

Notre Dame University

Faculty of Political Science, Public Administration & Diplomacy

**NATIONALISM AND SELF-DETERMINATION: SHOULD NAGALAND
DECLARE ITSELF AN INDEPENDENT STATE?**

M.A. Thesis

by

Mohamed K. Ghabris

NATIONALISM AND SELF-DETERMINATION: SHOULD NAGALAND DECLARE ITSELF AN INDEPENDENT STATE?

by
Mohamed K. Ghabris

Submitted to the Faculty of Political Science, Public Administration & Diplomacy

In Partial Fulfillment of the Requirements for the
Degree of Master of Arts in International Affairs and Diplomacy

Notre Dame University-Lebanon
2019

Approved by: Advisor: Dr.Dany Ghsoub



1st Reader: Dr. Elie El Hindy



2nd Reader: Dr. Eugene Sensenig



ABSTRACT

There has been a cry and a struggle from the Nagas calling for a separate state for over 3 decades now, as it was evident and outlined in several academic articles, different types research, Naga authors and Indian local news¹. There is a crisis in the Northeast, in particular, 'Nagaland', a crisis that calls for separation, a need for political attention and an expression of poor investments in social and economic infrastructures across Nagaland. Bearing in mind the political corruption that is situated across Nagaland diminishes all aspects or attempts of social, economic, and political development, which leads to an ascending agitation towards separation and independence. The purpose of this research is to understand the different layers of identity of the Naga people², and also to see whether the negligence of the central government of India to the northeast is one of the main reasons or contributing factors to the instability and erupting violence in the Northeast, specifically Nagaland. Finally, it also aims to draw a conclusion of the extent of legitimacy for Nagaland to call for separation and independence with the analysis of the data collected; in other words, whether Nagaland is ready to be independent and if it is for the best of its interest or not. This research was conducted by using primarily qualitative and quantitative data collection (i.e.: interviews and surveys) directly from the local Naga people, in addition to the literature review that covers historical, sociopolitical and theoretical aspects of the conflict.

Keywords: Self-determination, nationalism, identity, sovereignty, nation, Nagaland, Northeast of India, call for independence, people, indigenous, minorities.

¹ Such as: Aman Thakker and Kartikeya Singh in their article "A States-Led Effort to Resolve The Naga Conflict"; Ankush Agrawal & Vikas Kumar in "How Much Is Nagaland's Area? A Cartographic Mess", Charles Chasie in his book *The State Strikes Back: India and the Naga Insurgency*; and many other scholars/researchers and writers

² The Naga people (pronounced [na:ga:]) are an ethnic group conglomerating of several tribes native to the North Eastern part of India and north-western Myanmar (Burma).

DEDICATION

This whole research paper is dedicated to the people of Nagaland. To my Naga friends who became a family to me. This paper is also dedicated to Initiatives of Change, the movement that fueled my inspiration; without it, I wouldn't have had the privilege to visit Nagaland and get to experience the land and witness the uniqueness of the Naga people's culture and tradition.

ACKNOWLEDGEMENT

All actions have implicit and explicit intentions. The topic of my thesis is no different, and while the explicit motive is to fulfill an academic requirement, the implicit motive lies deep within a personal pursuit to find answers to questions I've always had about identity, nationalism and the underlying feeling of 'belongingness'. This research aims to provide meaning and a sense of understanding to the Naga struggle and the restless pursuit of their right to self-determination, and aims to share their story with the world. It is a requiem to all those who suffered throughout the long, painful decades of wars and conflicts, remembering the legacy of the past while looking towards a brighter and more promising future. Since the beginning of this journey, I have received immense amount of support from my Naga friends including but not limited to Vitono Haralu, and Peno Hiekha, who stood by my side with their encouraging words, guidance and tremendous support in connecting me with other Naga people during the data collection phase of my study. Forever grateful and honored for Uncle Niketu Iralu and his Wife Aunty Christine Iralu for opening their hearts and house to me. Uncle Niketu for his words of wisdom, objectivity, and for his endless love and contributions to his people through the care and nourishment that he provides; Aunty Christine for her selfless support and patience in driving me around for hours taking me from one interviewee to the other and waiting for hours until I was done with my interview. I will never forget the love and support of my non-Naga friends, starting with Rohit Valecha, who kindly offered to film the interviews, traveled long distances with his equipment without any hesitation; and to Maruee Pahuja's inspiring spirit, open heartedness and empathetic listening and support throughout the whole journey. Coming all the way to Lebanon, words fail to express the gratitude that I have for Rhéa Dagher, Jasmine Diab and Ali Faraj for their constant support and love all the

way through; for the guidance and enriching input. And last but not least, to my professors Dr. Dany Ghsoub, Dr. Eugene Sensenig, and Dr. Elie El Hindy for whom I am sincerely grateful, they have supported me throughout my thesis with their patience and knowledge whilst giving me the space and trust to take the risk in this particular topic and work in my own way. And finally, to my parents, for being a beacon of light and for anchoring my academic journey through their limitless unconditional love, absolute trust and belief in me. Deep appreciation to all of you, I consider myself lucky for your presence and contributions to my ongoing journey.

Table of Content

Outline	Page
I. Chapter 1: Introduction.....	1
a. Scope.....	4
b. Definitions.....	6
c. Literature Review.....	11
i. The Northeastern Part of India.....	11
ii. Nagaland: The Naga Conflict.....	18
iii. Summary and Overview.....	22
d. Methodology.....	25
II. Chapter 2: Timeline and Significant Historical Instances.....	31
a. India's Independence and the beginning of the conflicts.....	31
b. History Of Nagaland.....	34
i. British Rule.....	35
ii. Naga Club Formation and Memorandum to Simon's Commission.....	35
iii. The Declaration of Nagaland's Independence by the NNC.....	37
iv. The beginning of the Naga Insurgency.....	39
v. Cease of Fire between the Naga and the Indian Armies.....	42
vi. Implications for Indian Foreign Policy.....	45
III. Chapter 3: Self Determination (Theoretical & Legal Framework).....	49
a. Choice Theory.....	52
b. Remedial Right Theory.....	54
c. The evolution of the Right of Self-Determination.....	57
IV. Chapter 4: Self Determination in Nagaland.....	64
a. Understanding Nagaland's Call for Self-determination.....	64
b. Naga People: A People?.....	71
V. Chapter 5: Voice of the People – Field Study.....	78
a. Field Observations.....	78
b. Data Analysis.....	79
i. Surveys & Interviews Overviews.....	80
ii. Perception of Being a Naga.....	83
iii. Identity: Naga vs. Indian.....	86
iv. Perception of the Indian Government by the Nagas.....	87
v. Historical awareness and Demands from the British.....	91
vi. Perception of the Naga Freedom Fighters.....	93
vii. Should Nagaland declare itself as an independent state?.....	95
VI. Chapter 6: Way Forward and Recommendations.....	100
VII. Chapter 7: Conclusion.....	106
Bibliography.....	110

List of Figures	Page
Figure 1 - Map of India marking the North-East.....	3
Figure 2 - Map of the Northeast and it's 8 States.....	4
Figure 3 – Timeline of the Naga conflict	34

List of Appendices	
Annex 1: Nine-point Agreement.....	115
Annex 2: Memorandum of the Naga Hills.....	117
Annex 3: Survey Questions.....	119
Annex 4: Interview Questions.....	121

CHAPTER 1: INTRODUCTION

Indian nationalism, just like any other nationalism, can broadly be denned as the ethnically, politically, socially, and economically derived desire for the creation of an independent Indian nation-state. Indian nationalism has been difficult to define because the country and the nationalist desires within the subcontinent are physically and metaphorically vast and diverse, encompassing the great variety evident in language, cultural tradition, religion, historical experience, and economic hierarchy¹.

Although scholarly interest in Northeast India is growing, there is still relatively little discussion of the high levels of poverty in the region and the failures of development as well as the strong urgency of demand of separation and sovereignty of some states in the Northeast. When mentioned, they are viewed instrumentally as causes and/or symptoms of ongoing insurgency and counterinsurgency; is the Northeast poor because of the conflict or the conflict is there because of poverty? However, the aforementioned points linking poverty to conflict do not necessarily fully explain how the Northeast region has poverty levels well above the Indian national level, a separate ethnic identity that lingers in the area and a strong sense of indifference. This being said, the region is however supported, namely; it receives an extraordinarily large amount of funding dedicated to development from the Indian Government, has its own independent development ministry, has some of India's highest human development indicators, and has an array of institutional layers assuring autonomy and decentralization.

Nevertheless, the relatively isolated northeast has long been afflicted with conflict. Since 1945, India's "Seven Sisters," or northeastern states, Assam, Mizoram, Manipur, Nagaland, and

¹Indian Nationalism in ERA 8: Crisis and Achievement, 1900-1945 / Society and Culture / Nationalism in Shaping Society and Culture from World History Encyclopedia

Tripura have experienced varying levels of violence. However, the conflict in Nagaland in particular — known popularly as the “mother of insurgencies”² — stands out. Moreover, the Naga insurgency, which started in the 1950s, is known as the mother of the Northeast insurgencies, and is one of the oldest unresolved armed conflicts in the world³. Nagaland, amongst the other 7 sisters, stands out the most due to its historical events and international actors leaving their imprints on the area; such as the invasion of the Japanese and the epic battle of Kohima⁴ where the Nagas managed to defeat the Japanese, in addition to the numerous battles with the British that left the British a huge challenge to deal with⁵. Finally, Nagaland amongst all of the 7 sisters is most persistent when it comes to the call for separation and independence by its people through a systematic approach of advocacy and acts of rebels. This feeling of separateness from the rest of India is widely shared by the Nagas and has sustained them in their prolonged struggle against a very powerful adversary.⁶ In addition to the above mentioned reasons, one should also mention Naga’s strategic geographical location as a window to Southeast Asia, which gives India and its neighboring countries a significant stance.

