILA DANDAVATE, Mahila Dakshita Samiti NANDITA HAKSAR, People's Union for Democratic Rights URMILA PHADNIS, People's Union for Democratic Rights KIRTI SINGH, Janwadi Mahila Samiti

Source: Nagaland File: pp. 209-231.

# 6. OKING TIMES NEWSWEEKLY TUESDAY, APRIL 21, 1984

ARMED FORCES RAPING AND BEATING NAGAS STILL. (Oking News Service)

A few years back, during the last ministry of the state government of Nagaland under the Indian Union, Nagaland was proclaimed as the ISLAND OF PEACE. Now, in this present ministry, programmes for a NEW NAGALAND is the Motto. But the people of Nagaland have not seen that Island of Peace which is supposed to be Nagaland. The people also have not seen that New Nagaland. Where is the Island of Peace or the New Nagaland? The Island of Peace and New Nagaland are no where to be found so they must have gone to Delhi, the capital of India. For in the capital of Nagaland or anywhere else in Nagaland we see no Island of Peace or New Nagaland. But for sure, we see C.R.P.F. raping Naga women and B.S.F. beating up innocent civilians, both Indian armed forces.

Putting aside the bitter past where Nagas are shamed and treated no better than animals, it is just a matter of about a month where the Indian military armed forces have continued their inhuman treatments on the Nagas again.

It was on July 8 that the Indian military police had physically assaulted the villagers of Kigwema and Zakhama who happened to be living along the road and also the innocent pedestrians.

Then on July, 28 some B.S.F. armed personnel came in truck loads and terrorised the innocent people of Chetheba town and reportedly, had hospitalised more than twenty. This may be a surprise to the citizens of Chetheba town since such actions are not expected. It is a continuation for more than two decades.

On July 30, the C.R.P.F. at Dimapur from the (F) coy of the 14th Battalion showed again their true intention and the purpose of their posting to Nagaland when two of their personnel rape a Naga lady who has been married hardly for month and was settling down to a happy family live, to raise a good family, to be worthy of been a Naga mother. To this lady and her husband, what has the C.R.P.F. done? The greatest harm and have shamed them.

For this, the President of The Naga Students' Federation Ino Vizoliw Sorhie has issued a press release and condemned the heinous act of the two C.R.P.F. personnel. The handout of Ino Sorhie stated: "It is very painful to note that 2 (two) C.R.P.F. personnel from the 14th Battalion of (F) coy have raped a Naga woman at Dimapur town on the night of 3oth July after forcibly separating her husband, who was also man handled by the C.R.P.F. jawans. The heinous act of these two C.R.P.F. jawans is not only an insult to the whole Naga community but a clear evidence of their bitterness against the Nagas. Therefore, while we strongly condemn the C.R.P.F. personnel, who have commited the inhuman crimes, we urge the government to sternly punish the culprits and also take the necessary preventive measures before all the Nagas are victimised."

In this regard, the husband was beaten for no reason at all but just because they want to rape the Naga lady who has been happily married to him for about a month only.

Reports have also reached us that the Indian armed personnel at Mon town had terrorised some of the Nagas and have dishonoured the sanctity of the Konyak Baptist Church.

# 7. LETTER TO OKING TIMES. 21.8.1984

#### ARMY ATROCITIES AGAIN

On the evening of 28th July, 1984, we Jakhama and Kigwema villagers had to face a suprise attack on our person and houses by the Military Police of 8 MTN Division Jakhama. It is said that on the same evening at around 6.30 p.m. two C.M.P. Jawans were physically assaulted by some unidentified persons. On hearing this, the enraged Jawans without making any investigation attacked the pedestrians and persons living in the houses on 39 National Highway. As a result, numbers of innocent people had to suffer physical injuries and damages of their property. The ferocious army men even went to the extend of robbing valuables found in the houses. Not only these but the Jawans even chased two students of Loyola School, Jakhama. Luckily these two Loyolites managed to escape from the barbarous army personel (C.M.P.s).

Moreover, the above incident shows that the disciplined army' acted too hastily. The army which was suppose to safeguard the common men; without any thought on the rights of the innocent, inflicted unbearable pain and agony. Was it right on their part to act in such an inhuman way! Instead they could have proved their rights by apprehending the culprits. A common man hoping for a peaceful existence wishes to co-operate with the army which has the task of ensuring peace and harmony in our State. We try to work hand in hand with the defence personnel but such incidences are disheartening and discouraging.

Don't we have laws to deal with the guilty? If we have, was it right on the part of the army personnel to illtreat innocent villagers? If similar incidents occur often and innocent persons are tortured by the defence forces, we cannot

expect a peaceful life.

On our behalf, we have already referred the case to authorities for necessary action. But to the best of our know-ledge, no proper action is seen forthcoming. This is due to the inaction and negligence of the authorities concerned. These activities show that a common man is not given his basic human rights. As a result he or she always lives in fear and disturbances.

So once again, we earnestly solicit the authorities concerned for immediate action to assure the common man peaceful living.

Yours in service,

PRESIDENT,
KIGWEMA STUDENTS' UNION.

### 8. MOST RECENT HUMAN RIGHTS ABUSES

To: The Chief Minister

Government of Nagaland, Kohima

Subject: REPRESENTATION AGAINST ARMY ATROCITIES

Sir, We, the undersigned leaders and elders of Phek District, beg to bring the following public grievances before you for favour of your consideration and prompt necessary action.

That on the 3rd November 1984, 9 JAKLI Regiment, was ambushed by some unknown elements near Govt. Horticulture Farm, Pfutsero, killing two and injuring five army personnel.

That, following the incident, the arm forces raided the neighbouring villages, viz, Zhamai, Zheluma, Choba and Mesulumi and many innocent villagers were beaten up indiscriminately including women and girls.

That, the armedforces raided the Church of Zhami village on the 4th November 1984 and broke open the doors which are still kept unrepaired.

That on the 7th November 1984, the villagers of Mesulumi were rounded up, using fire arms and the villagers were beaten up black and blue, indiscriminately including Area Council Members, Village Council Members, Govt. servants, Staff of the Govt. Horticulture Farm (Pfutsero) and one youth Congress-I Co-ordinator and women and girls.

That, a team of Phek District representatives comprising three elders accompanied by Shri. N. Theyo, Vice President of Congress-I had met you at your residence and appraised you of accounts of the Army atrocities.

That, your honour has promised to send one Minister to the spot for verification and for redressing public grievances. However, it is regretted that, no Minister has paid a visit so far.

That, emboldened by the indifferent attitude from the state Government towards the welfare of the public, 9 JAKLI Regiment continue to commit atrocities on the innocent villagers.

