

ENCYCLOPAEDIA OF NORTH-EAST INDIA

Volume VI Nagaland

H M BAREH

NAGALAND

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Nagaland



Edited by
H.M. BAREH



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Preface

North Eastern region of India comprising the eight states of Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura is endowed with vast natural resources and has enormous potential for development. The economic structure of North East India is similar to the general economic structure of India as a whole. But because of its topography as well as social and political conditions it has a relatively backward economy.

The strategic importance of the region along with its sensitive geopolitical location extremely diverse nature of its population with different cultural, linguistic, religious and historical background make this region characteristically different from the rest of the country. In fact its diversity is so profound that the region may be rightly called a 'mini' India. Its topography and historical factors have not only contributed to the heterogeneous character of the region but also prevented the emergence of a homogenous culture. The tribals living in the hills have century old tradition of self-rule and a strong sense of suspicion of the people from the plains, aroused by the latter's superiority complex which generated in them the fear of losing their cultural and linguistic identities. Foreign Christian pseudo-missionaries in the initial stages of independence took full advantage of this situation and succeeded in creating a feeling of alienation and secession among the hill tribes. The awareness

among the people and the forces working in this part of the region along with the emergence of the new states opened new vistas of opportunities to develop and remould their lives.

The region is landlocked and rich in natural resources. Lack of transport and communication facilities has been responsible for the economic backwardness and social neglect of the region. The Council has undertaken a regional survey to study the transport needs of the region for the next fifteen years. The whole country is watching eagerly the developments in the region. The Council has not only to play a pivotal role in making its member units self-reliant but even to justify its institutional viability as well. The Council must also act as a forum for evolving a homogeneous culture in this region which was marked by political rivalry and cultural insularity till recently. In these new roles, the Council must make greater efforts to seek the cooperation and trust of its various units and also endeavour to create a climate of mutual respect, and goodwill among the different sections of the society inhabiting the region. The Council can perform the new role with the attitudinal change in the political forces operating in the region. The trend so far is encouraging and there is need to give due encouragement and correct direction to its efforts. Increased awareness of the changing role of the Council is essential and beneficial for all.

The people of the northeastern region have been provided an opportunity to act as torchbearers in regional planning and cooperation and show the path of self-reliance to the smaller states of the Union. This in itself is a commendable task for which the northeastern region may feel proud.

Editor

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Towards National Integration

In the beginning of the twentieth century the Naga hills district had already become an integral part of British India and the Naga people had also reconciled to this fact.

After the Second World War, when the issue of granting independence to India came up, the problem of the future status of the Naga hills district was raised by some of the Naga leaders.

Independent India was to inherit all such territories which formed the part of British India except those which were earmarked for Pakistan. This was agreed to between the leaders of India's freedom movement and the British Government. But just on the eve of India's independence some of the Naga leaders contemplated a separate status for the Naga hills district. This was, however, acceptable neither to the Indian leaders nor to the British Government. Thus the Naga hills area was caught in the whirlpool of two cross-currents. One was the separatist, tendency of a few Naga leaders who wanted a separate status for the Naga hills area. Another was the desire of the Indian leaders to keep the Naga hills district an integral part of India and to integrate and assimilate the Naga people in the mainstream of the Indian political system.

The Nagas' demand for a separate status for their hill district had originated mainly after the Second World War when negotiations were going on for granting independence to India. But the idea of according special status to the Naga hills area had been mooted as early as 1929, when the Simon Commission had visited Kohima. A few leaders of the Nagas had formed an Organisation in 1918 with a view to fostering the welfare and the social aspirations of the Nagas under official patronage. This organisation, known as the Naga Club, submitted a memorandum to the Simon Commission in which they prayed that the British Government should continue to safeguard their rights against all encroachments from other people who were more advanced than them by placing the Naga hills district directly under British protection.

The Nagas in their memorandum had expressed their apprehension of the introduction of foreign laws and customs to supersede their own customary laws and desired to be left alone in case the British thought of leaving them at the mercy of the plains people. Asoso Yunuo, the author of *Rising Nagas* has concluded from this memorandum that the Nagas obviously wanted "the restoration of their independence that the British had snatched from them" But a careful study of the memorandum of the Nagas does not convey this. The Nagas had simply wished to be left alone in case the British decided to leave them at the mercy of others. The Nagas had mainly prayed for placing their hill district under direct control and protection of the British. Hence, at that time the main issue was not the independence of the Naga hills district but just a demand for special status for it under British India's protection. And this was conceded to by the British Government. The Government of India Act, 1935, declared the Naga hills district as an Excluded Area which meant the exclusion of that area

wholly and partially from the purview of provincial autonomy. The Governor was just given some discretionary power in respect of the Excluded Areas. Otherwise the Naga hills district continued to be a part of Assam.

After the end of the Second World War in 1945, however, the Naga leaders again started the movement for a special status for the Naga hills district. The reason is not far to seek. In the post war period, the Labour Party, headed by Attlee, came to power in Britain. Attlee's Government was in favour of granting independence to India. This very fact prompted the educated Nagas, who in February, 1946, had developed the Naga Club into a social and political organisation known as Naga National Council to put forward the demand for a special status for the Naga hills district.

This Naga National Council had been organised primarily to enlist the active support of the British officers for social, economic, political and cultural development of the Nagas. But soon this organisation developed into a political party and a pressure group to gain political advantage from the British. This is evident from the fact that when the Cabinet Mission came to India to, prepare ground for granting independence to India, the Naga National Council submitted a four-point memorandum on, 19 June, 1946, which was as follows:-

- (a) This Naga National Council stands for the solidarity of Naga tribes, including those in the unadministered areas;
- (b) This Council strongly protests against the grouping of Assam with Bengal;
- (c) The Naga hills should be constitutionally included in an autonomous Assam, in a free India, with local autonomy and due safeguards for the interests of the Nagas, and

(d) the Naga tribes should have a separate electorate.