Using the state of Nagaland as a case study, this research examines and analyzes the factors behind the call for separation and independence by the Naga people. This research takes into account and explores multiple historical events and factors that include; the invasion of the British colonization of India, with concentrated focus on Nagaland in particular in the 1830s, all the way to the declaration of the constitution of India in 1949, which resulted in the Naga hills

² M.S Prabhakara, March (2011), “Mother of insurgencies or reinvention?”
<https://www.thehindu.com/opinion/lead/Mother-of-insurgencies-or-reinvention/article14962563.ece>

³ P. K. Mohanty, "Encyclopaedia of Scheduled Tribes in India: In Five Volume", p. 253

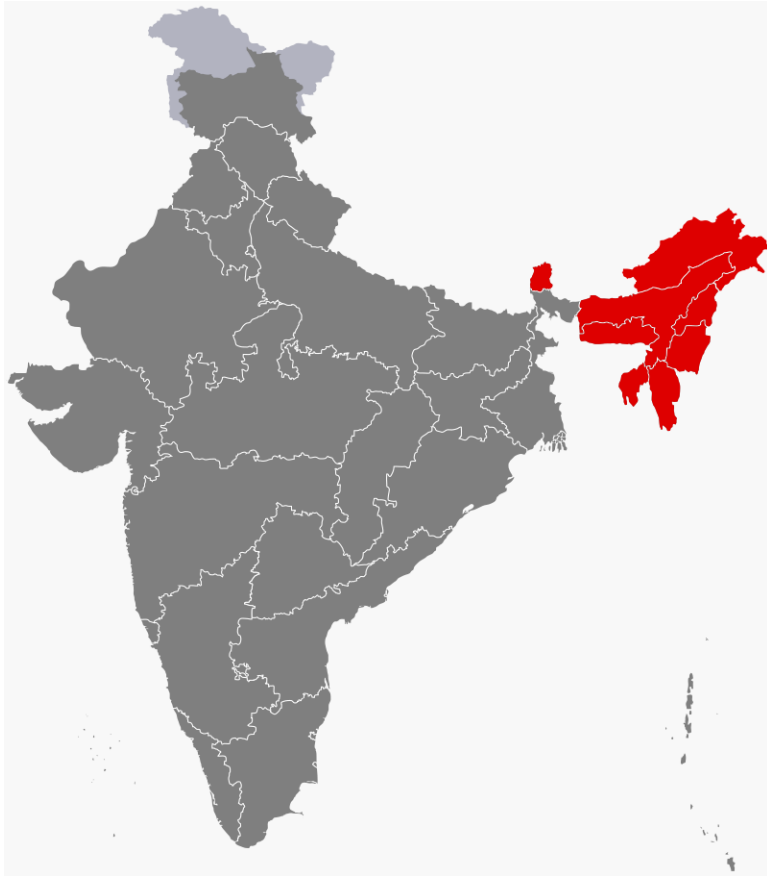
⁴ "Burma Campaign: Seizing Imphal and Kohima In World War II". HistoryNet. 6 December 2006. Retrieved 17 December 2017.

⁵ "Britain's Greatest Battles". National Army Museum. Retrieved 15 December 2015.

⁶ Misra, Udayon (Apr. 8, 1978) “The Naga National Question”, Economic and Political Weekly, Vol. 13, No. 14 pp. 618-624

district becoming a part of India. Finally, probing the political and economic situation of the region and the Naga state in our present day.

Figure 1⁷(Map of India marking the North-East)



⁷ Filpro C., (February 2017), “Location of Northeast India”, New-Delhi, <https://www.mapsofworld.com/india/north-east-india-map.html>

Figure 2⁸ (Map of the Northeast and its 8 States):



a. Scope

There has been a cry and a struggle from the Nagas calling for a separate state for over 3 decades now, as it was evident and outlined in several academic articles, researches, Naga authors and Indian local news⁹. There is a crisis in the Northeast, in particular ‘Nagaland’, a crisis that calls for separation, a need for economic investment and an expression of poor investments in social and economic infrastructures across Nagaland. Bearing in mind the political corruption that is situated across Nagaland - its relationship to the state and its people - diminishes all aspects or attempts of social, economic, and political development, which leads to an ascending agitation towards separation and independence.

⁸ Renzut A. (November 2017) “Skyline of Northeast India”, https://en.wikipedia.org/wiki/Northeast_India

⁹ Such as: Aman Thakker and Kartikeya Singh in their article “A States-Led Effort to Resolve The Naga Conflict”; Ankush Agrawal & Vikas Kumar in “How Much Is Nagaland’s Area? A Cartographic Mess”, Charles Chasie in his book *The State Strikes Back: India and the Naga Insurgency*; and many other scholars/researchers and writers

The purpose of this research is to understand the different layers of identity of the Naga people¹⁰, and also to see whether the negligence of the central government of India to the northeast is one of the main reasons or contributing factors to the instability and erupting violence in the Northeast, specifically Nagaland.

The research will also focus on this region's history, its national and international relations, as well as highlighting their struggle to define their identity and borders of their own. As such, this research will investigate their attempts towards gaining autonomy based on their distinct identity within the Indian, as well as the international context. The research will be conducted through semi-structured, open ended and close ended questions in the form of interviews - stressing that the research will be qualitative and produce a "typical but not representative" product. The research and sample will be narrowed to this region.

The case of Nagaland is important and relevant to international relations in general for multiple reasons, primarily because it acts as a "prototype" and case study of what has become a global trend in recent years, i.e.: 'nations' and 'states' are challenging international norms and standards instilled in the international community post UN-era, such as borders, sovereignty, the notion that the states in place and the border in place are 'permanent', etc. Nagaland is a case that is important due to it creating a precedence in the international community, and consequently joining several territories in their fight for self-determination as well as independence amidst an international system. It is important to consider this case and read about it because it is part of a sweeping trend where civilizations, the notion of 'state', as well as pre-determined borders are challenged every day. Furthermore, the research aims to shed light on the conflict of the

¹⁰ The Naga people (pronounced [na:ga:]) are an ethnic group conglomerating of several tribes native to the North Eastern part of India and north-western Myanmar (Burma).

Northeastern part of India since there's little awareness on the issue and poor media coverage. The world and India's majority know too little of this region, its seven states, its people, its history and its politics.

The scope and the sample of the project will be focused upon families within this region and their inter-generational understanding of "nationalism" and "citizenship". The main focus of the study is to highlight the evolution and the understanding of these concepts throughout the years amidst a more "global" approach to these definitions as well as amidst an ever-evolving global influence and interference in the lives of millennials in general.

b. Definitions

- **Nationalism:** is a political, social, and economic system characterized by the promotion of the interests of a particular nation, especially with the aim of gaining and maintaining sovereignty (self-governance) over the homeland. The political ideology of nationalism holds that a nation should govern itself, free from outside interference and is linked to the concept of self-determination. Nationalism is further oriented towards developing and maintaining a national identity based on shared, social characteristics, such as culture and language, religion and politics, and a belief in a common ancestry.¹¹ Nationalism, therefore, seeks to preserve a nation's culture, by way of pride in national achievements,

¹¹ Triandafyllidou, Anna (1998). "National Identity and the Other". *Ethnic and Racial Studies*. 21 (4): 593–612.

and is closely linked to patriotism, which, in some cases, includes the belief that the nation should control the country's government and the means of production.¹²

- **National Identity:** is a person's identity or sense of belonging to one state or to one nation¹³. It is the sense of a nation as a cohesive whole, as represented by distinctive traditions, culture, language and politics. National identity may refer to the subjective feeling one shares with a group of people about a nation, regardless of one's legal citizenship status. National identity is viewed in psychological terms as "an awareness of difference", a "feeling and recognition of 'we' and 'they'"¹⁴.
- **State:** A state is a compulsory political organization with a centralized government that maintains a monopoly on the legitimate use of force within a certain geographical territory¹⁵. This echoes Max Weber's expression of the state being that "human community that (successfully) claims the monopoly of the legitimate use of violence within a given territory." ... For example, the law might permit individuals to use force in defense of one's self or property, but this right is derived from the state's authority¹⁶. A state is also an association which has control over a geographic area or territory. States are seen as having three main pieces:

¹² Nairn, Tom; James, Paul (2005). *Global Matrix: Nationalism, Globalism and State-Terrorism*. London and New York: Pluto Press.; and James, Paul (2006). *Globalism, Nationalism, Tribalism: Bringing Theory Back In – Volume 2 of Towards a Theory of Abstract Community*.

¹³ Tajfel, Henri; Turner, John C. (1986). "The Social Identity Theory of Inter-group Behavior". *Psychology of Intergroup Relations*

¹⁴ Lee, Yoonmi (2012). *Modern Education, Textbooks, and the Image of the Nation: Politics and Modernization and Nationalism in Korean Education*. Routledge. p. 29

¹⁵ Salmon, 2008: p. 54 Archived 15 May 2016 at the Wayback Machine.

