

K.C Murry



# **Naga Legislative Assembly and its Speakers**

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The Naga Legislature emerged only in 1964 when the politics of Nagaland was on hot-bed due to armed struggle between the Naga 'freedom fighters' and the Indian armed personnel. Though the Constitution of India contained democratic processes for Nagaland, these could not be given trial due to boycott of the Naga people in support of their demand for sovereignty and independence. The division in the cadre of the Naga Nationalist Council (NNC) and talks of the moderate Naga leaders with the Government of India resulted in creation of De-facto Naga Legislature in 1957, which ultimately created the favourable circumstance for creation of Nagaland State in 1963. The legislative processes began in Nagaland with the composition of the first Naga Legislature in February 1964 and it started to work for the people's development and set the state towards peace and prosperity.

The involvement of the Speakers in party politics and their inclination towards the Government has created doubts and suspicion in the mind of the Opposition members. Moreover, the mushroom growth of political parties devoid of proper principles and ideologies, politics of defection and frequent formation of coalition governments and also entrance of the men of mafia groups in Legislatures have created numerous problems for the Speakers in India. The adjournment of the House sine-die due to pandemonium created by irresponsible Legislators has become the common features all over the country from Central Parliament of the State Legislatures.

In case of Nagaland, it has been observed that unlimited ambition for power, prestige and wealth among the Naga politicians, has very much maligned the image of Naga politics where defection and counter-defection have freely been allowed to topple down the government for personal causes. However, it is good that The Naga Legislative Assembly in comparison to other states' Assemblies of India has been more peaceful and progressive. The office of the Speaker of Nagaland and his role has remained unexplored so far. The present work gives the answer to the questions whether the democratic processes in Nagaland have taken deep root and whether the rulings and decisions of the Speakers of Nagaland Legislative Assembly have remained satisfactory as per the expectation of the people.



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# NAGA LEGISLATIVE ASSEMBLY AND ITS SPEAKERS

**K.C. Murry**

*Foreword by*

**Dr. Shurhozelie**

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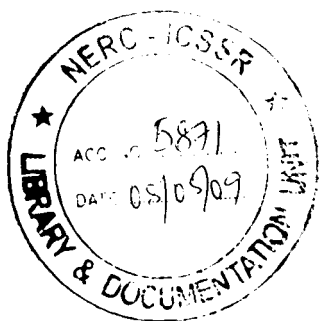
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# 1

## INTRODUCTION

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The Office of the Speaker, which plays vital role in promoting democratic processes relating to Legislative affairs, has come under the domain of doubt and criticism. The Speaker is needed to be honest, impartial, judicious and farsighted to effectively and objectively deal with the Procedure and Conduct of Business of the House keeping in view the interests of both, the Ruling and the Opposition Benches. The factors, which have brought the office of the Speaker in question, today, are growing unrest, uproars and disorder in the House and active participation of the Speakers in direct party politics. A Speaker should be non-political, but the tradition, which was evolved in India, has politicised the office of the Speaker with the result that the Speaker has become the subject of criticism and his rulings and decisions are doubted . The mushroom growth of political parties, specially in the states of India, without proper principles and ideologies and also entrance of the men of Mafia groups and people of muscles in the parliament and the state legislative assemblies using money and muscle power, have changed the political scenario in India on the one hand, and created numerous problems for the Speakers on the floor of the House, on the other. Moreover, growing lust of the politicians to obtain power by hook or crock has paved the way for the growth of politics of defection and caused problem for stability of the democratically formed government. There are members elected members for the legislatures who hardly care for dignity and ...decency of the House when their interests are not served. The Opposition members frequently come forward with charges of partiality and dishonesty against the Speaker and bring him in controversy when the ruling goes against their desire and expectation. On the Other hand, the Government and its members in the House expect from the Speaker direct favour and partiality to

protect them on the floor of the House. All these factors have made the duties and responsibilities of a Speaker not only difficult but embarrassing also.