The Nagas' demand for the inclusion of the Naga hills in an autonomous Assam in a free India indicates that the Naga people at that time did not want to separate their hill district from India. Again, their desire for a separate electorate also, shows that they had a mind to form simply a separate administrative body comprising all the Naga tribes under the Indian Union provided the local autonomy and the social, cultural, economic and religious interests of the Nagas were properly safeguarded.

It is thus obvious that the Nagas in the beginning did not wish to form an independent State of their own. They just wanted some autonomy in matters of local administration. This attitude, however, soon changed and in the beginning of 1947, they started clamouring for an independent status for the Naga hills area.

The Naga National Council submitted a memorandum on 20 February, 1947, to the British Government which expressed the misgiving that "a constitution, drawn up by the people who have no knowledge of the Naga hills and the Naga people will be quite unsuitable and unacceptable to the Naga people", and that "thrown to forty crores of Indians, the one million of Nagas with their unique system of life will be wiped out of existence. The Naga National Council made an appeal to the British Government and the Government of India to set up an Interim Government for the Naga people for a period of ten years at the end of which the Naga people should be free to choose the form of Government they liked. On 19 May, 1947, the Naga National Council again submitted another memorandum, clarifying that the ten-year Interim Government might be a government of the Naga people with full powers over the legislative, executive and judicial matters and that the Guardian Power might maintain such force in the hills as

was considered essential for its defence. It, thus, appears that the Naga leaders were bent upon having a separate State for the hill areas.

On 21 May, 1947, they again issued a statement in which they said: The Nagas who were determined not to allow themselves to be involved in a divided and chaotic India are prepared to declare their own independence and can only think of entering into a ten-year treaty with an independent Assam. Here a question may arise as to why the Nagas wanted a separate State of their own. A number of reasons may be advanced. Firstly, the prolonged isolation and separation from the people of the plains had developed a separatist tendency among the Naga people.

The British policy had aimed at keeping the hill people far from the freedom movement of India which was in full swing in the early thirties of this century. Nationalism, the most prevalent political term of the last century is related to both heart and mind. It is the feeling of nationalism which unites people of different castes, creeds, religions and culture in a nation, a "state of mind in which the supreme loyalty of the individual is felt due to the nation.

The British deliberately managed to prevent the spread of Indian nationalism to the Naga hills district. The Indian freedom fighters were not allowed to visit the Naga hills with the result that the impact of nationalism which had spread all over the country could not be felt there. Hence the Naga people could not identify themselves with the hopes and aspirations of the people of the nation nor could they develop a common national outlook. This contributed very much to the growth of a separatist tendency among the Nagas.

Secondly, false propaganda and rumours about Hinduism, Buddhism and Islam had created a

misunderstanding among the Nagas against the plainsmen. Rumours prevailed that both the Hindus and the Muslims of the plains bore them hatred. The Hindus hated the Nagas because they ate beef, the Muslims because they ate pork.

So the Nagas gradually came to, understand that they would not be comfortable and well received in independent India. The Assamese and other plains people would occupy all the key posts in the administration of the Naga hills district. The majority of the Nagas being illiterate would not be able to compete. Hence, they felt that their salvation lay in keeping aloof and independent of India.

Thirdly, the Christian Missionaries who were active in the Naga hills also turned the mind of the Nagas against the other people of India. They circulated wild stories about the rigidity of the orthodox caste Hindus who were to dominate the political scene of independent India. This created a sense of insecurity in the mind of the Nagas. Some of the British officials serving in the Naga hills district also induced the Nagas to maintain their separate political identity.

Lastly, the separatist tendency among the Nagas also grew because they had little contact with the plains. "When the British administration gradually went across the Naga hills, the only Indian that went with the British officer was the 'Sepoy' in uniform or the camp follower of the British ruler. Both of them were looked upon by the Nagas as the legitimate target of attack on whom vengeance must be wrecked." The British officials did not care at all to remove the misunderstanding between the two people. They were only interested in the maintenance of peace and order in the hills.

These were the fact which contributed very much to the growth of a separatist tendency among the Nagas

and which induced them to start a vigorous campaign to secure an independent status for the Naga hills district. But while on the one hand the Nagas were demanding separation from India, the Indian leaders as well as the British Government were trying to impress upon them the futility of such a demand.

As early as August, 1946, Pt. Jawaharlal Nehru, the then President of the Indian National Congress, wrote a long letter to Shakharié, the Secretary of the Naga National Council, with a view to removing the doubts and suspicions of some Naga leaders about the status and future of the hill district in free India. In his letter Pt. Nehru tried to impress upon Shakharié the utility of the Naga hills district remaining a part of India.

“It is obvious that the Naga territory in Eastern Assam is much too small to stand by itself politically or economically. It lies between two huge countries, India and China, and part of it consists of rather backward people who require considerable help when India is independent... it will not be possible for the British Government to hold on the Naga territory or any part of it. They would be isolated there between India and China. Inevitably, therefore, this Naga territory must form a part of India and of Assam with which it has developed such close associations. At the same time it is our policy that tribal areas should have as much freedom and autonomy as possible so that they can live according to their own customs and desires. Thus the solution would be that the Naga territory should be an integral part of Assam Province and yet should have a certain measures of autonomy for its own purposes.”