¹⁶ Max Weber, *Weber's Rationalism and Modern Society*, translated and edited by Tony Waters and Dagmar Waters. New York: Palgrave Books, 2015, pp. 129-198.

- A territory
 - A people
 - Some institutions (which have the power to make rules)
- **Nation:** is a stable community of people, formed on the basis of a common language, territory, economic life, ethnicity, or psychological make-up manifested in a common culture. A nation is distinct from a people, and is more abstract, and more overtly political, than an ethnic group.¹⁷ It is a cultural-political community that has become conscious of its autonomy, unity, and interests.¹⁸

A nation is generally defined as " People with shared heritage such as language, culture, religion etc.... living within a historically defined territory or in their "Homeland" according to the accepted international law. They "The people" have the right to self-determination in theory. Given the conditions of economic viability, the people could defend themselves from external aggression and are thus capable of functioning as an independent "State". In modern time, the application of these conditions, grants the claimed state its eligibility by the international community of it being recognized and acknowledged as a legitimate state.

- **Sovereignty:** is the full right and power of a governing body over itself, without any interference from outside sources or bodies. In political theory, sovereignty is a substantive term designating supreme authority over some polity.¹⁹

¹⁷ James, Paul (1996). *Nation Formation: Towards a Theory of Abstract Community*. London: Sage Publications.

¹⁸ Anthony D. Smith (8 January 1991). *The Ethnic Origins of Nations*. Wiley. p. 17. ISBN 978-0-631-16169-1.

¹⁹ "sovereignty (politics)". *Encyclopædia Britannica*. Retrieved 5 August 2010.

- **Sovereign state:** The concept is, in international law, a nonphysical juridical entity that is represented by one centralized government that has sovereignty over a geographic area. International law defines sovereign states as having a permanent population, defined territory, one government, and the capacity to enter into relations with other sovereign states. It is also normally understood that a sovereign state is neither dependent on nor subjected to any other power or state.²⁰
- **Government Negligence:** Is a failure to exercise the appropriate and or ethical ruled care expected to be exercised amongst a state. The area of tort law known as negligence involves harm caused by failing to act as a form of carelessness possibly with extenuating circumstances. The core concept of negligence is that people should exercise reasonable care in their actions, by taking account of the potential harm that they might foreseeably cause to other people or property.²¹
- **People:** People are human beings making up a group or assembly or linked by a common interest. A body of persons that are united by a common culture, tradition, or sense of kinship, that typically have common language, institutions, and beliefs, and that often constitute a politically organized group.²² The term “peoples”, however, in the Charter connotes that the right to self-determination under international law is conferred only upon a “people”. The pertinent question is what constitutes a “people”? According to UNESCO Experts’ “Justice Kirby definition”, a group in order to qualify as a “people”

²⁰ Wheaton, Henry (1836). *Elements of international law: with a sketch of the history of the science*. Carey, Lea & Blanchard. p. 51. A sovereign state is generally defined to be any nation or people, whatever may be the form of its internal constitution, which governs itself independently of foreign powers.

²¹ Feinman, Jay (2010). *Law 101*. New York: Oxford University Press. ISBN 978-0-19-539513-6

²² Merriam-Webster's collegiate dictionary, 1999 - <https://www.merriam-webster.com/dictionary/the%20people>

must possess some or all of the following common features: (a) a common historical tradition; (b) a racial or ethnic identity; (c) cultural homogeneity; (d) linguistic unity; (e) religious or ideological affinity; (f) territorial connection; and (g) common economic life.”²³

The conjunction of all of the above-mentioned definitions were selected based on multiple important factors. First, these definitions directly coincide with the definitions extracted from the field research and the conducted interviews with the Naga population. It is important to solidify these definitions and link them to the sample's understanding of these definitions. Secondly, these definitions are defined across the literature and across the discipline in multiple sometimes even conflicting definitions - for this reason it is important to make the reader understand that the analysis in this thesis stems from these definitions as a base, and is directly linked in both its analysis and its conclusions to these definitions defined exactly above.

²³ Ijezie, Chinonso (2018) “Right Of Peoples To Self-Determination In The Present International Law”, University of Hertfordshire

c. Literature Review

i. The Northeastern Part of India

“Civil Society and Violence in India's Northeast” by Monica Banerjee – September 2009²⁴

In her article, Monica Banerjee gave an overview of the Northeastern part of India, explaining the Dynamics of that region. It being a composition of 75 major ethnic groups and sub-groups with 400 languages and dialects²⁵ depicts India's Northeast as a truly multi-ethnic society. Tribes having unique social and cultural practices constitute around 30%²⁶ of the region's population. The largest state, Assam, alone is the home of 23 different tribes²⁷. In states like Arunachal Pradesh, Manipur, Meghalaya, Mizoram, and Nagaland, various tribes comprise more than 60% of the population. Elaborating that the rural Northeast is more dominated by intra-ethnic, homogenous, informal networks of civil society rather than formal associations. Which indicates the poor intervention of the central government in integrating its programs and facilities in the Northeast and investing its civil society. The later informal networks seem to be more vulnerable to violence and nationalistic fervor. In contrast, the formal associations or inter-ethnic informal networks in the urban Northeast seemed to handle and address conflicts and violence better since they have a better understanding of the realities of the common people. The writer, Banerjee, quotes another author Roy²⁸ with an attempt to explain the dynamics of the region and functionalities that leads these tribal people formulate their own identities, thus a strong sense of separation and independence ; Roy uses the theoretical construct, ‘Nations from

²⁴ Banerjee, Monica (2009) Civil Society and Violence in India's Northeast, Journal of Civil Society, 5:2, 151-167

²⁵ Madhab, Jayanta (Feb. 6-12, 1999) “North-East: Crisis of Identity, Security and Underdevelopment” Economic and Political Weekly Vol. 34, No. 6, pp. 320-322

²⁶ Ibid

²⁷ Ibid

²⁸ Roy, S. K. (2005) Conflicting nations in North-East India, Economic and Political Weekly, 14 October, pp. 2177–2182.

below' to put forth that nations 'in the northeast are formed on ethnic lines (mostly a tribe in a geographical area, with one name, common heritage, common language, common culture and therefore one identity); an identity formed in countering other identities and expressed in democratic movements, in anti-state armed struggles, in ethnic cleansing and similar action'²⁹. The coming together or emergence of an ethnic nation, more often to see itself through these activities, would obviously have to be 'without the blessings of its own state'³⁰.

The author also expands on another contributing dimension to the conflict, which is an inflow of migrants (India's internally displaced and immigrants from Bangladesh) and subsequent competition over scarce natural and economic resources, particularly land, would make conflicts inevitable in Northeast's multi-ethnic settings, many scholars would not see this to be the reason for extreme nationalist movements, such as those that groups like the ULFA (The United Liberation Front of Assam) and NSCN (National Socialist Council of Nagaland) are pursuing complete freedom from the Indian state. The nature of the Northeastern demographics is a homogenous social setting of a Northeastern village. This homogeneity seems to have been challenged by the arrival of migrants from non-native communities leading to a lot of instances of violence throughout the region³¹. As an outcome of the perceived threats, various distinct movements of numerous natures started to emerge, led by the indigenous/natives of the Northeast. These movements would seem interconnected whether they are linguistic/cultural movements against chauvinism of dominant ethnicities,³² or ethno-political movements against

²⁹ Ibid

³⁰ Gellner, E. (1983) Nations and Nationalism (Ithaca, NJ: Cornell University Press) pp. 6-7.

³¹ For example, members of Lalung tribe massacred 3000 or more Bengali Muslim men, women, and children in one night at Nellie village in Nagaon district of Assam.

³² For instance, Assamese Linguistic Movement, Meiti Movement for restoration of traditional identity and Bodo movement for recognition of their languages.

non-native or indigenous minor ethnicities that would resort to constitutional³³ or extra-constitutional³⁴ means. These ethno-political movements could lead to, or be part of, a deeper strategy for launching movements (ethnic, sub-nationalist) for secession/freedom³⁵ from the Indian state or even for statehood/ autonomy³⁶ within the Indian union to seek respite from political hegemony of a dominant ethnicity.

Banerjee in her paper gave a significant reflection over the violence that explodes in the region, stating that there's a lack of awareness of the conflict from the world and even mainland India. She describes India's Northeast as being politically very troubled and its violent conflicts delivering more than 16,000 casualties over the last decade; around 52% of those killed are innocent civilians.³⁷ Other forms of violence like kidnappings, extortions, rape, destruction of property, and gruesome physical abuses have been equally rampant. The author also gives another contributing factor to this alienation and negligence due to the physical remoteness³⁸ of the region from India's central power perhaps leads to a psychological distance; this is often so evident in the lack of any substantial media coverage, electronic or print, that comes out of New Delhi or other metropolitan cities outside the Northeast of the country³⁹.

³³ For instance, anti-foreigners agitation led by AASU from 1979 to 1985 against 'foreigners' (immigrants from Bangladesh).

³⁴ For instance, ethnic operations by the National Democratic Front of Bodoland against Adivasis, Bengalis, and Assamese; also the movement led by natives of Arunachal Pradesh against the settlement of Chakmas, a tribe belonging to Chittagong Hill Tract of Bangladesh and displaced due to Kaptai Dam construction in 1964.

³⁵ ULFA – United Liberation Front of Assam (claimed by many as having branched out from AASU – All Assam Student Union) and NSCN's – (National Socialist Council of Nagaland) movements of violent insurgency.