That, on 5th January 1985, the army personnel arrested two elderly persons at the outskirts of Choba village on their way to Zhamai village. They were taken to Ram Bhawan (Pfutsero) and tortured them from 8 p.m. to 12 midnight, pouring over them ice water and electric shock treatments.

That, on the 6th January 1985 one Shri. Futsonyi of Thechulme was arrested by the Commdt.of 9 JAKLY Regiment and the victim was taken to Pfutsero. However, finding all the three persons were innocent villagers they had to be handed over to the civil authority. But the civil authority declined to take over, fearing that should anything happen they might be blamed and admitted to Pfutsero Hospital.

In the circumstances, we once again bring the matter before your honour for immediate intervention so as to protect the innocent villagers from further atrocities.

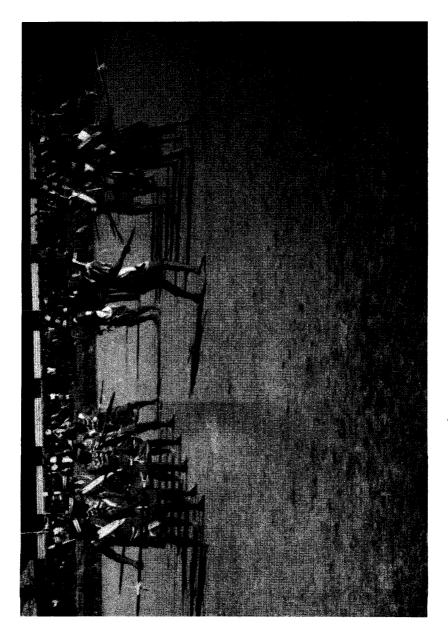
Yours faithfully,

Dated Pfutsero the 10th January 1985

- 1. Mr. Puvezo 2. Mr. Akha 3. Mr. Aru
- 4. Mr. Khwezulo 5. Mr. Nguzonyu
- 6. Mr. Lhinyuzo 7. Mr. Helhikha
- 8. Mr. Khwepelo 9. Mr. Aezolo Tsuha

cc: Governor, Nagaland





# LIST OF PEOPLE TORTURED

## HORTICULTURE FARM PFUFTSERO

3-11-84	Mr. Wetsutsolo	s/o	Lhiselo	38yrs	Peon
	Mr. Zhosehu	"	Hucho	24 "	П
	Mr. Meseljito	" ;	Dingu	35 "	Mali
	CHABAMI VILLAGE				
4-11-84	Mr. Nashu	s/o	Nekhu	62yrs	Cultivator
	Mr. Khezu		Rhukho	40 "	PWD Labour
	Mr. Zahielio	11	Mesetso	36 "	Cultivator
	Mr. K.Viho	11	Dazu	24 "	Student
	Mr,Natesu	11	Dazu	20 "	H
	Mr. Dipelo		Asu	24 "	PWD Mechanical
	Mr. Welhipe	11	Khan	30 "	VDB Secretary
	Mr. Rheo	n	L. Tho-a	46 "	Cultivator
	Mr. T.Mesenyu	H	L.Tho-o	38 "	П
	Mr. Pokho	n .	L. Deo	46 "	PWD Bidar.
	ZELUMI VILLAGE				
4-11-8.4	Mr. Thokho	s/o	Vinyi	70yrs	Cultivator
	Mr. Tho-o	**	Dakho	65 "	п
	Mr. Zinyo	11	Kho- o	40 "	n
	Mr. Zusho		Mekho	45 "	II .
	Mr. Krengulo	11	Ngopi	15 "	п
	ZHAMAI VILLAGE				
4-11-8.4	Mr. Ngonyu	s/o	Tho-o	55yrs	Cultivator
	Mr. Nashu	11	Rhikho	55 "	Ex-Gaon-Bourah.
	Mr. Rharhunyi	n	Zao	40 "	Cultivator
	Mr. Thokho	п	Akha	57 "	Vice Gaon-Bourah
	Mr. Danyu	11	Rhinyu	35 "	
	Mr. Deo	"	Tho-o	25 "	
	Mr. Nyanyu	11	Thashu	40 "	Govt. Teacher

4-11-84	Mr.	Kho-o	s/o	Lacho	25չ	rs	Govt. Teacher
	Mr.	Viho	**	Tho-o	20	II.	
	Mr.	Riba	**	Mekho	42	"	
	Mr.	Kradu	п	Khenyu	30	ш	
	Mr.	Sozhu	11	Sanyu	45	п	Vill.Counc.Mem.
	Mr.	Vikho	п	Pinyu	15	**	
	Mr.	Pinyu	ti	Sosou	30	п	
	Mr.	Turhu	п	Sisou	31	11	
	Mr.	Moliba	U	Theba	23	II .	
	Mr.	Rhapi	**	Sanyi	39	n	Govt.Teacher
	Mr.	Kebou	11	Sanyi	30	11	
	Mr.	Poru	II .	Sanyi	30	u	
	Mr.	Ngapi	"	Rhokho	27	н	
	Mr.	Salonyu		Yonyo	35	11	
	Mr.	Danyu	п	Akha	31		
	Mr.	Salonyu	н	Dazhu	35	"	
	Mr.	Akholu	11	Darhu	55	п	
	Mr.	Sutikino	d/o	Soshu	45	11	
	Mr.	Pracho	s/o	Tho-o	32	**	Vill.Counc.Mem.
	Mr.	Modei	u	Khezhu	43	11	
	Mr.	Rapri	п	Tho-o	35	п	Area Counc.Mem.
	Mr.	Salonyu	н	Theba	28	п	
	Mr.	Tho-o	II .	Dazhu	50	п	
	Mr.	Arou	11	Dekho	35	n .	
	Mr.	Darhu	11	Khenyu	45	11	
	Mr.	Khru	п	Ru-o	55	н	
	Mr.	Nadzu	11	Yonyo	56	11	
	Mr.	Sashu	II	Rhupri	33	11	Ex-Teacher, Gvt.
	Mr.	Shukho	11	Limo	23	O .	Student
	Mr.	Samocho	п	Nashu	30	11	Vice Pastor
	Mr.	Soshihu	**	Pokho	45	11	
	Mr.	Theo	17	Khenyu	37	ш	
	Mr.	Shiba	**	Snyu	35	н	
	Mr.	Thelhi	11	Re-o	57	н	
	Mr.	Neisatsu	"	Chashu	15	**	

