

The Nationalism Debate and India's Northeast Experience

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The current debate on nationalism has thrown up a lot of cardinal questions about the course and content of Indian nationalism. Polarisation along religious lines, growing intolerance and violence against certain sections of the country's citizens have marked the espousal of a monochromatic and majoritarian nationalism which is totally at odds with what had been envisaged by the founding fathers of the Indian Constitution. Glib generalizations and random definitions have further confused the issue and all those who have reservations about just one version of nationalism and who believe in the plurality and multiplicity of the nation have been at the receiving end of the 'patriots' and 'nationalists'. It is in this context that one would like to refer to India's 'Northeast Experience' which has a completely different story to tell. Not only have all the accepted markers of Indian nationalism been questioned in this region but its very parameters have been forced to expand so as to include communities/nationalities which had never been a part of the freedom/national struggle and whose perceptions of freedom and independent living stood at odds with the very idea of India as seen from the majoritarian viewpoint. Northeast India certainly holds a lesson for all those who rush to use words like 'seditionist' and 'traitor' on those who refuse to accept the idea of a monochromatic nationalism; for it was here that the Indian nation-state received its first major challenges and, in the course of long and protracted struggles, 'traitors' and 'separatists' have eventually become a part of the Indian national firmament. The issues that have been thrown up by the north-eastern region through its countless identity movements aimed at securing an equal and rightful place within the Indian Union, have not only successfully challenged many set perceptions about nation and nationalism but have also resulted in a major learning

experience for the Indian nation-state. These range from certain major questions about the country's federal structure to issues of political and cultural autonomy of small nationalities and a re-look at the entire discourse of the nation and its sovereignty.

First, let me take up the issue of territory and sovereignty which are so central to the idea of nationalism. Seen from this angle, anyone living in India who questions these two defining factors is immediately regarded as a traitor and fifth columnist. Yet, it is significant that just a few months before Independence, on 27-28 June 1947, the Government of India had arrived at an agreement with the Naga National Council which not only kept open the question of territorial sovereignty but also ensured wide ranging powers of autonomy—almost verging on independent rule to a body which was neither fully representative of the different Naga tribes nor was it an elected organization or political party. Here, I would like to throw some light in brief on some of the provisions of what is commonly known as the Hydari Agreement, named after Sir Akbar Hydari, the then Governor of Assam which at that time was made up of almost all the provinces or states which today make up the 'Northeast'. The agreement gave wide-ranging judicial, executive and legislative powers to the Naga National Council. Some of the important terms of the Agreement are as follows: *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 recognized Naga representative organizations—except that where a sentence of transportation or death has been passed there will be a right of appeal to the Governor. *Executive*—a general principle was accepted that what the Naga Council is prepared to pay for, the Naga Council should control.

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This principle will apply equally to the work done as well as the 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 Council. In cases of dispute as to whether any law did so affect this agreement or not the matter would be referred by the Naga Council to the Governor who would then direct that the law in question should not have legal force in the Naga Hills pending the decision of the Central Government. *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 Council. *Taxation*—that the Naga 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 Council. Interestingly, *Clause 9* of the Agreement stated: *Period of Agreement*—“The Governor of Assam as the Agent of the Government of the 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 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 Naga people arrived at.”

Thus, apart from the wide-ranging powers given to the Naga National Council (NNC) in the spheres of revenue collection, ownership of land and customary laws, the rather ambiguous Clause 9 also gave the Nagas the option to decide what shape their future relationship with the Indian Union would take after a period of ten years. Although the Hydari Agreement fell through because the NNC under Angami Zapu Phizo read this clause as one granting the Nagas the right to separate from India if they so desired, yet the very signing of such an agreement detailing wide-ranging autonomy for the Naga people is something unique as far as the newly emerging Indian nation-state was concerned. It signalled the acceptance of the existence of a highly autonomous state or region within the Indian Union. It could be argued that the Hydari Agreement was the first such instance of the principle of “shared sovereignty”¹ being attempted. In recent times this idea has been very much in circulation and the debate continues. Irrespective of arguments for or against shared sovereignty, what is significant is that the idea of shared sovereignty has found a place in the nation’s political discourse, all the ultra-nationalist rhetoric notwithstanding. This in itself suggests the expanding parameters of the Indian nation-state.