Further Pt. Nehru assured Shakharié of the Nagas' representation in the Assam Provincial Assembly. He assured him that an Advisory Committee elected by the Constituent Assembly comprising the tribals'

representatives would meet the tribals of the Naga hills and would sympathetically consider the issue. Pt. Nehru also hinted in his letter about the opening of a special department both at the Centre and in the provinces which would look after the welfare and the interests of the tribal areas. He further assured Shakharié that all steps would be taken to safeguard the rights, customs and religious beliefs of the Nagas. He made it clear that there would not be any interference in their social, cultural and religious beliefs. The Nagas would be given opportunity to participate in the administration of the country. He wrote that all possible help would be given for all round development of the Naga people.

Pt. Nehru's constructive approach, however, could not break the ice and the Nagas continued their agitations for an interim Government. The British Government was also unable to entertain the demand of the Naga leaders. This was evident from the fact that all the representations of the Nagas to His Majesty's Government in this connection remained unattended. Though a few British officials in the Naga hills had earlier suggested to convert this area as a Crown Colony or Trust Territory, the Labour Government in England was not in a mood to open this complicated issue at the time of their withdrawal from India. Hence, they simply kept silent on the representations of the Nagas. However, when Walter Smiles, a member of the British Parliament, asked about the fate of the Nagas' demand for an interim Government on the floor of the House of Commons, the Prime Minister, Attlee, replied evasively, saying that the Nagas should put their demand before the Advisory Committee of India which was currently seized with the matter.

It thus appears that the British policy was to tell the Nagas to get their problems redressed by the Indian leaders who were soon to become the political masters of

India. The efforts of Andrew Clow, the Governor of Assam, were also directed to this end. He tried to make the Naga leaders understand the futility of their demand of a separate State. He told the Nagas in February, 1947, that a separate State or even a separate province for them was not a practicable proposition. If they insisted to get it, they would always remain poor and backward and would even lose some of the, inadequate services they were enjoying at that time. He, therefore, advised the Nagas to have an understanding with the people of Assam and to live within the Indian Union.

Hydari agreement

This sane advice of Andrew Clow however, was not liked by many Naga leaders who insisted on the grant of an interim Government. Some extremists even demanded complete independence. At this juncture Sir Akbar Hydari, the Governor of Assam, was instructed by the Government of India in June, 1947, to meet the Naga leaders and, if possible, to conclude an agreement with them regarding the status of the Naga hills district. He reached Kohima on 26 June, 1947. He was warmly received by the members of the Naga National Council. In his welcome speech Shakharié, the Joint Secretary of the Naga National Council, observed that the Naga hills should be restored to the Nagas and it should be inalienable. No attempt should be made to transfer any portion of the Naga hills to non-Nagas. Shakharié stated that a constitution drawn by the people who had no knowledge of Nagaland and its people would be quite unsuitable and unacceptable to the Nagas. He asserted that the Nagas had the right of self-determination and demanded the setting up of an interim Government for a period of ten years so as to enable the Nagas schooled to make a responsible choice at the end of ten years.


After listening to the views of the Naga National

Council, Akbar Hydari held discussions with the Naga leaders, He assured them that the successor Indian Government had no sinister designs and that the Naga people would be treated on an equal footing with other Indians. All efforts would be made to protect the Nagas from being exploited and at the same time they would have every opportunity to develop according to their own particular way of life. The Naga area would have full autonomy within the Indian Union. It appears that the policy of the interim Government of India, headed by Pt. Jawaharlal Nehru, was to allow the Nagas maximum autonomy, consistent with the safety and security of India's North-East Frontier.

In the light of the discussions, a Nine-Point Agreement was reached in June, 1947, which came to be known as the Hydari Agreement. The preamble of the Agreement provided the Nagas the "right to develop themselves according to their truly expressed wishes." The first two articles of the Agreement were related to judicial and executive matters. All cases, civil and criminal, arising between the Nagas in the Naga hills, would be disposed of by duly constituted Naga Courts according to the Naga customary law or such law as would be introduced with the consent of the duly recognised Naga representative Organisation. In case of life imprisonment or death sentences, the person concerned would have the right to appeal to the Governor. In respect of executive matters the general principle was laid, according to which "what the Naga National Council is prepared to pay for, the Naga National Council should control. This principle will apply equally to the work done as well as the staff employed. The Governor of Assam was given discretionary power to appoint the district officers for Nagaland. The most important provision was that no law passed by the Provincial or Central Legislature which

would materially affect the terms of this Agreement or the religious practices of the Nagas would have legal force in the Naga hills without the consent of the Naga National Council.

The Naga National Council was empowered to impose, collect and spend the land revenues and house taxes. The Nagas were given assurance that their land would not be alienated to a non-Naga without the consent of the Naga National Council. The last provision which came to be known as the ninth point ran as follows: "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 the period the Naga Council will be asked whether they require the above Agreement to be extended for a further period or a new Agreement regarding the future of the Naga people would be arrived at." Unanimity over these articles was almost reached but when the question of interpretation of the ninth point came up, the trouble started. Sir Akbar Hydari and Pt. Nehru who had accepted the Agreement obviously intended that at the end of ten years the Nagas would be free to suggest, if they so desired, change in the administrative pattern to suit their special character and to ensure a greater measure of autonomy within the Indian constitution which was still to be framed.

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The constitution was to formalise the Naga demands in this Agreement and they would, therefore, themselves decide whether they would join the plain district of Assam or other adjoining areas, such as, Manipur, or would like to have a separate State within the Indian Union. Some of the extremist Nagas led by A.Z. Phizo, however, interpreted this ninth article in their own way. According to them this article meant that they would have the liberty to demand complete separation from India after the expiry of ten years. Thus a controversy

was raised over the interpretation of the ninth article of the Hydari Agreement. In fact, there were two sections among the Nagas—moderates and extremists. The moderates interpreted the Agreement in a correct perspective. They said that almost all their demands had been fulfilled. Aliba Imti, the Joint Secretary of the Naga National Council, went as far as to say that "The foundation stone of our cherished goal is already laid down. Let the spirit of differences, if there be any, be taken away from your hearts. Come forward with an unified spirit.