4-11-84	Mr.	Limo	s/o	Chashu	48	yrs	
	Mr.	Mekho	п	Souva	55	**	
	Mr.	Rhokho	**	Thekho	56	н	
	Mr.	Danyu	tt	Nesu	35	**	
	Mr.	Aba	ш	Thokho	43	11	
	Mr.	Akha	II .	Ngopri	34	11	
	Mr.	Danyu		Rhunyu	25	н	
	Mr.	Nashu	**	Thekho	28	u	
	Mr.	Shisu	н	Theba	49	n	Chokwidar
	Mr.	Tho-a	11	Dazu	57	**	
	Mr.	Chakho	11	Ngopi	30	п	
	Mr.	Ngonyu	11	Akha	52	п	
	Mr.	Theshu	н	Dazhu	60	11	
	Mr.	Mesunyu	н	Rhinyi	28	11	
	Mr.	Khoso	11	Sanyi	35	11	
	Mr.	Shiba	11	Deo	41		
	Mr.	Rhakho	н	Yonyo	45	"	Govt.Teacher
	Mr.	Salonyi	"	Pazu	35	**	Secr.Vill.Council
	Mr.	Salonyi	11	Zusho	40	11	Hindi Teacher
	Mr.	Rhunyu	**	Thekhru	47	"	
	Mr.	Yonyo	"	Ngopi	45	n .	Govt. Teacher
	Mr.	Toki	"	Dazu	47	11	
	Mr.	Pinyu	11	Dazu	49	U	
	Mr.	Akro	"	Lacho	57	11	Gaon-Bourah
	Mr.	Rhupi	n .	Ngopi	35		
	Mr.	Nashu	**	Kho-o	45	"	Vill.Counc.Mem.
	Mr.	Theba	n	Nasu	38	**	
	Mr.	Sanyu	11	Deo	30	11	
	Mr.	Kho-o	**	Theba	48	**	
	Mr.	Thezu	11	Monyo	42	11	Pastor
	Mr.	Salonyu	"	Aba	35	11	
	Mr.	Vikho	"	Pinyu	40	п	
	Mr.	Darhu		Nashu	42	11	
	Mr.	Sashu	ш	Pinyu	50	**	
	Mr.	Mu	O .	Rhakho	50	"	Vice Gaon-Bourah

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Mr. Khenyu
                                         47yrs
4-11-84
                          s/o Sashu
         Mr. Tombi
                                         40 "
                              Khenyu
                                                 School Carpent.
                                         40 "
         Mr. Rhakho
                          п
                              Khenyu
         Mr. Dakho
                              Tho-o
                                         45 "
                                         40 "
                                                Chokwidar
         Mr. Sanyu
                              Theo-o
                          н
         Mr. Potokho
                              Chashu
                                         59 "
         Mr. Danyu
                              Thekho
                                         25 "
         Mr. Vitso
                                         30 "
                              Chashu
         MESULUMI VILLAGE
7-11-84 Mr. Wepelhi
                          s/o L. Keduchunyu 48yrs
                                                     Chairman
                                                     Vill.Council
                          11
                              L. Ditsolo
                                              58 "
         Mr. Pfulhinvu
                                                     A.C.M.
         Mr. Sozhulhi
                              Letsu
                                              30 "
                                                     Secr.V.C.C.
                                              26 "
                                                     Pres., Youth
         Mr. Kewekha
                              Miha
         Mr. Lhiwezhulo-u d/o Zhienvutso
                                              21 "
                                                     Secr., VDB
                          s/o Weulo
                                              32 "
         Mr. Weprelhi
                                                     Peon Ind
Wakha, Lotha
         Mr. Duta
                              Wemero
                                              32
                                                     All Indian
                                                     Youth Con-
                                                     gress Sect.
                                                     Co-Ord.
                                              22 "
         Mr. Wezote
                               Nyuzu
                                                     Student
         Mr. Dizotuo
                               L.Kedutsolhi
                                              27 "
         Mr. Khauzhu
                               Zhietsu
                                              22 "
         Mr. Keduwete
                                              18 "
                              Nvuru
         Miss Enyutso-u d/o Zhulhi
                                              16 "
         Mr. Zhietelhi
                          s/o L. Motsolo
                                              63 "
                                                     Cultivator
         Mrs. Lhiwhizu-u d/o L. Melhipelo
                                              79 "
         Mrs. Kedutsu-u
                          D
                               Zhietelhi
                                              28 "
         Mr. Meskhro
                          s/o L. Mesezhu
                                              80 "
         Mr. Wezhulo
                               L. Kezhutsu
                                              100"
         Mr. Kedulhitsu
                              L. Kewezhu
                                              80 "
                          d/o Pfulhinyu
                                              20 "
         Mrs. Nvulhi-u
         Mrs. Ekrongulo-u "
                               L. Wekhalo
                                              18 "
         Mrs. Dipfulo-u
                              Meseru
                                              41 "
         Mrs. Shevotsole " Wepetsu
                                              30 "
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Mr. Ditsolhi s/o L. Zhielhizu

46 "

7-11-84 Mr. Lhiwekha II s/o Lhitsuru 28yrs

Mr. Wekrolo " L. Zhutsonyu Nagaland Pol.

Mrs. Wepelhilo-u d/o Duta 29 " Govt.Serv. C Vhizami

Mrs. Zuwekha-u " Wemero 28 "

CHIZAMI VILLAGE

Mr. Lhilonyu s/o L. Khwetsizu 26 yrs Carpenter

Instruct. Visi ME

School

ENYHUMI VILLAGE

Mr. Krolhinyu s/o Zumolo Student

Note s/o = son of

d/o = daughter of

B: Accords and Agreements

### 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

The right of the Nagas to develop themselves according to their freely expressed wishes is recognised.

#### 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 organisations, 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-Nagas in (a) Kohima and Mokokchung town 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-division of the Naga Hills should be administered by a Sub-divisional Council with a full time executive President, paid by the Naga National Council, who would be responsible to the District Officer, 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.

#### LEGISLATIVE

That no laws passed by the Provincial or Central Legislature which would materially affect the terms of this agreement or the religious practices of the Nagas 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 Govenor 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.

#### BOUNDARIES

That present administrative divisions should be modified so as to (1) bring back into the Naga Hills District all the Forests transferred to the Sibsagar and Nowgong Districts 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 scope 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 provisions 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 GOVERNMENT
OF ASSAM AND THE NAGA NATIONAL COUNCIL ARE ACCEPTED
TO THE LETTER OF EXECUTION, WITH THE CLAUSE NINE MODIFIED AS, 'THE END OF THIS PERIOD THE NAGAS WILL BE FREE
TO DECIDE THEIR OWN FUTURE'."