Meanwhile, the armed insurrection in the then Naga Hills district of Assam continued and in 1960, the Government of India worked out an agreement with a section of the Naga people led by Dr. Imkongliba Ao which sought a

negotiated solution of the Naga issue within the ambit of the Constitution of India. Most of the provisions of the Hydari Agreement relating to wide-scale politico-cultural, executive and judicial autonomy were incorporated in the 1960 Sixteen Point Agreement. But there were two important differences. One was that *power would be delegated to an elected government, like all the other Indian states*. The other (Clause 2) stated that *Nagaland shall be under the Ministry of External Affairs of the Government of India*.² The clauses of the Sixteen Point Agreement make it clear that the autonomy being granted to Nagaland, especially in the matter of land and its resources set it apart from the other states of the Indian Union and virtually prepared the ground for creating a “nation within a nation” by placing it under the Ministry of External Affairs of the Government of India.³

The Sixteen Point Agreement was followed by the Thirteenth Amendment of the Indian Constitution (1962) which ushered in the State of Nagaland in the year 1963, a good sixteen years after Independence. But what is significant about the creation of Nagaland is that for the first time in the history of post-independence India it was incorporated in the Constitution that “land and its resources” would belong to the Naga people.⁴ The new Article 371A stated that the Special Provision with respect to the State of Nagaland would read as follows: “Notwithstanding anything in this Constitution, (a) no Act of Parliament in respect of the (i) religious or social practices of the Nagas, (ii) Naga customary law and procedure, (iii) administration of civil and criminal justice involving decisions according to Naga customary law, (iv) ownership and transfer of land and its resources,⁵ shall apply to the State of Nagaland, unless the legislative Assembly of Nagaland by a resolution so decides”. Though apparently, no major departure from the unitary spirit of the Constitution had been made while creating a separate culture-political space for a small nationality, yet an important new beginning had been made in the very acknowledgement by the Indian nation-state of the land rights and rights over natural resources of the Naga people and that no changes would be possible without the assent of the Nagaland Assembly. It is indeed significant that for the first time the Constitution recognized the rights of a constituent state and its residents to wide-ranging social and economic rights and makes it binding that any changes that may take place will be dependent on the will of the elected legislature of the new state. This is much in advance of the Sixth Schedule provisions of the Constitution which were eventually nullified to a great extent by the contrary pulls between the District Councils and the elected legislature. The provisions of the 13th Amendment are of great irrelevance in the context of the present, rather acrimonious debate on nationalism marked in certain quarters by intolerance to any views that may seem to run

counter to the monocultural and monochromatic version of nationalism.

What is even more significant for the course of Indian nationalism is that within a year of the formation of the State of Nagaland, a Peace Mission was set up at the initiative of the Council of Naga Baptist Churches and it was headed by Jayprakash Narayan, with the then Assam Chief Minister Bimala Prasad Chaliha and Rev. Michael Scott as members. In what may be termed as the first major civil society intervention in an area of armed conflict, the Peace Mission recognized the 'national' content of the Naga struggle which it referred to as one for self-determination. The Peace Mission's efforts led to the first ceasefire between the Government of India and the NNC. This ceasefire marked a major milestone in the history of Indian nationalism and opened up path for negotiations with non-state actors who questioned the very idea of the Indian nation and were virtually at war with the Indian state.

In this essay I have concentrated primarily on the Naga struggle and its impact on the course and content of Indian nationalism because it was the first major challenge and the most protracted one against the Indian nation-state. A struggle which was initially seen as a secessionist one aimed at breaking up the integrity of the Indian Republic but was not only accepted as a national struggle of the Nagas but negotiations were carried out with the National Socialist Council of Nagaland (NSCN-IM) on foreign soil as demanded by the latter. That the Government of India opted for negotiations with an insurgent group on foreign soil was in itself a sign of the confidence and growing maturity of the Indian democratic process of the nation-state. Today, negotiations on the Naga issue have involved issues ranging from wide-ranging political autonomy to shared sovereignty. How far all these will be worked out is a separate matter. Some serious doubts have been raised about the Naga Framework Agreement because the states neighbouring Nagaland are apprehensive of their boundaries being re-drawn to accommodate the demand for a greater Nagalim. States like Assam and Manipur have voiced their concerns and have made it clear that any change in their boundaries would not be acceptable to the government and people of these states. It remains to be seen how this will be worked out. But the very fact that the Government of India has discussed the issue of a separate flag and a different working relationship with the Nagas (within the ambit of the Constitution of India) is indicative of the long way the Indian nation-state has travelled in all these years following Independence. What is certainly of great importance is that the issues that have been thrown up are of major consequence to the course and content of Indian nationalism. All these are evidently part of the Indian state's 'Northeast Experience'.