The extremists, however, were adamant and they wanted the assurance of the Indian Government for complete independence after the expiry of ten years. The provisions of the Agreement, therefore, were put to vote in the Naga National Council and the Majority accepted them. The extremists who were in a minority were outvoted and consequently, they remained dissatisfied. Their dissatisfaction prevented the Nagas from coming to a definite understanding with the interim Government of India. The Indian leaders also were not prepared to risk the safety and security of India's Himalayan borders by allowing these hill people to remain independent of India. Naturally, when there was no meeting point, the Hydari Agreement could not be implemented and it remained a dead letter. The British Government on the other hand was in haste to grant independence to India. Consequently, India became independent on 15 August, 1947. India being a successor state inherited all such territories which formed the part of British India earlier except those which were earmarked for Pakistan. The Naga hills areas, therefore, also became an integral part of independent India.

Constituent assembly and the Naga hills

Since the Hydari Agreement could not be implemented

because of the obstinacy of the extremists, the Naga issue remained where it had been. But the Indian leaders were keen to accommodate the demands of the Nagas as far as possible in the constitution which was being drafted by the Constituent Assembly. This Constituent Assembly had been constituted in November, 1946, to arrange for the transfer of power from the British Parliament to India and to make a constitution for the country. The Constituent Assembly set up an Advisory Committee on Tribal Areas under the Chairmanship of Sardar Vallabhbhai Patel to consider the problems, of Assam as well as of the tribal people. This advisory, Committee again set up a sub-committee under the Chairmanship of G. Bardoloi, the Chief Minister of Assam, to assess and advise on the future administration of the tribal and excluded areas inhabited by the hill people of Assam.

Bardoloi started the work immediately. He not only toured the North-Eastern Tribal areas extensively to assess the situation personally but also associated a few of the Naga leaders in his committee in order to know the views of the Nagas. During his talks he assessed that the Naga leaders wanted a separate State of their own under the guardianship of India for ten years. After the expiry of ten years the Nagas would be free to decide the status of their country. Bardoloi, however, was not convinced with the demand. He tried to, impress upon the members of the Naga National Council the utility of the Naga hills area remaining a part of India. But the question was how the hill people would be integrated in the. Indian polity. Taking into account the views of the Naga leaders and the political and security requirement of India,. Bardoloi evolved a middle path. In his report he recommended: "All the tribes of provinces other than Assam whether living in, the plains or in the partially excluded tracts, should as a whole be treated as minority. As regards Assam, conditions in the hill district of which

the Naga hills, the Lushai hills and the North Cachar hills have been excluded are on a totally different footing and the atmosphere, partially in the excluded areas, is one which is not to be found elsewhere. These areas must, therefore, be treated separately from the rest." The committee laid down a number of provisions in its report for the tribal and excluded areas of Assam. On the basis of these recommendations the founding fathers of the Indian constitution placed all the tribal areas including the Naga hills in Article 244 of the constitution of India which made the provision for the Fifth and Sixth Schedules. While the Fifth Schedule of the Indian constitution lays down a number of provisions for the administration and control of the Scheduled areas and Scheduled Tribes other than in the State of Assam, the Sixth Schedule makes provisions for the administration of Tribal areas in Assam.

The Naga hills and the Indian constitution

The Sixth Schedule of the Indian constitution enumerated in detail the administrative set up of all the hill districts of Assam. The Schedule was divided into two parts. While Part A dealt with the excluded areas of the hill districts of Assam such as United Khasi-Jaintia hills, the Lushai hills, and the Naga hills, Part B dealt with the North Eastern Frontier including Balipara Frontier Tract, Tirap Frontier Tract, Abores Hill district and the Naga Tribal Area. The constitution made the hill districts, which were placed under Part A, autonomous with District Councils for their respective areas comprising not more than twenty-four members. The hill districts were made autonomous with a view to protecting the culture, religion and economic interests of the hill people. The composition of the District Council was based on democratic principles. Three-fourths of the members of the District Council were to be elected on the basis of adult franchise. The Tribal Areas which had been placed

under Part B of the Sixth Schedule were declared autonomous regions and separate Regional councils were constituted for them. The members of the Regional Councils were also elected on the democratic principle. The Governor was empowered to "make rules for the constitution of the District Councils and the Regional Councils in consultation with the existing Tribal Councils or other representative tribal organisations within the autonomous districts or regions concerned. The District Councils or Regional

Councils were granted power to make rules for the composition of subordinate local councils or boards, the appointment of officers and staff of the District Councils and Regional Councils, the procedure of conduct of business in the District and Regional Councils, and the term and conditions for election of the District Councils and Regional Councils and qualifications of their members. Further, these Councils were given the authority to regulate agriculture, the allotment of occupation of Land other than reserved forests, cottage industries, the management of forests, the use of any canal or water course for agricultural purposes and the establishment of village or town committees or councils and their powers. They were also given power to manage affairs concerning elections of the civil chiefs or village headmen. For the welfare of the people and the growth of the hill areas, the District and Regional Councils were given enormous powers in matters, such as inheritance of property, marriage laws and social customs, maintenance of trade and education, construction of roads and bridges, hospitals, dispensaries, markets, cattle pounds etc. The Councils were empowered to impose and collect taxes and to make necessary expenditure.

The autonomous hill districts were given representation in the State legislature of Assam where some of the hill representatives were appointed as

Ministers and Deputy Ministers for the affairs of the hill people in the Assam Government.

Though the autonomous districts were given representation in the Assam Government, the legislature of Assam had no power to interfere in the local affairs of these autonomous districts or regions. The Sixth Schedule provided that "no Act of State legislature in respect of the tribal affairs should apply to any autonomous districts unless the District Councils so direct."