GOVERNOR AND CHIEF MINISTER OF ASSAM'S WRITTEN ASSURANCE
ABOUT IMPLEMENTATION OF THE HYDARI AGREEMENT

A deputation of Naga gentlemen have come to Shillong to receive a written assurance from HE 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 provisions laid down in the Draft Constitution. It was explained to the deputation, at length, that 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, H E 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 signatures to this document as a token of the assurance they have been asked to give.

# 2. BILATERAL AGREEMENT ON CEASEFIRE

The Order took effect since September 1964

No. of No. of Clause (India) (Naga)

TERMS

### GOVERNMENT OF INDIA:

- 2. 3. On the understanding that the Government of India will undertake to suspend:
  - (a) Jungle Operation;
  - (b) Raiding of Federal Army and Administrative camps;
  - (c) Patrolling not beyond 1000 yrds. of security
     posts;
  - (d) Searching of villages;
  - (e) Aerial Actions;
  - (f) Impositions of forced labour (on the people);
  - (g) Imposition of Fines (Political)

### 3. 4. N A G A S:

On the understanding that the Federal Government of Nagaland will undertake to suspend:

- (a) Sniping and ambushing;
- (b) Imposition of Fines;
- (c) Kidnaping and recruiting;
- (d) Sabotage Activities;
- (e) Raiding and Firing on security posts, towns, and Administrative centres; and
- (f) Moving with Arms in uniform in towns, villages and Administrative centres and 1000 yrds. away from security posts.

The understanding is confirmed that special agreement may be made in cases where movements with arms

No. of No. of Clause (India)(Naga)

in uniform becomes necessary in any area where may be risk of encounter with security forces, e.g. along or across roads or bridges.

- 4. 6. The understanding given by both sides (India and Nagas) should preclude any unexpected encounter, but in the event of any such encounter even occurring between Federal Government personnel and India Forces, the Rule "No firing unless first fired upon" will be strictly observed during the Ceasefire period.
- 7. To promote an atmosphere conducive to peaceful occupations and free discussions, the Federal Army shall not use the period of the ceasefire to Parade with arms in inhabited areas from which the forces will not be present under this agreement.
- 8. In the International Border area; security forces will maintain patrolling to a depth of 3 miles as the crow flies from the frontier line. In this particular matter arrangement can be made for further modification when the ceasefire is effected.
- 9. No arms will be imported from abroad by the Federal Government of Nagaland during the period of Ceasefire.
- The Government of India during the period of Ceasefire will continue the protection of Army

No. of No. of Clause (India) (Naga)

3

Convoys on maintenance service, and the usual road patrolling, in this connection will extend to not more than 100 yrds. on either side of road. The road patrols will withdraw when the convoy has passed. The Federal Army personnel shall move about freely when the convoys passed the locality and also in non-convoy days. The days of the week and the particular routes used by convoys will be notified in advance and communicated to the Federal Government.

9. 13. The above terms applies to the Areas of Operations.

Signed on behalf of the Federal Government of Nagaland.

- 1. Zashei Huire,
- 2. Biseto Medom,
- 3. L.Z. Zhenito,

10th August 1964

Issued with the authority and on behalf of the Government of India

Signed/ Vishnu Sahay

14th August 1964

Note: The Angami Regional Council has published this series of extracts from the Ceasefire Agreement.

### 3. THE SIXTEEN POINT AGREEMENT

THE SIXTEEN POINT AGREEMENT ARRIVED AT BETWEEN THE NAGA
PEOPLE'S CONVENTION AND THE GOVERNMENT OF INDIA IN JULY 1960

The points placed by the delegates of the Naga People's Convention before the Prime Minister on 26 July 1960, as finally recast by the Delegation in the light of discussions on 27 and 28 July 1960 with the Foreign Secretary.

#### 1. THE NAME

The territories that were heretofore known as the Naga Hills-Tuensang Area under the Naga Hills-Tuensang Area Act 1957, shall form a State within the Indian Union and be hereafter known as Nagaland.

#### THE MINISTRY IN CHARGE

The Nagaland shall be under the Ministry of External Affairs of the Government of India.

### THE GOVERNOR OF NAGALAND

- (1) The President of India shall appoint a Governor for Nagaland and he will be vested with the executive powers of the Government of Nagaland. He will have his headquarters in Nagaland.
- (2) His administrative secretariat will be headed by a Chief Secretary stationed at the Headquarters with other Secretariat Staff as necessary.
- (3) The Governor shall have special responsibility with regard to law and order during the transitional period and for so long as the law and order situation continues to remain disturbed on account of hostile activities. In exercising this special responsibility, the Governor shall, after consultation with the Minis-

try, act in his individual judgement. This special responsibility of the Governor will cease when normalcy returns.

### 4. COUNCIL OF MINISTERS

- (1) There shall be a council of Ministers with a Chief Minister at the head to assist and advise the Governor in the exercise of his functions.
- (2) The Council of Ministers shall be responsible to the Naga Legislative Assembly.

### 5. THE LEGISLATURE

There shall be constituted a Legislative Assembly consisting of elected and nominated members as may be deemed necessary representing different Tribes. (Further a duly constituted body of Experts may be formed to examine and determine the principles of representation on democractic basis.)

### 6. REPRESENTATION IN PARLIAMENT

Two elected members shall represent Nagaland in the Union Parliament, that is to say one for the Lok Sabha and the other for the Rajya Sabha.

#### 7. ACTS OF PARLIAMENT

No Act or Law passed by the Union Parliament affecting the following provisions shall have legal force in Nagaland unless specifically applied to it by a majority vote of the Nagaland Legislative Assembly:

- (1) The Religious or Social Practices of the Nagas.
- (2) Naga Customary Laws and Procedure.
- (3) Civil and Criminal Justice so far as these concern decisions according to Naga Customary Law. The existing laws relating to administration of civil

and criminal justice as provided in the Rules for the Administration of Justice and Police in the Naga Hills District shall continue to be in force.

(4) The ownership and transfer of land and its resources.

### 8. LOCAL SELF-GOVERNMENT

Each tribe shall have the following units of rule-making and administrative local bodies to deal with matters concerning the respective tribes and areas:

- (1) The Village Council;
- (2) The Range Council; and
- (3) The Tribal Council.

These Councils will also deal with disputes and cases involving breaches of customary laws and usages.

### 9. ADMINISTRATION OF JUSTICE

- (a) The existing system of administration of civil and criminal justice shall continue.
- (b) Appellate Courts:
  - The District Court-cum-Sessions Court (for each district), High Court and Supreme Court of India.
  - (2) The Naga Tribunal (for the whole of the Nagaland) in respect of cases decided according to Customary Law.