Speaker's Office serves not only the constitutional or legislative ends, but also influences almost every phase of Parliamentary life. This Office under the Parliamentary system has been dynamic due to its stabilizing and stimulating force in the political system of India. Under the Parliamentary form where the Parliament or State Legislatures consists of the elected people's representatives and the legislature is supposed to be the master of the government, it is the Speaker who ensures whether the House is working under the established rules and procurers or not. It is he who bears the responsibility to ensure peace and order on the floor of the House on the one hand, and to see that both the sections- Ruling and Opposition-get enough time to express their mind over the issues of public importance without undue intervention, which are brought to his notice, on the other. Since the Parliament or Legislative Assembly is an elected body with the tasks to deliberate important public issues, control the government and public finance and legislative laws for people's governance, the Speaker being the chairman of the House has the authority and responsibility to ensure smooth functioning of the House under a peaceful and safe circumstance. There are various parliamentary measures that can be applied by the members of the House to bridle the government. They can ask questions as well as supplementary questions to the ministers, criticize their roles and conducts, and attract their attention towards the important public issues, which need immediate attention of the government. There are occasions like debate on the President's/Governor's speeches, question hours, passing of the budget, discussion on motions like Call Attention, Adjournment, Privilege and No-confidence, which create opportunity for the members of the House to express their mind freely and bring the facts to the light. All these occasions need Speaker's permissions, interventions rulings and decisions to achieve the purpose.

Today, the mushroom growth of political parties and formation of coalition governments, both at the Centre and in States, have definitely increased the responsibility of the Speaker on the one hand, and improved the significance of the Office of the Speaker on the other. Undisciplined and irresponsible behaviors of the Legislators and their dirty, vulgar and unparliamentarily words with only purpose to malign the image of their counter-parts and showing

and using muscle power on the floor of the House, have not only forced the Speaker to take hard and appropriate actions against such members but also spoiled the decorum and decency of the Parliament and Legislative Assemblies in India. Each Legislature has its own Rules of Procedure and Conduct of Business, no doubt, but in practice, it has been observed that the members while debating and discussing the issues in the House hardly care for these rules and conducts when they come under the impression of emotions and sentiments. At such occasions, the Speaker finds himself in an embarrassing situation and it has become very much difficult for him to control the unruly House. Moreover, the convention in India, which has enabled the Ruling party to establish monopoly over the Chair of the Speaker, has failed to win over the confidence of the Opposition members. They always see the Speaker from suspicious eyes and doubtful angles with the result that they make hue and cry over rulings and decisions of the Speaker leveling the charges of partiality and dishonesty against him. Due to lack of the men of quality and integrity for the post of Speaker, the position of the Indian speakers either in the parliament or in the state legislatures has become destabilizing and non-stimulating. It has also been observed that the political party (s), which avails the opportunity to form the government, plays vital role in politicising the Office and compelling the Speaker to help it directly or indirectly. As a result, the Opposition members do not take speakers as guides and philosophers to take the House towards dignity. The dignity of the Chair is still there, but the holders of the Chair either knowingly or under pressure, have undermined the dignity of the House to a great extent. In many cases, they have been drawn into political controversies in the wake of shifting party alignments, unstable majority and so on.

The floor of the House, which is a place of debates, discussions and deliberations on public issues, has become the place of quarrelling and fighting between the members of the Ruling party (s) and the Opposition. The picture of the House that appears during the period of Parliamentary and Legislative sessions now-a-days, are mostly dirty and discouraging. There are various dignified and democratic manners and ways such as to boycott and leave the House en-block, to oppose the Government and the Speaker in the House, but, the members create vulgar situation by making uproars and breaking chairs and benches and even manhandling the Speaker. Under such unruly situation no way is left for the Speaker other than to adjourn the House sine-die. Today, defiance of the

Speaker's rulings, walk-outs, protests and commotions have become a normal feature in the House. There is hardly any impact of the Speaker's request and warning over the agitated members. This is true that some of the Speakers have been found working under the game of pulls and pressures demonstrating their loyalty to the party bosses. It is also true that some of the Speakers openly favour the party to which they belong with the only purpose to appease the party's whips and bosses so that they could avail better opportunity in politics. However, it does not mean that the members of the House should take the rules and procedures in their hands and create a dirty and gloomy picture. Nothing can be permitted to do against the dignity of the House.