Thus the Sixth Schedule of the Indian constitution provided autonomy for the tribal areas of Assam in their local matters. But for their supervision, control and direction of the District and Regional Councils, the Governor of Assam was given some discretionary powers. It was provided that the "Governor may, by public notification, direct that any act of the Parliament or of the legislature of the State shall not apply to an autonomous district or shall apply to such district, or any part there of subject to such exception or modifications as he may specify in the notification." The Governor was entrusted with authority to appoint a Commission at any time to examine and report on any matter specified by him relating to the administration of the autonomous district and autonomous regions. Further, the Governor was empowered to annul and suspend an act or resolution of the District Council or Regional Council if, in the opinion of the Governor, such an Act would endanger the safety of India. The Governor had power to dissolve the District Councils and the Regional Councils on the report of the Commission appointed by him. He might direct for fresh election for the reconstruction of the Councils or he might take the administration of the area under the authority of such Councils himself or place the administration of such area under the Commission appointed by him for a period not exceeding twelve months.

The constitution also made certain provisions for the welfare of the tribal people. According to Article 275 of the constitution of India, the special fund can be made available from the Consolidated Fund of India for the development of the tribal areas of Assam. Part XVI of the constitution provided for the representation of seats in the Lok Sabha and the Rajya Sabha for the members of the Scheduled Tribes. Again, article 335 provides that the claims of the members of the Scheduled Tribes shall be taken into consideration consistent with the maintenance of efficiency of administration in appointments to Central and State services. Article 338 empowers the President of India to appoint a special officer to investigate the working of safeguards which are made to protect the interests of the tribes. Further, Article 339 empowers the President to appoint a Commission after expiry of ten years from the commencement of the constitution to report on the administration of the Schedule Areas and the welfare of the Scheduled Tribes.

It is thus obvious that the founding fathers of the Indian constitution made the hill districts and tribal areas of Assam autonomous on the basis of the recommendations of the Bardoloi Committee which had suggested a middle course for the hill areas of Assam. The Sixth Schedule of the Indian constitution made such provisions which partially met the Naga demands to manage those affairs which concerned them. In a way the Naga demand of autonomy in cultural, religious and economic matters were met. Here we find a reflection of the policy enumerated by the Indian leaders after independence. The policy was to provide autonomy and freedom in local matters to different regions of India and at the same time to maintain the unity and integrity of the country. The Sixth Schedule of the Indian constitution was definitely based on this very principle. The Nagas were given the District Council and Regional Council and

representation in the Government of Assam. This indicates that the Nagas were given autonomy in matters of local administration. The Naga hills area was, however, kept within the Indian Union. The founding fathers of the Indian constitution had expected that the creation of the District Council and the Regional Council would give the Nagas a sense of participation in the administration and they would gradually come within the mainstream of India.

These expectations of the Indian leaders, however were not based on a realistic assessment of the situation obtaining in Nagaland at that time. The Nagas, far from being satisfied with the provisions of the Indian constitution, became all the more irritated and dissatisfied. The Nagas had been demanding a Government of their own, of course, within the Indian Union for the time being but contrary to their expectations they were tagged with Assam which they had consistently opposed. They felt that they had been betrayed. Even the provisions of the Hydari Agreement which had provided some form of an interim Government for the Naga hills area also could not be made available to them. The extremist Nagas had all along advocated for an independent Naga State. The moderates were, however, prepared to cooperate with the Indian Government had the constitution provided them a separate Government of their own within the Indian Union as stated in the Hydari Agreement. But now they also felt that they had been let down by the Government of India. The dissatisfaction of the moderates provided an opportunity to the extremists to create an anti-Indian feeling throughout the Naga hills. This resulted in the boycott of the elections of the District Council of the Naga hills district and the general election of 1952.

Here a pertinent question may arise as to why the constitutional provisions concerning the Naga hills area

fell short of the expectations of the Naga people. Two reasons may be attributed. Firstly, the Indian leaders at that time were too involved with the Kashmir problem to look after other issues. The Government devoted its entire energy and attention to the problems created by Pakistan's invasion on Kashmir and the influx of tortured and harassed Hindu refugees who had been pushed out of Pakistan at that time. Consequently, the problem of this remote Naga hills area did not attract sufficient attention. H.N. Kunjru, the veteran MP, also held the view that they would not look to other problems as long as they had Kashmir on their hand. Secondly, the inadequate publicity of what the Government had done for the Nagas was also responsible for a feeling of dissatisfaction. There is no denying the fact that the Indian constitution provided many facilities to the Nagas and other hill people, and also ensured the protection of their economic, cultural and religious rights. The District Council had already been created and the Nagas were given the power to manage their local affairs. But due to lack of proper publicity these facts could not be brought to the notice of the majority of the illiterate Nagas and so the case of the Indian Government went by default. The selfish and over-ambitious extremist Nagas, therefore, succeeded in creating a feeling among the Naga people that the Indian Government was out to subjugate and exploit them. This anti-Indian feeling was deliberately allowed to grow. It ultimately culminated in hostility against India and underground activities were started.

The champion of the cause of Nagaland's independence and hostile activities was Zapu Phizo. Nothing definite is known about his early life but on enquiry it was learnt that he belonged to the Gwizantsu clan and was born in Khonoma village which was known for its militancy. He studied only upto class ten at Shillong and thereafter went to Burma in 1933, in search

of some employment. There he did insurance business and at one stage, in 1943, he joined the Indian National Army of Subhash Chandra Bose.