#### 10. ADMINISTRATION OF TUENSANG DISTRICT

(1) The Governor shall carry on the administration of the Tuensang District for a period of 10 (ten) years until such time when the tribes in the Tuensang District are capable of shouldering more responsibility of the advanced system of administration. The commencement of the ten-year period of administration will start simultaneously with the enforcement of detailed

- workings of the constitution in other parts of the Nagaland.
- (2) Provided further that a Regional Council shall be formed for Tuensang District by elected representatives from all the tribes in Tuensang District, and the Governor may nominate representatives to the Regional Council as well. The deputy Commissioner will be the Ex-officio Chairman of the Council. The Regional Council will elect members to the Naga Legislative Assembly to represent Tuensang District.
- (3) Provided further that on the advice of the Regional Council, steps will be taken to start various Councils and Courts, in those areas where the people feel themselves capable of establishing such institutions.
- (4) Provided further that no Act or Law passed by the Naga Legislative Assembly shall be applicable to Tuensang District unless specifically recommended by the the Regional Council.
- (5) Provided further that the Regional Council shall supervise and guide the working of the various Councils and Tribal Courts within Tuensang District and wherever necessary depute the local officers to act as Chairman thereof.
- (6) Provided further that Councils of such areas inhabited by a mixed population or which have not as yet decided to which specific Tribal Council to be affiliated to shall be directly under the Regional Council for the time being. And at the end of ten years the situation will be reviewed and if the people so desire the period will be further extended.

### 11. FINANCIAL ASSISTANCE FROM THE GOVERNMENT OF INDIA

To supplement the revenues of the Nagaland, there will be need for the Government of India to pay out of the Consolidation Fund of India:

- A lump sum each year for the development programme in Nagaland; and
- (2) A grant-in-aid towards meeting the cost of administration.

Proposals for the above grants shall be prepared and submitted by the Government of Nagaland to the Government of India for their approval. The governor will have general responsibility for ensuring that the funds made available by the Government of India are expended for purposes for which they have been approved.

## 12. CONSOLIDATION OF FOREST AREAS

The delegation wished the following to be placed on record:

The Naga Delegation discussed the question of the inclusion of the reserve Forests and of contiguous areas inhabited by the Nagas. They were referred to the provisions in Articles 3 and 4 of the Constitution, prescribing the procedure for the transfer of areas from one State to another.

# 13. CONSOLIDATION OF CONTIGUOUS NAGA AREAS

The Delegation wished the following to be placed on record:

The Naga leaders expressed the wish for the contiguous areas to join the new State. It was pointed out to them on behalf of the Government of India that Articles 3 and 4 of the Constitution provided for increasing the area of any State, but that it was not possible for the Government of India to make any commitment in this regard at this stage.

# 14. FORMATION OF SEPARATE NAGA REGIMENT

In order that the Naga people can fulfil their desire of playing a full role in the defence forces of India the

question of raising a separate Naga Regiment should be duly examined for action.

## 15. TRANSITIONAL PERIOD

- (a) On reaching the political settlement with the Government of India, the Government of India will prepare a Bill for such amendment of the Constitution, as may be necessary, in order to implement the decision. The Draft Bill, before presentation to Parliament, will be shown to the delegates of the NPC.
- (b) There shall be constituted an Interim Body with electted representatives from every tribe, to assist and advise the Governor in the administration of the Nagaland during the transitional period. The tenure of office of the Interim Body will be 3 (three) years subject to re-election.

## 16. INNER LINE REGULATION

Rules embodied in the Bengal Eastern Frontier Regulation, 1873 shall remain in force in the Nagaland

Source: Nagaland File: pp.153-157

C : Special Laws

#### INTRODUCTION

#### SPECIAL LAWS

Already, between 1954 and 1955 Assam state had introduced two special Acts, namely, the Assam Maintenance of Public Order (Autonomous Districts) Act 1953 and the Assam Disturbed Areas Act 1955. This was followed by the promulgation of (a) The Armed Forces (Special Powers) Regulations 1958, in April 1958; (b) The armed Forces (Assam and Manipur) Special Powers Ordinance 1958; and (c) Regulation 5 of 1962 (The Nagaland Security Regulation 1962). The Special Powers Ordinance of 1958 was converted into an Act in September, as the Armed Forces (Assam and Manipur) Special Powers Act 1958, later amended as the Armed Forces Special Powers Act 1972 to make it applicable to all the states and Union territories in the Northeast.

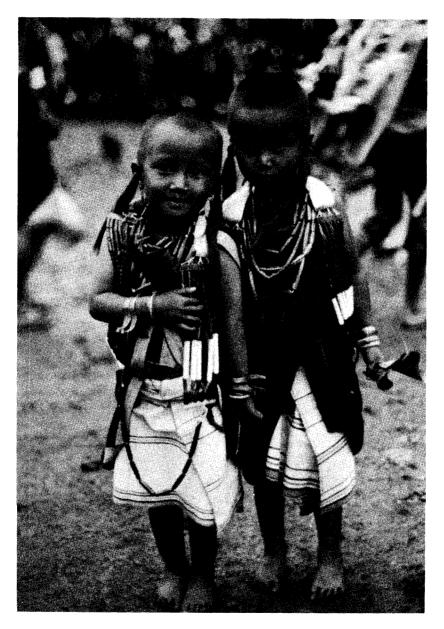
The singular purpose of introducing the special laws is to equip the Government and its armed wings with extensive powers, putting themselves beyond the limits set by the Constitution. Here we give outlines of some of the outstanding features of the Acts. Section 7(i) of the Assam Maintenance of Public Order Act, 1953, empowers the Government to impose collective fines on the inhabitants of any area, "if it appears to the State Government" that they have failed or "are failing to render all the assistance in their power to discover or apprehend the offender.." The Assam Disturbed Areas Act, 1955, and the Special Powers Regulation/Ordinance/Acts, each of them under Section 3, empowers the Governor to declare any area as "disturbed area," should he so think.

According to Article 371A(b) of the Constitution of India, "special responsibility with respect to law and order in the State of Nagaland" is vested on the Governor, "Governor's opinion" here means "his own opinion" as distinct from "on

the advice of the Council of Ministers." Section 4 of the Assam Disturbed Areas Act gives power to the Police and the Assam Rifles down the rank of sub-inspector and hawildar to shoot and kill, in case it is felt necessary to do so for maintaining public order, against anyone acting in contravention of "law or order" in force.