³⁶ Movements by Bodo (All Bodo Students Union), Khasi, Mizo, Karbi ethnicities demanding greater political autonomy from dominant Assamese nationality in different periods of post-colonial history.

³⁷ Source: www.satp.org (retrieved 24 October 2006). Figures reflect the period 1992–2006.

³⁸ The region is connected to rest of India by a narrow stretch of land (21–40 km width), popularly known as chicken's neck corridor. Created in 1947 after state of Bengal was partitioned between India and East Pakistan, this most sensitive (to insurgency and illegal trafficking) strip is heavily patrolled by state and paramilitary forces (<http://en.wikipedia.org>).

³⁹ Probably with the exception of three mainstream newspapers, The Indian Express, Hindu, and The

And finally, Banjeree mentions a very important factor and that is the Northeast's political history, during colonial and post-colonial times, that was dotted with many blunders. And due to a 'terribly weak' political leadership base in the region and 'unimaginative decision makers'—during most of the periods—at the centre, this political short-sightedness in history has travelled fast to contemporary times and has resulted in more political mishaps.

All of the latter mentioned influences led the region to suffer from lack of basic entitlements and social infrastructure. Education, health and livelihoods leave much to be desired; so do peace and a functional democracy. That the state has delivered very little on governance is evident from the poor state of social and economic infrastructure in the region. The over-stretched state machinery coupled with very few private investments in industries has resulted in high incidences of unemployment.

Adjacent identities in Northeast India - McDuie-Ra⁴⁰

Duncan McDuie-Ra in his writings "Adjacent identities in Northeast India", explored the emergence, or re-emergence, of what he refers to as adjacent identities in response to changing circumstances for the majority, Northeast communities in the last decade. Providing two examples: (i) shared Northeast identity in response to racism, and (ii) broader ethnic inclusion based on shared cosmopolitanism. expressed that in Pan-ethnic, and especially pan-tribal, solidarities are not a revelation – they have a history in various movements for statehood, autonomy, and resistance of colonial and postcolonial rule, yet their contemporary articulation comes in very different social, political, and economic contexts after decades of divisive policy

Statesman, that at least try to address this indifference by rest of the media about Northeast.

⁴⁰ Duncan McDuie-Ra (2016) Adjacent identities in Northeast India, Asian Ethnicity, 17:3, 400-413

making in Delhi and in the region itself. He highlighted that in the past the armed struggles against India have taken place in Assam, Manipur, Mizoram, and Nagaland in the decades since Indian Independence in 1947⁴¹, and in the present situation the inter-ethnic violence has become more common especially in the last two decades, in part responding to the tactics of the Indian Government in dealing with the region and in part responding to what Willem van Schendel refers to as the proliferation of an ‘exclusionary politics of belonging’⁴². The communities of the Northeast are still perceived the same way they were perceived at the time of Indian Independence in 1947⁴³.

Racism against Northeast people brings them into solidarity with one another, especially while outside their homelands in metropolitan cities of India. When the people of Northeast are in ‘Mainland India’ they are subjected to a lot of discrimination, racism and stereotypes; an aspect that wider to the gap between central India and the Northeast contributing to the bipolarity of both identities; and that is due to their distinct physical features and cultural and religious differences. Many, but not all, Northeasterners have physical features that separate them from the rest of the Indian ethnic and cultural milieu and subject them to the derogatory ‘chinky’: a putatively distinct category ascribed to particular attributes.

Duncan also spoke about the dynamics and relations with neighboring countries such as Myanmar were becoming more and more connected mainly through a staging post for all kinds of transnational ventures from highways to trade fairs to car rallies. Promoted by initiatives by the Indian government such as ‘Act East Policy’ by current Prime Minister Narendra Modi. This connectivity to the east has garnered a great deal of attention among journalists, scholars,

⁴¹ Monoj K. & Manoj K. “Mapping North East On India's Foreign Policy : Looking Past, Present And Beyond”, *The Indian Journal of Political Science*, Vol. 65, No. 4 (Oct.-Dec., 2004), pp. 636-652

⁴² Van Schendel, Willem (2011) “The Dangers of Belonging,” pp. 36.

⁴³ Duncan McDuie-Ra (2016) *Adjacent identities in Northeast India*, *Asian Ethnicity*, 17:3, 400-413

politicians, and entrepreneurs in Delhi and in the Northeast itself. Yet there has been significantly less attention given to the ways how connectivity and the opening up of the frontier have necessitated greater connection between the Northeast and the rest of India.

“Between National Security and Ethno-nationalism: The Regional Politics of Development in Northeast India” – Duncan⁴⁴

Duncan also pointed out in one of his articles “Between National Security and Ethno-nationalism: The Regional Politics of Development in Northeast India”, that The World Bank has declared that poverty and lack of development in the region have led to civil conflict and civil instability, which has in turn damaged the prospects for economic growth and further development. Poverty and underdevelopment are treated as either causal factor in conflict or the outcomes of conflict, leading to more conflict. Government ministries, commissions, bilateral donors, scholars, and Politicians all reach one of two conclusions; either the Northeast is poor because of conflict, or there is conflict because the Northeast is poor.

He concluded that the development in the Northeast region is driven by national security imperatives and the dominance of national security ensures that development priorities are centrally orchestrated and involve securing the Northeast and integrating it into the national economy through resource extraction and road building. Above all the state governments in the region are unable and unwilling to shift dramatically from this development agenda, and their role is reduced to distributing centrally allocated development funds to block development offices. He later added that the perception that the region’s people are ‘backward’ and in need of ‘modernising’ enables the highly centralised, paternalistic approach of the Indian Government to

⁴⁴Duncan, McDuie-Ra, (2008) “Between National Security and Ethno-nationalism: The Regional Politics of Development in Northeast India” – Journal of South Asian Development 3:2 pp: 185–210

drive the development agenda and at the same time ensure that national security imperatives are met. Poverty and the dysfunctional development agenda in the Northeast have received far less attention than conflict, displacement and militarism.

The author finally ended on a very important remark that outlines that the poverty of the region cannot be meaningfully addressed through new management strategies or more mechanisms for accountability and transferability alone, and more money. The existing development agenda is the outcome of narrow political space shaped by social relations and embedded in the hegemony of national security and ethno-nationalism marginalizing those caught in between.

“The Kuki-Naga conflict in the light of recent publications” - Thongkhohal Haokip⁴⁵

While Thongkhohal Haokip in his article emphasized to the problem expressing that the ethnic conflicts and tensions have become a common experience in the post-Cold War period. Haokip believed that the end of the Cold War brought an end to the stability of the world based on mutual discouragement. The beginning of the 1990s was a stormy period for India as well. The country has witnessed ever since increasing terrorism and insurgency, political instability and economic crisis. The increase of the violent incidents enacted by insurgents extending to various parts of India all the way to Jammu & Kashmir and North East India. In the early 1990s, India’s Northeastern region witnessed a spread of ethnic insurgent groups struggling and aiming for different levels of autonomy, ranging from call for entitlements for autonomous district councils to redrawing and recreation of state boundaries to form new states. Such demands led to

⁴⁵ Haokip, Thongkhohal (2013) “The Kuki-Naga conflict in the light of recent publications” – Presidency University, Kolkata, India

clashing interests, resulting in much hostility amongst the various ethnic tribes of the northeast and between the northeastern part and the central government of India. “Apart from the Kuki–Naga conflict (1993–1998), tensions arose between the Bodo–Adivasi (1996), Dimasa–Hmar (2003) and Kuki–Karbi (2003), Dimasa–Karbi (2004), Rabha–Garo (2011) and Bodo–Muslims (2010 and 2012)”⁴⁶

ii. Nagaland: The Naga conflict

*A Naga Odyssey: Visier’s Long Way Home – Visier Meyasetsu Sanyu*⁴⁷

Visier Meyasetsu Sanyu the author of “A Naga Odyssey” is an elder of the Meyasetsu clan of the Naga Angami tribe from Kohima, Nagaland, narrates his experience as a Naga during the British invasion to Nagaland in the 1830s killing hundreds of Nagas and burning their villages, all the way to the declaration of Nagaland’s independence by Naga Nationalists and giant tribal leaders, and to the Indian government’s reaction and military intervention in the region as a response to the declaration, or perceived coup of a group of rebels. He also spoke about the establishment of the Free Naga Government, declaring Nagaland a (Free Independent Nation), which as a reaction from the Indian government led to a violent military occupation by the Indian army on Naga villages. And that was the turning point for the Naga nationalists who soon began to join an armed resistance which attracted furthermore the involvement of the Indian army and the police resulting in bloodshed and a circle of violence.

⁴⁶ Ibid

⁴⁷ Sanyu V. and Broome R. (2017) “A Naga Odyssey: Visier’s Long Way Home”, Australia – Monash University p.p 15 - 114

In his book he mentions that due to the enrollment of nearly two thousand Naga men by the British as part of a labor corps for the British Army in France during the first WWI. While being employed overseas and away from home their sense of being a Naga grew stronger, they firmly held onto their identity. After their return to their homeland, they formed a club called the 'Naga Club' in 1918. This club was part servicemen's association and part nationalist in its expression to lobby the British government. Their activity led to a long line of memoranda issued by Naga leaders about their rights and sovereignty. The Naga leaders, thoroughly, issued a string of declarations, decrees, memoranda, and petitions, all calling for sovereignty acting as a reassurance to their identity all being expressed in English and supported by evidence. The latter mentioned outcomes were all shared and sent to British Government, British politicians, the Indian government, the United Nations, and any people of influence.