The pattern of Speakership in India is based on the British model where the Speaker is neutral and impartial because after his election to the Chair he severs his relations with the party. During election his seat to the Parliament is reserved for him and he is elected unopposed. In India, during the British rule the Speakers used to be honest, sincere and independent, but after India's Independence deviation took place from the British system of Speakership due to party affiliation of the Speaker. Despite various efforts, in India, no tradition could be adopted whereby the Speaker would have been independent from party affiliation. The political difficulty that a Speaker in India has to face is his long party association, which he cannot shake off. He has to work under compulsion or pressure exercised upon them by their political whips or bosses. Various examples may be cited, where the Speakers have not been allowed to work according to their conscience. Very recently, what happened on the floors of the Legislative assemblies of Goa and Jharkhand proves the fact that the Speaker, in favour of his party, may go to any extent so that his party may form the government. People have witnessed what the Speakers of these States did in favour of their respective party, keeping aside the rules and procedures or interpreting them in such a manner that could serve their viewpoints. The latest and patent examples give an indication to the fact that the impartiality and independence of a Speaker in India has little relevance to the Office.

Nagaland, a small, but full fledged State of the Indian Republic, is far ahead in the practice of party-politics. Due to problem of insurgency the politics of the state has been very much sensitive. So far the case of the Speakers of Nagaland Legislative Assembly is concerned; the system has deteriorated to a great extent, no

doubt, but the members of the House have remained disciplined in comparison to the legislators of other states of India. The working of democratic procedure began late in Nagaland with the creation of Naga Hills Tuensang Area in 1957. In 1961, this political unit was provided with an Interim Body (*De-facto* legislature) consisting of 42 elected members. The Chairman of the Interim Body was empowered to work as the Speaker. In 1964, when a full-fledged state of Nagaland was created, the strength of the Assembly rose from 42 to 60. Altogether ten general elections to the Naga Legislative assembly have been held so far, and more than a dozen of Speakers have remained the occupants of the Chair of the Speaker. They all came from various Naga tribes having sound socio-economic and political background. They all have been the renowned political leaders of the state. Most of them were highly qualified obtaining graduate and post-graduate degrees from the Universities like North Eastern Hill University and Gauhati University.

In the beginning, the important and challenging tasks before the Naga politicians and the Speakers were to strengthen the democratic procedure and establish healthy political conventions and work hard to improve the socio-economic conditions of the Naga people who had been the victims of prolonged isolation and acute scarcity. They play of party politic was not much complex and rigid due to absence of well-organised Opposition. The political scenario changed in the state from 1977 when the strength of the Opposition increased and political monopoly of the ruling NNO over power and people decreased. The erstwhile Opposition, the United Democratic Front (UDF) came first time in power in 1977. Thereafter, the Speakers of the Naga Legislative Assembly began to face tough situation.

The politics of Nagaland has always been on topsy-turvy due to presence of freedom movement since independence of India. There was a time when all Naga leaders joined their hands together to fight for the cause and achieve the goal. However, the situation changed with the creation of the NHTA and the Nagaland State under the Union Republic of India. It is true that the most of the Naga leaders joined politics under the provisions made by the constitution of India, but the freedom fighters who opposed the creation of Nagaland state by tooth and nail, always remained as a sore in the eyes of the Nagaland government. The question which agitated the Naga political leaders was how to obtain the support of the leaders of the freedom fighters and resolve the complicated

Naga issue. However, efforts were applied to persuade the underground leaders to join the politics and strengthen their voice on the floor of the House. Some of them and their sympathisers, in fact, joined politics and were elected as the members of the Nagaland Legislative Assembly. It made the Naga politics not only critical but complex also. At such juncture the Speaker had to protect the dignity and decorum of the House on the one hand, and to satisfy the feelings and emotions of the members on the other. Several occasions appeared in the House, which demanded farsightedness and firmness of the Speaker to give satisfactory rulings and decisions and avoid confrontation between the Ruling and the Opposition members. The occasions also came where no-confidence motion against the Speaker and the Deputy Speaker was brought for his removal on the ground of partiality.