The clauses of Armed Forces (Special Powers) Regulation of 1958 and the Central Acts provide the army personnel down the rank of a non-commissioned officer the power to shoot and kill; to enter and search and arrest without warrant any person against whom reasonable suspicion exists that he has committed or is about to commit a cognisable offence. test of "reasonableness" is precluded by the conditions provided in the succeeding section. The Central Act required prior sanction of the Government for instituting legal proceedings against any person in respect of anything done or purported to have been done in exercise of the powers conferred by the Act. The 1958 Regulation provides that "no prosecution, suit or other legal proceeding shall be allowed against any Armed Forces officer in respect of anything done in any part of NHTA (Naga Hills and Tuensang Area) on or after 23 December 1957, which might lawfully have been done in a disturbed area." There is no provision for testing whether a particular act is lawful under the disturbed area situation. The Regulation thus provides the Armed Forces officers and those under their command legal immunity to commit any crime against the Nagas.

Even such laws were apparently inadequate, and in 1962, a much more notorious law was brought in, called the Nagaland Security Regulation 1962. Its provisions made no attempt to hide the fact that its objective was to provide legitimacy to anything done against the Nagas. Sections 34(1) and 36(1), (2), provide that "no suit or other legal proceeding shall



Naga children

lie against any person or Government for any danger caused or likely to be caused by anything which is or is deemed to have been done in good faith or intended to be done in pursuance of this Regulation or any order made or deemed to have been made thereunder." This Regulation also provides the Governor, under Section 5A(1), to remove all or any class of residents to any other area for any length of time, if he considers it necessary to do so in the public interest or in the interest of the safety and security of Nagaland, and to interfere with private rights of property to achieve the removal.

In effect, Army rule has meant the near destruction of civilian administration. The extent to which civil administration has been undermined by the Army can be gauged from the dramatic examples of what happens in the day-to-day life.

#### EXTRACTS OF LAWS

REGULATION 2 OF 1958 THE ARMED FORCES (SPECIAL POWERS)
REGULATION OF 1958

A Regulation to enable certain special powers to be conferred upon officers of the Armed Forces in disturbed areas in the State of Nagaland.

## NAGALAND CODE

Power to Declare Areas to be Disturbed Areas -3. If the Governor of Nagaland is of the opinion that the whole or any part of the State of Nagaland is in such a disturbed or dangerous condition that the use of armed forces in aid of the civil powers is necessary, he may, by notification in the Official Gazette declare the whole or, as the case may be, such part of the State of Nagaland, to be a disturbed area.

Special Powers of the Armed Forces - 4. (1) Any Commis-

sioned Officer, or non-commissioned officer not below the rank of Havildar of the Armed Forces may, in a disturbed area-

- (a) if he is of the opinion that is necessary so to do for the maintenance of public order after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons or of fire arms, ammunition or explosive substances;
- (b) if he is of the opinion that it is necessary so to do, destroy any arms dump, prepared or fortified position or shelter from which armed attacks are made or are likely to be made or are attempted to be made, or any structure used as a training camp for armed gangs or absconders wanted for any offence;
- (c) arrest, without warrant, any person who has committed a cognisable offence or against whom a reasonable suspicion exists that he has committed or is about to commit a cognisable offence and may use such force as may be necessary to effect the arrest;
- (d) enter and search without warrant any premises to make any such arrest as aforesaid or to recover any person believed to be wrongfully restrained or confined or any property reasonably suspected to be stolen property or any arms, ammunition or explosive substances believed to be unlawfully kept in such premises, and may for that purpose use such force as may be necessary.

Arrested Persons to be Made over to Police - 5. Any person arrested and taken into custody under this Regulation shall be made over to the officer in charge of the nearest Police Station with the least possible delay together with a report of the circumstances occasioning the arrest.

<u>Protection of Persons Acting under the Regulation</u> - 6. No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by the Regulation.

Indemnity of Officers of the Armed Forces for Certain

Acts - 7. No prosecution, suit or other legal proceeding

shall lie in any court of law against any officer of the Armed forces in respect of anything done in any part of the Kohima and Mokokchung districts of the Naga Hills-Tuensang Area on or after the 23rd December 1957, and before the commencement of this Regulation which might lawfully have been done in a disturbed area by the said period, including the arrest of any person or recovery of any person or property and shall be as valid as if they have been done at a time when this Regulation was in force.

## REGULATION 5 OF 1962 (THE NAGALAND SECURITY REGULATION, 1962)

A Regulation to make special provision of the maintenance of public order by the suppression of subversive activities endangering the safety and security of Nagaland, for the maintenance of supplies and services essential to the life of certain articles in Nagaland and for matters connected therewith.

#### ACCESS TO CERTAIN PLACES AND AREAS

<u>Protected Places</u> - 2. (1) If as respects any place or class of places the Governor considers it necessary or expedient in the public interest or in the interest of the safety and security of such place or class of places that special precautions should be taken to prevent the entry of unauthorised persons, he may by order declare that place, or as the case may be, every place of that class to be a protected place; and thereupon, for so long as the order is in force, such place

or every place for the purpose of this Regulation.

- (2) No person shall, without the permission of the Governor or any person in authority connected with the protected place duly authorised by the Governor in this behalf or of the Deputy Commissioner having jurisdiction, enter, or be on or in or pass over, any protected place and no person shall loiter in the vicinity of any such place.
- (3) Where in pursuance of sub-section (2) any person is granted permission to enter, or to be on or in, or to pass over, a protected place, that person shall, while acting under such permission, comply with such orders for regulating his conduct as may be given by the authority which granted the permission.
- (4) Any police officer, or any other person authorised in this behalf by the Governor, may search any person entering, or seeking to enter, or being on or in, or leaving, a protected place and any vehicle, animal or article brought in by such person and may, for the purpose of the search, detain such person, vehicle, animal or article:

Provided that no woman shall be searched in pursuance of this sub-section except by a woman. (Note: In Nagaland, however, there is no women's police force, or any lady officer authorised to search a woman in connection with this subsection.)

- (5) If any person is in a protected place in contravention of any provision of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by any police officer or by any other person authorised in this behalf by the Governor.
- (6) If any person contravenes any of this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Protected Areas - 3. (1) If the Governor considers it

necessary or expedient in the public interest or in the interest of the safety and security of any area to regulate the entry of persons into that area, he may, without prejudice to any other provisions of this Regulation, by order declare the area to be a protected area; and thereupon, for so long as the order is in force, such area shall be a protected area for the purposes of this Regulation.

- (2) On and after such day as may be specified in, and subject to any exemptions for which provision may be made by, an order made under sub-section (1), no person who was not immediately before the said day resident in the area declared to be a protected area by the said order shall be therein except in accordance with the terms of a written permit granted to him by an authority or person specified in the said order.
- (3) Any police officer, or any other person authorised in this behalf by the Governor may search any person entering or seeking to enter, or being on or in, or leaving, a protect-ted area, and any vehicle, animal or article brought in by such person, and may, for the purpose of the search, detain such person, vehicle, animal or article:

Provided that no woman shall be searched in pursuance of this sub-section except by a woman.