Cartographic Conflicts within a union: Finding land for Nagaland in India – Ankush Agrawal, Vikas Kumar⁴⁸

The authors in this article give a completely different angle to view the conflict from a geopolitical perspective. Based on a statistical study and cartographic⁴⁹ tools and figures the authors succeeded in linking the conflict in Nagaland to a deformed representation of Nagaland's map as it was restructured in the colonial era borders, which continues till our present day to be sites of intra and international territorial conflicts across the Indian subcontinent. Amongst all the states of the Northeast, the state of Nagaland is the one that witnessed the oldest struggles in the

⁴⁸ Agrawal A. and Kumar V. (November, 2017) "Cartographic Conflicts within a union: Finding land for Nagaland in India" Political Geography, Volume 61, pp 123-147

⁴⁹ Cartography is the study and practice of making maps. Combining science, aesthetics, and technique, cartography builds on the premise that reality can be modeled in ways that communicate spatial information effectively.

region to redraw colonial borders. Leaving the Naga government stuck between an irredentist insurgency and the union government. In their paper they suggested that the use of political-geographic arguments to advance political and economic interest is what drives and feeds the cartographic/territorial conflicts between Nagaland and its neighboring states. However the conflict cannot be resolved with a technical resolution the authors add, since the conflict is rooted in the notion of an inconclusive search for a stable basis for the Naga identity and which is also linked to the ongoing dispute between Nagaland and mainland India. The Naga borders until now remains sites of collisions of different concepts and understandings of nationhood between being an Indian and a Naga.

Is Shared Sovereignty the Future of Nagaland? - Tehelka; New Delhi⁵⁰

This publication outlines if the 70-year-old Naga struggle over sovereignty and independence due to historical rights and common cultural identity could end by a shared sovereignty solution between the Naga and central India. This publication sums the discussions that were held in the Forum for Naga Reconciliation (FNR) meeting that took place on the 29th of February 2008 in Dimapur (the capital of Nagaland), addressing thousands of Nagas from various backgrounds and all Naga-inhabited areas from: Manipur, Arunachal Pradesh, Assam, Nagaland and Myanmar, National Socialist Council of Nagaland (Kitovi-Khole) and the Chairman Gen Khole Konyak explained that independence for Nagas and a call for a separate Naga state in the present international context is not possible nor the call for a Greater united Nagaland⁵¹. "It is a practical reality, necessitated not because of the aggressive posture of the

⁵⁰ Anonymous, (March 2012) "Is Shared Sovereignty the Future of Nagaland?", Tehelka; New Delhi <https://unpo.org/article/14728>

⁵¹ Lotha, Abraham (April 2012), "A Reflection on the Forum for Naga Reconciliation Meeting, Feb, 29th", Imphal Free Press, Manipur – India (<http://www.imphalfreepress.in/page/items/5230/5230-a-reflection-on-the-forum-for-naga-reconciliation-meeting-feb-29th/>)

Government of India but a realisation that Naga nationalism must be evoked in the right spirit through practical wisdom as opposed to idealist views on sovereignty and independence," he said.

It was also added that the sovereignty 50 years ago is not the same sovereignty now, the younger upcoming generation's sense of identity and nationalism had been reduced and deviated with time, the needs of the new Naga people differed tremendously from the needs of Naga people today.

"The State Strikes Back: India and the Naga Insurgency" by Charles Chasie and Sanjoy Hazarika⁵²

The main emphasis of this article was the historical background and the rising conflicts of neighboring nations/states either calling for separation, or retrieval of their lands from the Indian government, as a direct result of India's independence. Couple of these examples mentioned were the war between Pakistan and India over the state of Jammu and Kashmir, and to the first armed uprising in the country in Telengana led by Communists in what is today the state of Andhra Pradesh.

It was later in the article linked to the conflict with Nagaland and the start of the struggle of the Nagas with respect to their call for independence, and the abruption of violence and mismanagement of the situation by the Indian government as a response to the Naga's demands. The authors concluded by saying that the physical armed war between states like Nagaland and the central government is at peace and ceased for now, however another silent war has abrupted, and that's one of divisions, corruptions, underdevelopment and feelings of bitterness amongst the

⁵² Chasie C. and Hazarika S. (2009), "The State Strikes Back: India and the Naga Insurgency", Washington: East West Center pp.8 – 11

Nagas and other states in India of similar situations. A war that would backfire one day if the Central Indian government doesn't reach out for dialogue, and take real tangible steps towards bridging gaps and acknowledging the demands of the tribal people and the minorities living under the sovereignty of the state of India.

iii. Summary & Overview

In a nutshell, the literature review has established a strong base in highlighting the context of the Northeast in general and the situation that is currently present in Nagaland. Speaking of the Northeast of India, Banjeree in her article gave a concrete impression of the area's demographic nature, indicating homogeneity of the people in spite of their diversity and multi-ethnicity. She also continued with her elaborations in setting the tone for the governing structure of the area and how distant it is from the central government's direct autonomy and intervention; weakening the presence and impact of the central government in the Northeast. This poor presence/intervention of the central government, according to Banjeree, contributed to an abruption of acts of violence and conflicts in the area. The government's weak presence led to: 1) a huge flux immigrants from neighboring countries (ex: Bangladesh) threatening the homogeneity of the Northeasters, 2) weak political leadership and short-sightedness of the decision making, 3) sufferings from lack of basic entitlements and social infrastructural development. In his article⁵³, Duncan supports Banjeree's views by presenting the underlying facts of the Northeast's poverty and underdevelopment whilst acknowledging the occurring conflicts in the area. Duncan draws a new insight on how the Northeast is wedged in a cycle of violence and underdevelopment; both

⁵³Note: "Between National Security and Ethno-nationalism: The Regional Politics of Development in Northeast India"

variables feeding into the other and being interrelated. Several scholars⁵⁴, listed in the literature review section above, stressed on the impact of colonialism and post colonialism, on the Northeast of India and India in general. The scholars shared a harmonized view over the increasing terrorism, insurgencies, political instability and economic crisis as a result of the British colonialism in the area; in other words, factors that were associated with the declaration of India's Independence and the spread of ethnic insurgent groups calling for different levels of autonomy as a result of its Independence.

When it comes to Nagaland as a case study, Visier Sanyu in his book⁵⁵ described his personal experience as a Naga living in Nagaland, outlining the major historical events that took place in his state; all the way from the British invasion to Nagaland in 1830s, to the declaration of Independence of Nagaland by the Naga nationalists and major tribal leaders. Visier extended his elaborations by citing the association of the Indian government in response to the Naga insurgency, call for separation and formation of informal nationalistic and rebellious entities (i.e. Free Naga government, and the Naga club). In another publication (Is shared Sovereignty the Future of Nagaland?), he emphasized on the persistence of the Naga people and their consistent call for sovereignty throughout the 70 years, adding however that the call for sovereignty and the sense of identity and nationalism changed from one generation to the other. Chasie and Hazarika⁵⁶ agree with Visier in recalling the history of Nagaland with respect to the rising conflicts and struggles towards the call for independence. The latter authors also mutually discussed the mismanagement and the negligence of the Indian government as a response to the Naga demands; a point that was also illustrated in Agrawal and Kumar's article ("Cartographic

⁵⁴Note: Banerjee in "Civil Society and Violence in India's Northeast", McDuie-Ra in "Adjacent Identities in Northeast India", & Haokip in "The Kuki-Naga conflict in the light of recent publications"

⁵⁵Note: A Naga Odyssey: Visier's Long Way Home"

⁵⁶Note: In their book "The state strikes back: India and the Naga Insurgency"

Conflicts within a union: Finding Land for Nagaland in India”) how the Indian government is using geopolitical arguments as a justification of their lack of involvement and response; something that only agitated the conflict even more.

Despite the literature documenting the case quite well, it lacks in the areas of field research, in-depth interviews highlighting the will of the Naga people and their understanding of this reality. Although the story of Nagaland, as well as its history, has been heavily discussed in discourse, the literature lacks an in-depth look into the potential solutions that Nagaland has, as well as whether or not its history constitutes a proper argument for independence and secession. One fundamental limitation of the desk review was the absence of academic and non-academic publications of the other primary actor; the Indian regime. This lack of response and any other documented academic or non-academic publications from the Indian government side might act as an indicator that perhaps India is withdrawing from its responsibility by simply not acknowledging the Naga’s demand.

d. Methodology

The nature of this study is first descriptive and then analytic, describing and providing analysis to the conflict and the contributing factors from a historical point of view, starting from the British colonialization in Nagaland in the 1880s, and the military presence of the Indian government afterwards in 1954. Secondly, it is also an exploratory research, in which it aims to investigate the upmost main factor for the Naga people to claim independence and sovereignty.

The explanatory model used in the research is an ideographic followed by a nomothetic explanation. For the ideographic explanation, a niche from the Naga people will be interviewed as individuals with the aim of having their different perspectives; then the similar responses will be inserted within code categories. The correlation between the Naga's call for sovereignty and the negligence of the Indian government of the Naga affairs and the region in general will then be studied.