When Burma was recaptured by the British towards the end of the Second World War, he was, however, released in 1946 and came to his native land. At that time the Indian political scene was in a melting pot and so Phizo tried to fish in the troubled waters. He plunged himself into politics and advocated the cause of separation of the Naga hills area from India. His entry into politics and his struggle for Nagaland's independence were not born out of any deep conviction or of any consideration for the welfare of his followmen but because of some misguided notions and selfish considerations. This is evident from the fact that while the majority of the Naga leaders wanted to adopt a conciliatory approach and expressed their willingness to live within the Indian Union for the sake of peace and prosperity in Nagaland, Phizo preached violence and hostility.

The constitutional arrangements for the Naga hills area enshrined in the Sixth Schedule were made the target of attack by Phizo and his fellow extremists. He told the Nagas that they would not have peace and prosperity if they continued to be part of the Indian Union. In the meantime he got an opportunity to become the President of the Naga National Council in the beginning of 1949. To further his ends he took the extreme step of holding a plebiscite of his own in the Naga hills area on the issue of Nagaland's independence. He conducted the plebiscite in May, 1951. This plebiscite was nothing but a political hoax. It had no legal basis nor was it properly conducted. There was no ballot paper and no arrangement for voting. The Naga people were simply asked whether they wanted independence or slavery. So the issue was not stated in the correct

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wrongly cited

perspective. Phizo planned to have approached all the Naga inhabitants but on personal inquiry and survey it was learnt that the thumb impressions of only male Nagas were obtained on a piece of paper and that too after coercion and terrorisation. The views of the female Nagas definitely were not obtained. Moreover, Phizo's claim of approaching all the Nagas on this issue appears to be illogical because, in 1951, communications in Nagaland were grossly inadequate. Hence to say that a plebiscite was conducted throughout the Naga hills in 1951 is far from truth. It is a matter of surprise how Phizo could conduct the unilateral plebiscite.. In fact, Phizo did it without the knowledge and the permission, of the Indian Government immediately after the plebiscite, Phizo sent a communication to the Government claiming that 99 per cent of the Naga people had voted for the independence of Nagaland. The Government, however, did not take any serious note of it as it was not only mischievous but also a highly illegal and ill-conceived measure.

When the plebiscite attempt failed to produce the desired result, Phizo made another bid to assert his old demand of independence for the Naga hills. He met Pt. Nehru at Gauhati in December, 1951. Phizo requested him to grant the Nagas independence which was their birth right. Pt. Nehru, while rejecting Phizo's demand, said that his was an absurd demand and it was harmful not only to the Naga people but also to the whole country.

Phizo, having failed to achieve the desired objectives, decided to resort to direct action. He, however, firstly started the non-cooperation movement. He induced the Nagas to boycott the general election held in 1952. Consequently, no Naga representative was elected either to the autonomous District Council of the Naga hills or to the Assam Legislative Assembly and the

Indian Parliament. Phizo also incited the people not to cooperate with the Government of India with a view to paralysing the administration of Nagaland. He exhorted them to give up Government jobs and to boycott all public institutions. He forbade the Nagas to pay taxes and harass all those who sided with the Government.

The anti-national activities of Phizo and his followers disturbed the peace of the Naga hills, no doubt, but that made the Government think seriously about the activities of Phizo. In fact, the non-cooperation movement started by Phizo did not create much impact on the administration at that time but it was realised that the situation might go beyond control in future. Hence, it was decided that the trouble should be nipped in the bud. The Government decided to adopt, on the one hand, the policy of arm-twisting, and, on the other, the policy of persuasion. This is evident from the statement of Pt. Nehru who said in the Lok Sabha on 23 August, 1956, that "We issued strict instructions and directions to the effect that we must win over the people and seek their cooperation." Pt. Nehru further said that the force had been sent to the Naga hills with a view to protecting the life and properties of the people and not to harass and kill them. He said: "We received appeals from the villagers and from the Government employees, teachers and others. Was it not our duty to give them protection?" Consequently, the Government put a number of restrictions on the activities of the Naga National Council. The Council was asked not to hold meetings and conventions without prior permission of the Government. A strict watch was kept on the activities of the members of the Naga National Council. Since Phizo was the ring leader of the anti-national activities, the Indian Government issued a warrant of arrest against him. To avoid arrest Phizo escaped to Burma but there he was caught and sent back to India. Bishnuram Medhi, the

Chief Minister of Assam, made it clear that the demand for an independent sovereign Naga State raised by a handful of Nagas could not be entertained.

In early 1954, Medhi again declared: "the people of the Naga hills want jobs, schools, dispensaries, new roads and as a matter of fact we have taken schemes for affording better medical and other facilities... The Nagas in Burma have accepted the Burmese constitution, the Nagas in Mikir hills, North Cachar hill etc. do not want independence, the Nagas in N.E.F.A. also do not want independence. Why do this handful of persons want independent Nagaland? The Nagas, as I have stated, are in the Indian Republic." This was a sufficient hint to the Naga extremists that the Indian Government would deal the situation strongly.

A number of officials and goodwill missions were sent to the Naga hills area for that very purpose. Rajkumari Amrit Kaur, the Health Minister of India, made an extensive tour of the north-eastern region and held talks with a number of Naga leaders in November 1953. A Naga delegation also met her in Imphal and once again repeated the demand of independence of the Naga hills. Kumari Kaur tried to impress upon the Naga delegation that their demand was untenable. She urged the members of the delegation to join hands with the Government in the reconstruction of the Naga hills. Bimala Prasad Chaliha, the President of Assam Pradesh Congress, also visited the Naga hills twice in 1953 and met the Naga people. He assured them that if there were any shortcomings in the constitution, they might be removed through amendments. The crux of the whole matter was the security of the Naga hills and the Indian borders, and the prosperity and wellbeing of the Naga people. Separation of the Naga hills from the Indian Union would not solve their economic problems. He, therefore, made a passionate appeal to the Naga people

to reconsider the whole thing in a proper perspective and suggest possible ways and means for the solution of the Naga problem.