- (4) If any person is in a protected area in contravention of any provision of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by or under the direction of any police officer on duty in the protected area or by any other person authorised in this behalf by the Governor.
- (5) If any person is in a protected area in contravention of any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

# ACCESS TO CERTAIN PLACES AND AREAS AND SHIFTING FROM INHABITED AREAS

Power to Shift Persons from Inhabited Areas - 5A (1) If the Governor considers it necessary or expedient so to do in the public interest or in the interest of the safety and security of Nagaland, he may, by order direct, in respect of any inhabited area to be specified in that order (hereinafter referred to as the said area), that, subject to any exemptions made by him by general or special order:

- (a) all residents or any class of residents shall remove themselves or be removed from the said area to any other area specified by the Govenor and remain in that other area for such period as may be specified by him;
- (b) all residents or any class of residents in the said area shall remain therein for such period as may be specified by the Governor:
- (c) any animals or property or any specified class of animals or property shall be removed from the said area to any other area specified by the Govenor;

and may do any other act involving interference with private rights of property which is necessary for any of the purposes aforesaid.

- (2) An order under sub-section (1) for the removal of residents, animals or property may specify:
- (a) the route or routes by which all or any class of residents, animals or property are to remove themselves or be removed from the said area.
- (b) the time by which they are to remove themselves or be removed therefrom; and may make such other incidental and supplementary provisions as may appear necessary or expedient for the purpose of the said order.

Unofficial Uniform - 13.(1) If the Governor is satisfied that the wearing in public of any dress or article of apparel resembling any uniform or part of a uniform required to be worn by a member of the Armed Forces or by a member of any Police Force or any force constituted under any law for the time being in force would be likely to prejudice the public safety or the maintenance of public order, the Governor may, by general or special order, prohibit or restrict the wearing in public of any such dress or article of apparel.

Power to Establish Searching Stations- 17. The Governor may at any place along the boundary line of Nagaland and at such distance within such line as he deems expedient, establish or cause to be established searching posts at which all persons, vehicles, carts and baggage-animals and all boxes, bales and packages in transit may be stopped and searched for controlled article by any officer empowered by the Govenor in this behalf by name or by virtue of his office.

Special Provision for Searches - 33. (1) In any area in which the Governor, as a consequence of apprehended danger to the public in such area, notifies in the official Gazette in this behalf, any police officer or any person authorised by the Governor in this behalf may in any road, street, alley, public place or open space, stop and search any person in such area for the purpose of ascertaining whether such person is carrying, in contravention of any law for the time being in force, any explosive or corrosive substance or any weapon of offence or any article which may be used as a weapon of offence and may seize any such substance together with its container, if any, or any such weapon or article discovered during such search:

Provided that every such search shall be made with due regard to decency and that no woman shall be searched except

by a woman.

Cognisances of Contraventions of the Provisions of the Regulation or Orders Made thereunder - 34. (1) No court shall take cognisance of any alleged contravention of the provisions of this Regulation or any order made thereunder except, on a report in writing of the facts constituting such contravention, made by a public servant.

#### Protection of Action Taken under this Regulation - 36.

- (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is or deemed to have been in good faith done or intended to be done in pursuance of this Regulation or any order made or deemed to have been made thereunder.
- (2) No suit or other legal proceeding shall lie against Government for any danger caused or likely to be caused by anything which is or is deemed to have been in good faith done or intended to be done in pursuance of this Regulation or any order made or deemed to have been made thereunder.

THE ASSAM MAINTENANCE OF PUBLIC ORDER (AUTONOMOUS DISTRICTS) ACT, 1953

Imposition of Collective Fines on Inhabitants of any
Area - 7. (1) If it appears to the State Government that the
inhabitants of any area are concerned in or abetting the
commission of offences prejudicially affecting the public
safety or the maintenance of public order, or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission
of SUCh offences, or are failing to render all the assistance
in their power to discover or apprehend the offender or
offenders or are suppressing material evidence of the commission of such offences, the State Government may, by
notification in the Official Gazette, impose a collective

fine on the inhabitants of that area.

Control of Meetings, Processions, etc. - 8(1) The State Government may for the purpose of maintaining public order by general or special order prohibit, restrict or impose conditions upon the holding of processions, meetings or assemblies by class of persons or organisations whose activities, in the opinion of the State Government, are subversive of law and order.

(2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment which may extend to two years or with fine or both.

Control of Use of Loudspeakers, Megaphones, etc. - 10 (1) The State Government may, for the purpose of preventing activities, which in their opinion undermine the security of, or tend to overthrow the State by general or special order, prohibit, restrict or impose conditions on:

- (i) the use of operation in any street square, public place or any place of any apparatus for amplifying the human voice, or any reproduction of the human voice, such as megaphone or on an electrically operated loudspeaker; and
- (ii) the use or operation or driving in any street, square, public place or any other place of any vehicle which carries or has attached to it any apparatus referred to in sub-clause (i).
- (2) If any person contravenes any order issued under this section, he shall be punishable with imprisonment which may extend to two years or with fine or with both.
- (3) The apparatus referred to in sub-clause (i) together with the vehicle, if any, to which it may be attached shall be liable to be forfeited to the State Government if it

be used or operated in contravention of an order passed under this section.

Power to Arrest Without Warrant - 17. Any police officer not below the rank of a Sub-inpsector of Police may arrest without warrant any person who is reasonably suspected of having committed or of being about to commit an offence punishable under this act:

Provided that nothing in this Act shall protect a police officer making a malicious arrest.

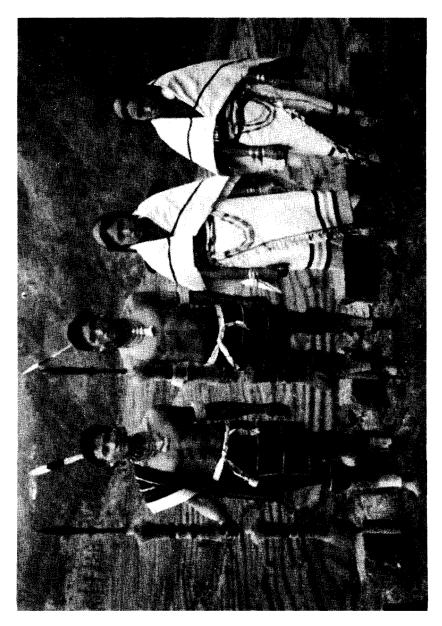
THE ARMED FORCES (ASSAM AND MANIPUR) SPECIAL POWERS ACT, 1958 No.28 of 1958 (11 September, 1958)

An Act to enable certain special powers to be conferred upon members of the Armed Forces in disturbed areas in the State of Assam and the Union Territory of Manipur.