Today, there is a concerted effort on the part of some political outfits and organizations to appropriate the north-eastern region into the fold of a mono-cultural nationalism and a certain version of the nation. That this would not be possible is borne out by the fact that the struggle to re-define and expand the parameters of the Indian nationalist discourse began in the north-eastern region much before Independence. We may also take into account Assam's struggle against the Grouping Proposals of the Cabinet Mission and its strong stand in the Constituent Assembly for an equitable distribution of resources among the constituent states of the Indian Union. It is important to remember that Assam was one of the first states where there was a serious debate on the issue of dual citizenship. Despite being an active participant in the freedom struggle, Assam has consistently fought for its separate existence and has time and again raised central issues about the nationalist discourse. It is significant that despite having voted a BJP government into power in 2016, there has been consistent resistance in the state over the past two years against attempts at erode its distinct cultural and historical identity. This was evident during the Namami Brahmaputra Festival held last year wherein attempts were made to show the river Brahmaputra and its civilization as part of the Gangetic-Hindu one. Priests from northern India were brought in to perform *aarti* on the river bank and this was seen as an insult to local culture. The attempt to appropriate the Brahmaputra into the broader pan-Indian grid was seen by many as an attack on the distinct culture and tradition of the region. While it is true that Assam and the Brahmaputra Valley have shared centuries of cultural interaction with the rest of the sub-continent, yet the region has always prided itself on retaining its distinct cultural entity, quite separate from the Hindu "mainstream". Similarly, attempts at bulldozing the region into a mono-cultural brand of nationalism have met with resistance in different quarters. This may be seen as a negative response of the Assamese people towards attempts by the Hindu right to portray Srimanta Sankardeva as yet another "Indian" saint-reformer. Unlike several of the north-eastern states, Assam has prided itself of its long cultural relationship with the rest of the country. But, this has always been on its own terms. Beginning with the momentous struggle against the Grouping Proposals of the Cabinet Mission to the sharp differences between Jawaharlal Nehru and the Assam Chief Minister Gopinath Bardoloi on issues relating to post-1947 refugee rehabilitation and the right over resources of the federating states of the Indian Union, the region has been putting up a consistent fight to preserve its identity—despite being quite insignificant electorally as far as the Indian political process and representation in the Lok Sabha is concerned. This struggle of Assam and the

north-eastern region to be accepted as an equal partner in the Indian federation has certainly helped in re-defining Indian nationalism.

Constraints of space do not permit me to discuss the contributions of states like Manipur and Mizoram towards expanding the parameters of Indian nationalism. But it may suffice to say that several significant questions that these states have raised about the content of Indian nationalism and the nature of the Indian nation-state have certainly led to an overall re-look. It is a lesson for all those who are trying to push through a majoritarian mono-cultural idea of the Indian nation today and are posing a challenge to the plurality and diversity that has always marked the Indian polity. Those who talk of sedition and anti-nationalism whenever there is a talk of alternative nationalism need to remember that several of the small nationalities of the north-eastern region were never a part of the freedom struggle and because of the resistance they put up against the Indian nation-state during the first decades after Independence, that the latter had to finally provide a space within the Constitution to such nationalities. This process still continues. Hence, incorporating the 'Northeast Experience' would mean moving away from set presumptions and ideas about nationalism and the nation-state towards a highly diverse and syncretic position marked by an accommodative Constitution and the rule of law.

NOTES

1. The idea of "shared sovereignty" seems to have gained a lot of attention in recent times. Quite often, this has been suggested as a mechanism to solve disputes between two parties by delineating the areas which each party would control. The NSCN has set up a panel to work on the idea of shared sovereignty and the special relationship of the Nagas with India following the signing of the Framework Agreement in August 2015. The idea of shared sovereignty has come up in preparation for IAS exams and one such question was as follows: "It is said that the doctrine of 'shared sovereignty', one of the demands of Naga rebels, can have unexpected consequences for India. Examine briefly the meaning of 'shared sovereignty' and examine what consequences this demand brings for India". <http://www.insightsonindia.com/2015/09/11/4-> accessed on 15-9-2016. "Shared Sovereignty", by encouraging a "nation within a nation" has also been seen by some as going against the very principle of the Union of States as defined in Article 1 of the Constitution of India.
2. It was only several years later that this clause was made ineffective.
3. The Ministry of External Affairs was initially called *Ministry of External Affairs and Commonwealth Relations* and was renamed the *Ministry of External Affairs* in 1948. The ministry was responsible for the administration of Naga Hills, Tuensang Area as per the Indian Emigration Act of 1923 till 1972 when Nagaland was transferred to the Ministry of Home Affairs.
4. Refer *The Constitution (Thirteenth Amendment) Act, 1962*.
5. When the Mizoram Accord was signed in 1986, there was mention about right to land but the "resources" part was omitted.