Thus the Indian leaders continued their efforts to make the Naga people understand the futility of their demand, and the importance of maintaining the unity of the country. But the extremist Nagas under the influence of Phizo could not see things in a wider perspective and so they remained confined to the four walls of agitation and hostility. This is evident from the fact that Phizo stepped up his hostile activities and set up an underground Naga Government in the Tuensang area in September, 1953. He termed it "Khunak Kautang Ngeukhum" which means 'Peoples' Sovereign Republic' of Free Nagaland". A trusted lieutenant of Phizo named Honking was, made the head of the State with fifteen *kilonsers* (ministers) under him.

With the help of Thongdi Chang, Phizo organised armed gangs in the Tuensang area. The most unfortunate thing, however, was that he took assistance from neighbouring countries which not only bore animosity towards India but were also jealous of India's progress and prosperity at that time. The arms used by them in those days consisted of arms captured in raids on police stations and outposts of Indian security forces, arms seized from private citizens, arms and amunitions left behind in the Naga hills after the Second World War and guns of local manufacture. Thus, the self-styled Phizo's Government equipped with arms and amunitions and having all support from China and Pakistan went on murdering, looting and threatening the Naga people and the Government officials throughout the Naga hills and Tuensang area. Phizo created fear and terror among the people by giving warning through letters and pamphlets. Many people including Government servants were kidnapped and tortured. The underground Nagas

damaged roads to disrupt communication. The villagers who objected to the hostile activities were badly harassed, oppressed and even murdered.

An enquiry from local people, *Gawnburhas* (village headmen), public leaders and Government servants who were deployed in the Naga hills at that time reveals that the people in the Naga hills lived in constant terror and fear from 1953 to 1955. It is said that the general public was so upset and afraid of the hostiles that they hardly dared to go out. Phizo might have thought that terror and fear would compel the Indian Government to quit the Naga hills. But Phizo's assumption was wrong. The Government was not to be cowed down by such terror tactics of the hostile Nagas. It had waited patiently for a considerable time in the hope that sanity and good sense could prevail upon the Naga leaders and that they would desist from violent activities. But Phizo and his followers were, as if, bent upon creating trouble in the Naga hills. Hence, the Indian Government had to take stern action against the rebels. The Government of Assam was instructed to deal with the situation with strong hands. The Assam Government ordered for the abolition of the Tribal Councils and clamped Section 144 in Kohima which banned assembly of more than five persons. An additional police force was also posted at Lungkham village of Mokokchung sub-division to maintain law and order. The tightening of security measures provoked the rebel Nagas to retaliate. They attacked the Assam Rifles and a loyal Naga village in March, 1955. The rebels burnt down about sixty Naga houses and their granaries. The Assam Rifles retaliated by burning the strong-holds of the rebels in that area which was declared a disturbed area on 20 July, 1955.

While hostile activities were going on in the middle of 1955, some Naga leaders who were overground denied their hands in the disturbances and urged the

Government to maintain peace. A Naga delegation met the Assam Chief Minister Medhi, at Shillong on 15 August, 1955 and signed a declaration which condemned violence and terrorism and promised to use peaceful methods for the redress of their grievances. It appears that at this juncture the Naga National Council was passing through a period of internal dissension. T. Shakharie, Jashokie and few others had become disillusioned with Phizo's leadership. They wanted a peaceful solution to the Naga problem. Hence, they sent their representatives to wait upon the Assam Chief Minister in October, 1955, and to impress upon him that they wanted peace. These moderate Nagas now wanted to capture the Naga National Council which was at that time in the grip of Phizo. Thus, towards the end of 1955, there was definitely a parting of ways between the moderates and Phizoists. This infighting in the Naga National Council compelled Phizo to go underground and to continue the struggle for the independence of the Naga hills. Shakharie, Phizo's own cousin, who had sided with the moderates was kidnapped and murdered brutally in January, 1956, with a view to striking terror in the hearts of the moderates. Phizo and his followers further stepped up rebel activities and a reign of terror was let loose in the beginning of 1956. On 22 March, 1956, the underground Nagas declared the establishment of a Federal Government at Phensinyu village in Kohima area. A constitution was drafted which declared Nagaland a People's Sovereign Republic. There would be a Parliament (*hoho*) with a strength of one hundred members (*tatars*). The President would be elected by the people and his cabinet would consist of fifteen ministers (*kilonsers*). Nagaland would maintain permanent military neutrality. The constitution of the so-called Naga Federal Government also dealt with civil administration and military organisation.

Since the peace loving Nagas and the moderates were not with Phizo, he had to fight on two fronts. One was the Indian Government and its military deployed in the Naga hills, the other was the loyal and moderate Nagas. Phizo's men raided not only the military establishments but also looted and killed their own kith and kin who were peace loving and loyal to the Indian Government. Phizo's hostile activities spread all over the Naga hills and by the middle of 1956, the situation went from bad to worse.

Thus, with the advent of 1956, the underground activities of Phizo and his followers became so obnoxious that the Indian Government was compelled to take stern action against them. The Assam Government was instructed to take necessary steps to curb the hostile activities. Consequently, the Naga Hills Disturbed Ordinance and Assam Maintenance of Public Order were promulgated by the Government of Assam and these came into force in April, 1956. The Indian Armed Forces were deployed in the Naga hills. A Special Power Act was also enforced in the Naga hills in order to maintain law and order and to stop violence and bloodshed. Thus the battle line was drawn between the Government and the underground Nagas. The Indian troops carried out a number of operations against the strongholds of the rebels in the Tuensang area. Many rebel Nagas were killed and some of them were captured. The so-called Naga Federal Government established by Phizo was declared illegal. A warrant was issued for the arrest of Phizo on the charge of rioting, trespassing, treason, abduction and his complicity in Shakhari's murder. But Phizo managed to escape from Nagaland and he went to England on a false passport.