Be it enacted by Parliament in the Ninth Year of the Republic of India as follows:

- 1. (1) This act may be called the Armed Forces (Assam and Manipur) Special Powers Act, 1958.
- (2) It extends to the whole of the State of Assam and the Union Territory of Manipur.
  - 2. In this Act, unless the context otherwise requires,
- (a) "Armed Forces" means the military forces and the air forces of the Union so operating;
- (b) "disturbed areas" means an area which is for the time being declared by notification under Section 3 to be a disturbed area;
- (c) all other words and expressions used herein, but not defined in the Air Force Act, 1950, or the Army Act 1950, shall have the meanings respectively assigned to them in those acts.





- 3. If the Governor of Assam or the Chief Commissioner of Manipur is of the opinion that the whole or any part of the State of Assam or the Union Territory of Manipur, as the case may be, is in such a disturbed or dangerous condition that the use of Armed Forces in aid of the civil power is necessary, he may, by notification in the Official Gazette, declare the whole or any part of the State or Union Territory to be disturbed area.
- 4. Any commissioned officer, warrant officer, non-commissioned officer or any other person of equivalent rank in the Armed Forces may, in a disturbed area.
- (a) if he is of opinion that is necessary so to do for the maintenance of public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law or order for the time being in force in the disturbed area prohibiting the assembly of five or more persons or the carrying of weapons or of things capable of being used as weapons or of fire-arms, ammunition or explosive substances;
- (b) if he is of opinion that it is necessary so to do, destroy any arms dump, prepared or fortified position or shelter from which armed attacks are made or are likely to be made or are attempted to be made, or any structure used as a training camp for armed volunteers or utilised as a hide-out by armed gangs or absconders wanted for any offence;
- (c) arrest, without warrant, any person who has committed a cognisable offence or against whom a reasonable suspicion exists that he has committed or is about to commit a cognisable offence and may use such force as may be necessary to effect the arrest;
- (d) enter and search without warrant any premises to make any such arrest as aforesaid or to recover any person

believed to be wrongfully restrained or confined or any property reasonbly suspected to be stolen property or any arms, ammunition or explosive substances believed to be unlawfully kept in such premises, and may for that purpose use such force as may be necessary.

- 5. Any person arrested and taken into custody under this Act shall be made over to the officer in charge of the nearest police station with the least possible delay, together with a report of the circumstances occasioning the arrest.
- 6. No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of powers conferred by this Act.
- 7. (1) The Armed Forces (Assam and Manipur) Special Powers Ordinance, 1958 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act, as if this Act had commenced on the 22nd day of May 1958.

THE ARMED FORCES (ASSAM AND MANIPUR) SPECIAL POWERS (AMENDMENT) ACT, 1972 No. 7 OF 1972 (5 APRIL 1972)

An Act to amend the Armed Forces (Assam and Manipur) Special Powers Act, 1958.

Be it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:

 This Act may be called the Armed Forces (Assam and Manipur) Special Powers (Amendment) Act, 1972.

- 2. In the Armed Forces (Assam and Manipur) Special Powers Act, 1958 (hereinafter referred to as the principal Act), in the long title, for the words "in the State of Assam and the Union Territory of Manipur," the words " in the States of Assam, Manipur, Meghalaya, Nagaland and Tripura and the Union Territories of Arunachal Pradesh and Mizoram" shall be instituted.
  - 3. In section 1 of the principal Act,
- (a) in sub-section (1), for the words, brackets and figures "the Armed Forces (Assam and Manipur) Special Powers Act, 1958," the words, brackets and figures "the Armed Forces (Special Powers) Act, 1958" shall be substituted;
- (b) for sub-section (2) the following subsection shall be substituted, namely:
- (2) It extends to the whole of the States of Assam, Manipur, Meghalaya, Nagaland and Tripura and the Union Territories of Arunachal Pradesh and Mizoram.
- 4. For section 3 of the principal Act, the following section shall be substituted, namely:
- 3. If, in relation to any State or Union Territory to which this Act extends, the Govenor of that State or the Administrator of that Union Territory or the Central Government in either case, is of the opinion that the whole or any part of such State or Union Territory, as the case may be, is in such a disturbed or dangerous condition that the use of Armed Forces in aid of the civil power is necessary, the Governor of that State or the Administrator of that Union Territory or the Central Government, as the case may be, may, by notification in the Official Gazette, declare the whole or such part of such State or Union Territory to be a disturbed area.
  - 5. As from the commencement of this Act, the principal

Act, as extended by notification of the Government of India in the Ministry of Home Affiars No GSP 1970, dated the 25th November, 1970 to the then existing Union Territory of Tripura, shall cease to operate in the State of Tripura.

Source: Nagaland File: pp. 176-186.

#### GLOSSARY

# Naga terms and abbreviations

NNC Naga National Council (nationalist

organisations)

NFG Naga Federal Government (indigen-

ous independent government of Naga-

land)

NNO Naga Nationalist Organisation

(body which favoured statehood

within the Indian Union)

UDF United Democratic Front (renaming

of NNO)

UFN United Front of Nagaland (pro-

NFG state party)

NPC Naga Peoples' Convention (body

which negotiated with India for statehood within the Union)

NSCN National Socialist Council of Naga-

land (Marxist Naga organisation)

NPMHR Naga Peoples' Movement for Human

Rights

NSF Naga Students Federation

Gaonbura/

Gaon-Bourah Village headman

VC Village council

lungi Naga woman's dress

# Indian terms and abbreviations

INA Indian National Army
BSF Border Special Force
CMP Military police

CRPF & MTN Police and military units
Congress I Indian government party

MLA Member of Legislative Assembly
IAS Indian Administrative Service
NHTA Naga Hills and Tuensang Area

IOC Indian Oil Company

ONGC Oil and Natural Gas Commission of

India

jawan PWD

Indian police officer Public Works Department

Others

People's Liberation Army PLA

People's Revolutionary Party of Kangleipak PREPAK

NAMAT Pan Mongolian Union



IWGIA LOCAL GROUPS:

Copenhagen: Fiolstræde, 10

DK 1171 Copenhagen K

Denmark

Århus:

c/o International Forum

Fredensgade 34, 8000 Århus C

Denmark

Oslo:

pb 20, Blindern 0313

Oslo 3 Norway

Göteborg:

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