After the research and literature review, the field observations during two visits to Nagaland in 2014 and 2015, and after both formal and informal engagement with some Naga officials as well as with the common people, the lack of factual representation and information of the present situation was clearly noticeable and evidential; specifically in terms of the reasons behind the strong feeling of the Naga people's call for independence, sovereignty, and separation. Adding to that, there is a lack of information on whether the Indian central government is engaged or not in the affairs of Nagaland, and if there's any demands, requests or attempts from external factors and/or the international community (In particular the British) to intervene in resolving the conflict or act as a mediator.

This research is an attempt to highlight on some of the missing aspects and/or misrepresentations of the conflict by physically travelling to Nagaland and conducting a research that was carried out through a qualitative and quantitative approach of data collection. It used open ended and closed ended questions on qualitative basis with regard to field research, desk research, and field observations. As for the quantitative data collection, it was based on an online Survey that was shared and disseminated across the Naga community targeting different social classes, educational backgrounds and ages. Based on all the previously mentioned features, the following research question is formulated to address the ambiguity of the topic: To what extent is national identity and the need for independence linked to cultural, historical, political and economic factors in the case of Nagaland's call for separation and independence?

For further elaborations on the main research question, the research will measure and analyze: i) the cultural uniqueness and exceptionality of the Naga ethnicity, linguistics, and traditions, ii) Nagaland's history, its distinctiveness and the major events that impacted the current situation of the state and its people, iii) the political and economic spectrums, and the stance of the Indian government from the two aspects. All the latter mentioned points are variables to measure Nagaland's entitlements to their call for independence. The paper will also aim to answer the following sub-questions: 1) To what extent is Nagaland eligible to its right to call for self-determination; 2) Whether Nagaland is ready for this independence or not.

Objective: The aim of this research is to highlight the prospects and aspects of identity and nationalism, and to better understand the factors that contribute to a call for independence and separation from a mother state, in this case Nagaland. Finally, it also aims to draw a conclusion of the extent of legitimacy for Nagaland to call for separation and independence with the analysis

of the data collected; in other words, whether Nagaland is ready to be independent and if it is for the best of its interest or not.

The results of the research and its findings will be contrasted and cross-analyzed with the influence of history, geography, international relations, as well as the notions of identity and citizenship and the manner in which they interplay to produce these understandings across generations - some not only in the same region, but also, within one household. The variables of the research are defined as such:

Dependent: The call for independence and sovereignty by the people of Nagaland

Independent: The extent of the central government's negligence to Nagaland

Constants: Post British colonialization's in 1912 and the legal decision taken to merge Nagaland with mainland India, and it's effect on the Naga people and contribution to the conflict

Unit of analysis: Naga people: Individuals from Nagaland (Common people, tribal leaders, and communal and social advocates)

Data collection:

Clustered sampling of 200 Naga individuals representing all the Naga population living and residing in Nagaland, the cluster was divided into two age groups, the older and younger generation. The number of individuals chosen from each area/village in Nagaland will be proportionally calculated based on the inhabitants' number within each one. The interviews targeted a group of 12 individuals of professors, authors, social and political activist, whereas the questionnaires/surveys will target around 200 individuals from the common people that included

social activists, scholars and majority of common people. The Data was collected in March 2018, the surveys were collected online, and the interviews were conducted face to face after travelling all the way to Nagaland.

Due to the shortage of academic information and research on the insider perspective of the Naga people, the collection of primary data served as a crucial and valuable asset to this research; the received insight was capitalized and utilized throughout the study to reveal factors that would have been missed otherwise, which will be elaborated throughout the text. Consequently, this resulted in an enriched contribution towards understanding the notion of the Naga identity, perception of the Naga people towards the Indian government, and their stance towards the right to self-determination. Both qualitative and quantitative data collection complemented one another; one targeting the common people, the other targeting key figures and activists.

Sampling:

The nature of sampling was a snowball sampling, in which a targeted group of people from the Naga community were directly recruited for the study and then they recommended others as potential participants for the study. Those participants then recommend additional participants, and so on, thus building up a snowball effect, especially when it came to the collection of surveys. Snowball sampling, in general application, is a type of convenience sample. The use of snowballing method is a type of purposive sampling. Recruiting people from the Naga community as contributors to the data collection was tricky and difficult, in particular when it comes to addressing the intention of having representative qualitative and quantitative data whilst aiming to target a representative sample of the community. For this purpose,

snowball sampling was used to ease the process of the data collection. Key people in the Naga community who are considered to be scholars, activists, journalists and social workers were identified, interviewed, and were asked to recommend several other people who have the knowledge/traits that would be relevant to addressing the questions and the hypotheses of the research question; the participant list grew from there.

In addition, snowballing is generally used to approximate a random sample that would statistically include people from different backgrounds. In this case, it happened when the first wave of participants was given a selection criterion to recommend potential participants. After a few rounds, the obtained result was a pretty good mix in terms of demographics (Gender, age, education, tribal groups etc...)

In order to address the main question with all its components, a set of questions must be answered during the interviews and the collection of the surveys. **(Refer to Annex 3 & 4 for the Interview and Survey Questions)**

The Ethics of Research Design:

The privacy of the subjects that filled up the online questionnaires will be and is protected, and their identity will be unrevealed. As for the individuals who were interviewed face to face, their consent to use their names, and quoting their wordings was taken, along with a digital audio recording of the whole interview, of course with the verbal permission and consent of the subjects interviewed. The individuals being interviewed and surveyed were informed of the

purpose of the research. The research will not be biased; the collected data will be objectively analysed in order to reach a fair and correct outcome.

Logical sequence: To begin with, a historical background and basic information about the conflict will be outlined in order to provide the reader with an overview of the aspects and history of the conflict to our present time. This is acquired based on the qualitative approach through the review of available literature, and interviews conducted with the later mentioned category of the Naga people.

The Naga nationalism and identity will be elaborated throughout examining the various elements that contributed to this strong urgency for independence, connecting the past, present, and the future. Through the research, facts and figures will be highlighted on the economic, social and political status of Nagaland, outlining the current situation of these factors in the present time. A coloration of the dynamics between the central government and Nagaland will be drawn and analyzed based on facts statements announced from both sides regarding the issue.

Finally, the research will move into analysing current realities in Nagaland and assessing the extent of the legitimacy behind the Nagas advocacy towards calling for a separate and independent state, based on the analysis of the desk review and the data collected from the individuals surveyed and interviewed. The analysis will also extent to shed a light and study the contributing factors of call to separation and independence and to explore whether the governments negligence to the Nagas affairs has led to the agitation of the conflict and to the strong feeling of indifference and lack of belonging.

Chapter 2: Timeline and Significant Historical Instances

The following series of events are historically significant to the development of this argument. Each event is important for the manner through which it shaped the current policy, structure, culture, as well as political realities in Nagaland; starting with the British annexation of Nagaland to mainland India, to the Indian government's internal policy towards the Naga's demands, and last but not least the establishment of Nagaland's first political foundation and structure. The historical trajectory of Nagaland is important in order to understand the foundation upon which a potential 'state' may be built. These instances are what shapes the current understanding that the Naga people have of what a 'state' is, what they believe their legacy to be, as well as what they think are significant historical changes in the wrong/right direction.

a. India's Independence and the beginning of the conflicts

Ever since the independence of India in 1947, in its first decade, the state of India faced a lot of challenges and conflicts resulting from its very existence and legitimacy. These conflicts ranged from the war with Pakistan over India's state (Jammu Kashmir), immediately after its independence. An issue that still lingers till our present day. Another conflict was the first armed uprising in the country in Telengana led by communists which is now recognized as an Indian state called Andhra Pradesh.⁵⁷

The strong and most vocal demands for separation from the state of India rose and extended in the 1960's in the south with the growing power of the Tamil nationalist Dravida Kazagham. Later the Dravida Muthera Kazagham (DMK), in which he campaigned against the

⁵⁷ Chasie C. and Hazarika S. (2009), "The State Strikes Back: India and the Naga Insurgency", Washington: East West Center p.8

imposition and advocacy of Hindi as a national language as one of its main pillars, disregarding the other 21 major spoken languages in India, especially that in the southern part of India and in Tamil Nadu, where the majority of the people speak Tamil, and of little or no knowledge of Hindi⁵⁸. The DMK, was led by a deeply committed and devoted visionary leadership drawn from underprivileged Tamil's castes and classes. The DMK revolted against the privileged and upper castes, in particular the Brahmins, whom historically had controlled the region. The DMK was one the first rising influential political movements that advocated and called for separation⁵⁹.

The Telengana conflict was resolved, and so was the DMK situation, without the use of the armed forces and resorting to violence. However, during the armed conflict in the distant Naga Hills of Assam state in the 1950s, when armed individuals (later referred to as freedom fighters) revolted against the state of India after its formation, the Indian government was quick to act by using the full force of the army and, in some cases, the air force, as well as its paramilitary and local police. That response is what agitated the conflict and fueled the violence between the Naga freedom fighters and the Indian army⁶⁰.

The scholar Udayon Misra says that the centralized power of the Indian state is repeatedly questioned in the Northeast of the country, where several ethnic groups live in eight states. Also questioned is its management of the problems of dissent and political identity and especially the question of "one nation," with an emphasis on homogeneity. The first real armed challenge to the Indian state came from the Northeast, especially its hills. Historically, these areas had been kept at a distance from the "mainland" by the British, through special

⁵⁸ Caste, Nationalism and Ethnicity: An Interpretation of Tamil Cultural History and Social Order, p. 57-71.