It is true that some Indian troops and military personnels were also killed in encounters with the rebel Nagas but the worst sufferers were the Naga people

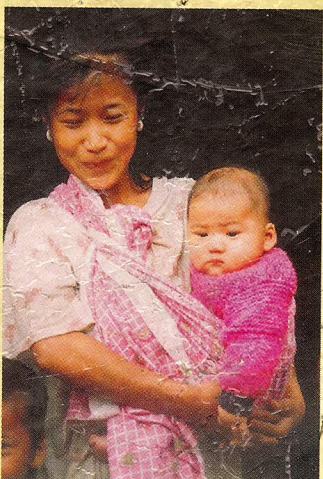
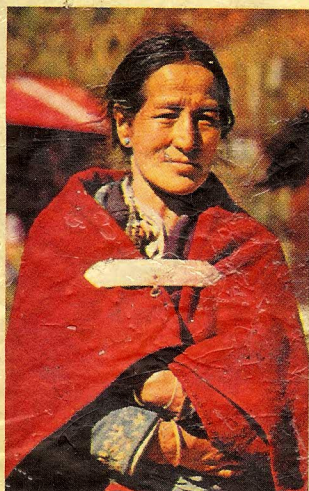
themselves. All the developmental works had come to a standstill because of the disturbances caused by the underground Nagas. Life and property in the Naga hills area had become very insecure. Phizo's activities had, no doubt, compelled the Indian Government to take, strong steps to suppress the insurgency, but the Nagas were always treated as Indian citizens. Strict instructions had been given to the army not to resort to much force. The instructions were as follows: "You must remember that all the people of the area in which you are operating are fellow Indians. They may have a different religion, they may pursue a different way of life but they are Indians. You must, therefore, make every possible effort to win their confidence and respect and to help them feel that they belong to India." Phizo and his followers were to a great extent to be blamed for this state of affairs. They had killed Shakhari and many of their associates. They had also tortured many of their kith and kin simply because they opposed violence and underground activities. Phizo's only aim was to secure independence for the Naga hills and for this he allowed his men to commit atrocities. To conceal all these, Phizo accused the Indian troops operating in the Naga hills of committing atrocities, murder, rape and other heinous crimes. A careful scrutiny of the facts, however, tells a different tale. The Indian army acted with considerable restraint though it had to work under very trying conditions. It is possible that during the encounters with the rebels some of the Nagas might have been harassed but this was unavoidable in the given situation. The Indian military helped the Nagas in all respects and earned their sympathy and goodwill. This is evident from the statement of Kenneth Kerhuo, the Field Director of the Angami Baptist Mission. He remarked: "Owing to the violent activities of the Naga Home Guards, most of the Churches stopped functioning in the Naga hills some time ago. The villagers were so terror-stricken that they

could not come out of their own homes. How would then they come to the Churches ? I have heard nothing but the highest praise of the Army officers and men in general from several Nagas of different tribes."

The exit of Phizo from Nagaland and the military action against the hostiles somewhat eased the situation. No doubt, the hostiles could not be eliminated completely but they had been subdued to some extent for the time being. With the departure of Phizo from Nagaland and most of his associates going underground, the moderate Nagas got an opportunity to capture the Naga National Council in the middle of 1956. By this time these moderates had come to realise that the solution lay in mutual understanding and negotiations, not in violence and hostility. Hence, they explicitly condemned the hostile activities of the underground Nagas. To this end they organised a delegation of six Naga leaders to wait upon Pt. Nehru in September, 1956, in New Delhi, where a free and frank discussion was held. Pt. Nehru frankly told the members of the delegation that the Nagas were independent because they were part of an independent, sovereign and democratic India. Pt. Nehru assured them that the Indian Government was prepared to give them maximum autonomy within the Indian Union. But before effecting any change in the constitution and administrative set up of Nagaland, peace and order must be restored there and the hostiles should cease their unlawful activities. Pt. Nehru's assurances had a deep impact on the Naga leaders and they went back to the Naga hills with determination to persuade the Naga people to give up the path of war and violence and to accept a negotiated settlement of the Naga problem within the Indian Union. An illustrious Naga leader, T.N. Angami, disowned Phizo's, group in the beginning of 1957 and joined the moderates. He made a Reforming Committee of the Naga

National Council in February, 1957, with a view to accelerating the process of negotiated settlement with the Government. This Committee, while outlining its aims and objectives, said that it was opposed to the methods of violence. It expressed its commitment to help restore peace, order and security in Nagaland. It also laid down the objectives of winning over the hostiles treading the path of violence. The Reforming Committee said in unequivocal terms: "It stands by the Prime Minister's assurance that when peace is restored, administrative changes would be introduced in the Naga hills in full consultation with the Naga people of all tribes.... It also claims for the Naga people their rightful share of India's independence and is convinced that the majority desire of the Nagas is for a separate administrative unit in keeping with the Naga tradition within the framework of the constitution of India."

This was a clear hint that the Naga leaders were prepared to settle the problem of the Naga hills within the framework of the Indian Union, but they wanted an administrative unit of their own which must be separate from, and independent of, Assam. This also narrowed down the gulf between the demand of the Naga leaders and the stand taken by the Government. The Nagas had agreed to find out a solution of their problem within the framework of India and the Government also consented to introduce the necessary administrative changes in the Naga hills in order to satisfy the Naga people. Now the stage was set for constitutional and administrative changes in Nagaland which ultimately resulted in the creation of the state of Nagaland—a constituent State of the Indian Union separate from Assam.



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