The politicians are, generally, power –mongers, but in case of Naga politicians, their ambition of power is far greater. They are not satisfied with the minor or small ranks. Their eyes are always fixed on bigger posts not less than ministership. The Speakers while occupying the Chair want to get more prestigious and profitable ranks. That is why while holding the Chair of the Speaker with responsibility and care, find opportunity to become ministers. This ambition and desire compels them to have cordial relations with the party whips even at the cost of their jobs and responsibility what they carry. K.L. Chishi, the dominant political leader of Nagaland, agrees that “while a pragmatic and outstanding Speaker can help build healthy convention and precedent for promoting democracy through the judicious rulings and decisions,” but the Speakers in Nagaland, though know the significance of the role of Speakers, but “their affiliation to party politics hardly allow them to act independently.” Mr. Chishi in his observation is right because, in Nagaland, in the absence of reservation for the re-election of the Speaker in the next election, the task for the Speaker to sever his complete relations with the party politics has been embarrassing.

A comparative study of the role of Speakers reveals the truth that the Speakers of the Nagaland Legislative Assembly have the relations with the political party which they belong to. no doubt, but most of them have remained very much fair and impartial in their dealings. The dignity and decency of the House maintained by the Speakers and the members so far are commendable and notable. Though the democratic processes began here late, the traditional democratic practices of the Nagas have helped them to maintain

discipline in the House and protect its dignity. In the words of Shikhu the Nagas were “not well versed with parliamentary niceties then as they are today. Now the elected members of the Nagaland Legislative Assembly have the robust common sense.” The Assembly has “distinguished record of orderly and decent parliamentary behaviour by all the honourable members for their dedication, devotion, and constructive deliberation and criticism while discussing the matter of public importance on the floor of the House.” Bal Ram Jakhar, the noted speaker of the Indian Lok Sabha, too, in appreciation of the Nagaland Legislative Assembly and its Speakers said that the Assembly “in spite of stresses and strains has established important milestones among different sections of the society in the state.” While sending message on the occasion of Silver jubilee of the Nagaland in 1989, Subhas Kashyap, the Secretary General of the Lok Sabha said “The Achievements of the Nagaland Legislative Assembly are indeed laudable.”

There is no example at all that the Naga Legislators being emotional have used their muscle power or abusive words against their opponents on the Floor of the House. They have used hard words, no doubt, but not with the intention to injure the sentiments of others purposely. There is record that the Naga Legislators have never physically fought among themselves as it generally happens in other states of India and even on the floor of the Lok Sabha. The members of the Opposition may also be appreciated for their kind cooperation to the Chair. They have remained peaceful and gentle even while criticizing the policies of the government except on few occasions. They participated in the debates and deliberations in disciplined manner paying outmost respect to the chair. The records of the proceedings of the Assembly reflect the truth that the opposition leaders while criticising the government or even bringing no-confidence motion against it, never took the law in their hands. To mention here a few honourable names like T.N. Angami, Nieba Ndong, T.N. Ngullie, K. Shikhu, E.T. Ezung, etc. who have been the Speakers of the Nagaland Legislative Assembly, set notable and exemplary examples for their successors while occupying the Chair. They have remained sincere, considerate, and efficient and disciplined throughout their political career.

The Office of the Speakers of Nagaland Legislative Assembly and their roles has remained unexplored so far. No major work has come out in this respect. From 1964 to till date various ups and downs have taken place on the floor of the Naga Legislature where

the roles of the Speakers, their decisions and rulings need through observation and investigation. The questions whether the democratic processes in Nagaland have taken deep root widening the role of the Speaker and whether the rulings and decisions of Nagaland Speakers have remained satisfactory or not, need answers based on objective study of the roles of the Speakers and analytical description related to such answers. The book examines the role of the speakers keeping in view their party affiliation and participation in politics. Efforts have also been applied to study socio-economic and cultural background of the speakers and their impact upon their mind and activities. The present work is an exercise in these respects. To make the book authentic and research oriented, deep labour has been paid to study and examine the proceedings of the Nagaland Legislative Assembly right from its inception till date. The beauty of the book is that it discusses parliamentary Affairs of India and also various legislative assemblies of different states to highlight the roles and problems of the Speakers today. To make the work more authentic, opinions and views of various Speakers of Nagaland collected through questionnaires and conducting personal interviews with some of the selected one, have also been recorded here. Sincere efforts have been applied to accommodate all these facts and figures in this book under different chapters. The facts have been examined objectively and scientifically. I hope this work would help the readers as well as researchers to know and understand the growth of democratic processes in Nagaland and the roles of the Speakers in shaping and setting the Legislative system in the interest of the public as a whole. This book will remain as the first Naga Political History ever written will undoubtedly prove to be most authentic and worthwhile.