⁵⁹ Moorti, S. (2004). "Fashioning a Cosmopolitan Tamil Identity: Game Shows, Commodities and Cultural Identity". *Media, Culture & Society*. 26 (4): 549.

⁶⁰ Ibid

administrative arrangements with the hill tribes, and they were completely uninvolved in the welter of the independence movement led by Mahatma Gandhi. “During the post-Independence period, the rise of nationalistic aspirations among different communities has nowhere been as prominent as in undivided Assam.”^{61,62}

The latter indicating that due to the independence of India and as a result of that, it is evident that several nationalistic movements abrupted, and that’s natural due to the geographic distribution of the subcontinent, the sub nations that exist on its land and the diversity of its people’s ethnicities and cultures. However, what makes the Northeast a unique case, adding to the violence and the agitation of the situation. and people asking for separation in states such as Assam, and Nagaland, is the approach and the treatment of the Indian government and army towards that conflict and issue. Same applies to the political instability and violence that’s taking place in Kashmir now.

⁶¹ Misra, R., & Castillo, L. G. (2004). Academic Stress Among College Students: Comparison of American and International Students. *International Journal of Stress Management*, 11(2), 132-148.

⁶² Chasie C. and Hazarika S. (2009), “The State Strikes Back: India and the Naga Insurgency”, Washington: East West Center p.8

b. History of Nagaland

Timeline of the Naga Conflict

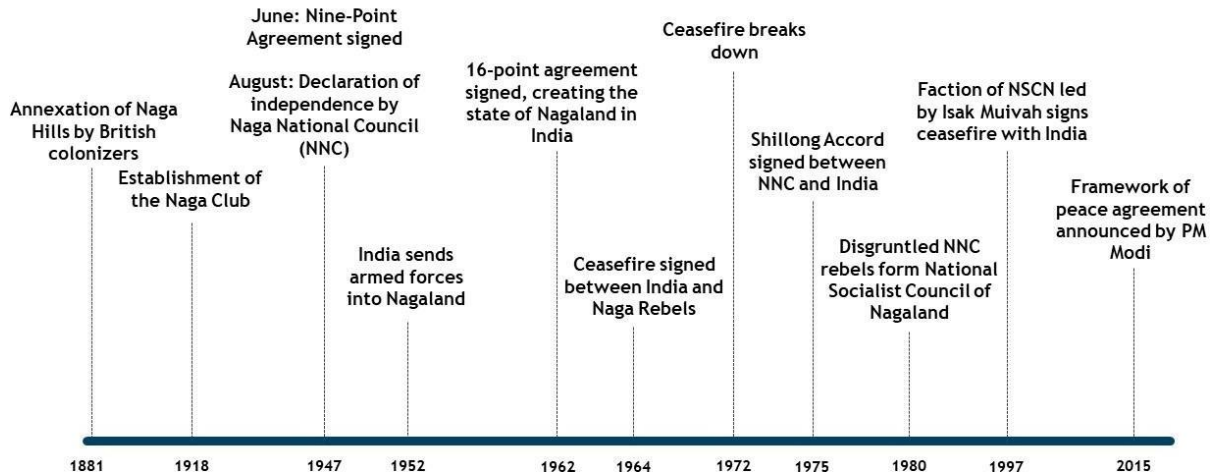


Figure 1: (Timeline of the Naga Conflict) ⁶³

Nagaland has not agreed upon early written history, even though the medieval records of the neighboring Ahom kingdom of Assam mentions the Naga tribes and their attributes, their economy, traditions and their customs. But no other recordings or mentioning of the origins or the bloodlines of the Nagas. As it was expressed by some of the Naga community leaders and scholars, during the interviews, that the origins of the Nagas and where they come from and how is still undetermined and unknown. However, there has been few expressed theories, about the Nagas coming from China, fleeing during the construction of the great wall after some families were doomed to build the wall from generation to the other until the construction was finished.

⁶³ Thakker, Amman & Singh, Kartikeyal (January 2019), "A States-Led Effort To Resolve The Naga Conflict", Nagaland's Time, India

While others believe that the origins of the Nagas comes from the Mongolian empire that later on settled down in what is now called Nagaland.⁶⁴

i. British Rule

As for the recent dates, the records go back to the 1816 invasion of Assam by Burmans from Myanmar that led to the oppressive and brutal Burman rule from 1819 until the formation of British rule over Assam in 1826. The conflict dates back to 1881, when British colonists occupied and annexed the Naga hills with the purpose of controlling the strategic trade routes in India's northeast and into Burma (current-day Assam, Manipur, and Myanmar). The arrival of the British administration, encompassed and overtook almost the whole of Naga territory (in exception of the rugged Tuensang area in the northeast). The British rule ended the practices of headhunting and intervillage raids, and brought Christianity, civilization, and education encompassing a relative peace to the region.⁶⁵

ii. Naga Club Formation and Memorandum to Simon's Commission

In 1981, a group of Naga people along with some British officials established a club that provided the socio-political foundation for the Naga nationalist movement⁶⁶. This group of Nagas who established this club were laborers and porters from the Naga tribes, recruited by the British government; around 2000 Naga recruits were sent to France and where isolated from the other British Indian troops, in the process developing a sense of unity. This group of Naga people who lived in alienation, took a pledge to make an effort in working on uniting their Naga tribes upon their return to home. The seeds of Naga nationalism had taken root with the establishment

⁶⁴ "Nagaland." , Encyclopdia Britannica, 19 Jul. 2018. academic-eb-com.neptune.ndu.edu.Ib:9443/levels/collegiate/article/Nagaland/111213. Accessed 26 Jul. 2018.

⁶⁵ "Nagaland." , Encyclopdia Britannica, 19 Jul. 2018. academic-eb-

⁶⁶ Neivetso Venuh; Bonita Aleaz (2005). British Colonization and Restructuring of Naga Polity. Mittal Publications. pp. 55–65.

of the Naga Club in Kohima, which advocated against incorporating the Nagalim with the rest of India.

The 1918 formation of the Naga club was considered to be the first formal and official political expression of the collective will of the Nagas. And it was one of the main contributors to the Naga Nationalism, the spark of that notion after the British rule. In 1929, the Naga club submitted a “memorandum to the Simon Commission”⁶⁷ that was visiting Nagaland at that time, it was the first expressed and documented substance that contained the earnest request to the British Government to leave the Nagas as free people as they used to be before and not to include them within the Indian Union.

The Indian Statutory Commission, which is also commonly referred to and known as the Simon Commission, consisted of a group of seven British Members of Parliament led under the chairmanship of Sir John Allsebrook Simon. The commission arrived at that time in British India in 1928 to study and evaluate the constitutional reform in Britain's most important colonial dependency, India. One of its major members was Clement Attlee, who became committed to the formation of the Indian independence by 1934 and effectively achieved that goal as Prime Minister in 1947 in the yielding of independence to both India and Pakistan.⁶⁸

The letter to the Simon’s commission by the Nagas, reflects as one of the most important features of the Naga struggle and call for independence. Something that represents the first written expression of the Naga wishes, outlining their history, cultural background, objectives and aims. It represents a symbol of hope and clarity to the Nagas, it is rather acknowledged and

⁶⁷ Refer to Annex 2: Memorandum to the Simon commission

⁶⁸ John Bew (2017). Clement Attlee: The Man Who Made Modern Britain. Oxford UP. pp. 186–87. ISBN 978-0-19-020340-5.

known to most of the people of Naga, and strongly reflected during the interviews as it will be drawn in the paper as proceeding.

However, the outcome of the memorandum backfired, it was declared as an outcome of the memorandum that the Naga areas are a special backward area that soon changed into an excluded area status in the era of the British India Act in 1935, which later on became affective in 1937, and ever since then the Nagas objected to the expression of the word 'Backward'.⁶⁹ Nagaland was then made an excluded area assigned under the control of the governor of Assam with the alibi of protecting Nagaland from Economic exploitation.

iii. The Declaration of Nagaland's Independence by the NNC

Toward the end of British rule, the new Indian government began its negotiations with the Naga National Council (NNC), the successor to the Naga Club, and reached a Nine-Point Agreement in June 1947, which permitted the Nagas to "develop themselves according to their freely expressed wishes."⁷⁰ On the 9th of June 1947 the Government of India and the Naga National Council signed agreement referred to by the "9-point agreement"⁷¹. By that time, the Indian government was represented by the governor of the undivided Assam, Sir Akbar Hydari. The 9-point agreement represented and reflected the willingness of the Naga people to undergo a peaceful solution and settlement with respect to their political status. The agreement was also a representation of an experimental 10 years period of coexistence with India, something that was subjected to revision by the end of the period. This agreement was perceived as a temporary one,

⁶⁹ J.C. JohariI (March 1975) "CREATION OF NAGALAND: TRIUMPH OF EBUILLIENT INFRA-NATIONALISM" The Indian Journal of Political Science, Vol. 36, No. 1,pp. 13-38

⁷⁰ Refer to Annex 1

⁷¹ Refer to Annex 1

which was later misinterpreted and misunderstood and considered as being a permanent settlement. This settlement was interpreted by the Indian government as a political commitment thus accomplished a fact of union with the Indian Union. However, on the other hand, for the Naga leaders it was read differently, from the perception of it being a temporary trial agreement to it being a permanent accomplished fact, they felt cheated. The government of India perceived any other interpretation of the situation that is different than its, as an act aggression and disobedience. As a result, all dissidents from the Naga side was subjected to a great military violence. On July 19 1947, the Naga National Council that was led by Dr. A.Z Phizo met M.Ghandi in Delhi at the Bhangi Colony. In their meeting, and after a lengthy discussion, Ghandi agreed that the Nagas would declare their independence on the 14th of August 1947, due to Phizo's firm stand and advocacy to the cause⁷². Upon the meeting with Mahatma Gandhi in New Delhi (Bhangi Colony) Ghandi responded by saying:

*"Naga have every right to be independent. We did not want to live under the domination of the British and they are now leaving us. I want you to feel that India is yours. I feel that the Naga Hills are mine just as much as they are yours, but if your say, "It is mine" then the matter must stop there. I believe in the brotherhood of the man, but I do not wish to join the Union of India, nobody will force you to do that."*⁷³

⁷² B Koheni Moses (26-28 July, 1999), "The Naga struggle for sovereignty: Its past and the probable future" Lecturer, Deptt. Of Philosophy - NEHU, Shillong

⁷³ Bendangjungshi (2011), "Confessing Christ in the Naga Context: Towards a Liberating Ecclesiology", Transaction Publishers, U.S.A & London, p.51

A day before the declaration of India independence (15th August 1947), a declaration of Nagaland was announced by the Naga National Council, stating that Nagaland is an independent sovereign democratic republic⁷⁴.

iv. The beginning of the Naga Insurgency

The cycle of violence in Nagaland was set in motion, since the early 1950's, due to two emerging/clashing forces, limiting Nagaland's economic development because it had to obligate its scarce resources to security, law, and order⁷⁵. The underground had started their compulsory recruitment drive. As a byproduct, they force demand for food and shelter from different villages across Nagaland had intensified. Series of Kidnappings, tortures and killings of the informants and other rebels started as well. And on the other hand, beatings, burning of paddy-field huts and granaries, killings, harassment, tortures, rape, stealing, burning of villages, while combing the villages, herding of villages into concentration camps, from the Indian Armed Forces⁷⁶.

On the 27th of August 1948, A.Dihrii (Naga Activist) led a public demonstration of a “No tax campaign that was held at the Mao-Gate⁷⁷. As a result, during that demonstration, three people were killed, and several other demonstrators were injured by the battalion of Assam Rifles⁷⁸. That demonstration marked its first Naga Martyrs. The Naga delegation met the first Governor – General of Independent India, C.Rajagopalachari, at Shillong, on November 28, 1949. Rajagopalachari informed the Naga delegation that India’s intentions was to be friendly

⁷⁴Namrata Goswami (27 November 2014). Indian National Security and Counter-Insurgency: The Use of Force Vs Non-violent Response. Routledge. p. 45.

⁷⁵Charles Chasie (2005), Nagaland in Transition, India International Centre Quarterly, Vol. 32, No. 2/3, Where the Sun Rises When Shadows Fall: The North-east (MONSOON-WINTER 2005), pp. 253-264

⁷⁶B Koheni Moses (26-28 July, 1999), “The Naga struggle for sovereignty: Its past and the probable future” Lecturer, Deptt. Of Philosophy - NEHU, Shillong

⁷⁷Note: The Mao are one of the major tribes constituting the Nagas, a group of tribes spread over the ... to as 'Mao Gate', deriving its usage from the inter-State border post/gate between Nagaland and Manipur located at the town area.

⁷⁸Note: The Assam Rifles is the oldest paramilitary force of India. The unit can trace its lineage back to a paramilitary police force that was formed under the British in 1835 called Cachar Levy.

with them and that it is up to the Nagas choice to decide on whether to become part of India or to be a separate Nation. On May 8, 1950, the Nagas were offered District Autonomy by the Indian government. On the contrary of the Government's expectations, the Nagas were outraged by the offer, and were more determined to fight, developing a deep animosity towards India. A turning point for the Nagas took place during the election of Dr. A.Z Phizo as the president of the Naga National Council (NNC)⁷⁹, with his election the Naga 'Freedom Movement' grew stronger and stronger. Phizo advocated for slogans such as 'Non-cooperation' and 'Civil Disobedience', which later on became the clarion calls. A referendum overall Nagaland was conducted on May 16, 1951, and the result was an overwhelming 99.9% voting in favor for the independence of Nagaland⁸⁰.

The Naga delegation carried the results of the referendum and met with the Prime Minister Pt. Jawaharlal Nehru on May 11, 1952. The first general Indian election was boycotted in the same year by the Nagas. Another demonstration took place in Kohima on 18, October 1952, in which the assistant judge of the official Angami Tribal Council court Lasbito, was shot dead by an Assam police officer. The "Sovereign Republic of Nagaland" was finally and officially set up in September 1954. These strong nationalist movements emerged and began seeking a political union and affiliation of the different Naga tribes, and on the other hand extremist demanded outright secession and separation from the Indian Union, or what is often referred to as mainland. As a result, this movement led to numerous incidents of abrupted violence, which also led the Indian army in 1955 to what is called "Order restoration". Phizo established on the 22nd of March 1956 "Naga Central Government" replacing the earlier one,

⁷⁹ Samaddar, Ranabir (2004). *The Politics of Dialogue: Living Under the Geopolitical Histories of War and Peace*. Ashgate. pp. 171–173.

⁸⁰ NNC Message on Naga Plebiscite Day (May 15, 2017: The Morung Express Source: <http://morungexpress.com/nnc-message-naga-plebiscite-day/>)

which was later changed to “Federal Government of Nagaland” in 1959⁸¹. Prior to that, an agreement took place in 1957, the was held between both sides the Naga leaders on one hand and the Indian government on the other. The agreement stated that the Naga hills region of Assam and Tuensang frontier division all the way to the northeast would be brought together under a single unit, that would be directly administered in liaison with the Indian government⁸². Yet, the agreement didn’t hinder the unrest which took different forms of general disobedience, lack of cooperation with the Indian government, nonpayment of taxes, sabotage of infrastructure and public properties, and most critically arbitrary attacks on the army.

In the late 50s the Naga people’s convention was formed, electing its president Dr. Imkongliba, as a result of some moderates abandoning the extreme violent path, advocating for the settlement of the Nagas to be with the government of India as the best alternative to the acts of violence and clashes that were taking place. The creation of the state of Nagaland within the Indian Union was spearheaded by the Naga People Convention with the concept of a high degree of autonomy. The 16-point agreement was signed as a result in the 1960 with the Union of India. Nagaland became a full-fledged developed state of India, on December 1,1963⁸³. Nagaland was also placed under the External Affairs Ministry due to this agreement. India made it’s presence effective and decisive in the Naga politics and history. For all practical purpose, the Nagas had become Indians with this Agreement whether the Naga people confirm or not with this clause. It was felt and perceived by the original NNC which claimed to represent the Naga people, that the 16- point Agreement was a complete sell out of the Naga Political cause or struggle and they felt shelved and pushed aside. In due course, Dr. Imkongliba the Naga People Council President was

⁸¹ Kumar, B.B. 1996. Re-organization of North-East India (Facts and Documents). New Delhi: Omsons Publications.

⁸² "Naga Hills Tuensang Area Act, 1957" Source: <https://indiankanoon.org/doc/727141/>

⁸³ Lt Gen NS Brar (2016) “The Naga Imbroglia and Conflict Resolution” – Issue: Net Edition <http://www.indiandefencereview.com/news/the-naga-imbroglio-and-conflict-resolution/>

assassinated. In July 1960 an additional consensus reached at the Naga People's Convention meeting stating that Nagaland should become a constituent state and part of the Indian union. Nagaland was declared a state and achieved its statehood in 1963, and in 1964 a democratically elected government took office.

v. Cease of Fire between the Naga and the Indian Armies

Due to the rampage of violence, the Nagaland peace council was set up by an initiative that was taken by the Naga Baptist Church in order to bring peace and normalcy, and as a result a 'cease-fire agreement' was reached in May 1964 and it was effective in September 1964. By 1968, a major divide took place within the Naga Political Movement due to fundamental misunderstandings, leading to the formation of the Revolutionary Government of Nagaland by the then Naga Army General Kaito. The Naga Army General Kaito in collaboration with the Indian Army started attacking other groups in the Naga political movement. The situation escalated to the extent that Kaito's men started killing and torturing the opposite camp for settling personal disputes. In the process almost 1500 from the underground Naga movement joined the Indian Army.⁸⁴

By August 31, 1972 the cease-fire was officially over. Charges and counter-charges were raised against each other for violating the May 1964 terms of the cease-fire agreement. Nagaland was transferred to the Ministry of Home Affairs from the Ministry of External Affairs, in 1972. On June 29, 1972, A strong protest-resolution against this unilateral decision was adopted by the Nagaland Legislative Assembly. However, the Government of India ignored the protest-resolution of the Nagaland Legislative Assembly. The 1968 split was so severe that after a

⁸⁴ Ibid

couple of years of dissolution of the Revolutionary Government of Nagaland, Some of the Naga leaders complied to sign another agreement with the Government of India since many were arrested and jailed. This agreement took place in the 1975 Shillong Accord⁸⁵⁸⁶. The Accord was signed at Shillong on 10th and 11th November 1975, between Shri the Governor of Nagaland, and Lallan Prasad Singh representing the Government of India. This accord marked the biggest 'concession' that the underground had offered to the Government of India. According to this consensus, different peace-camps were set up in Nagaland⁸⁷.

A Liaison Committee was also established consisting of the members from the Nagaland peace council serving the purpose of coordination and mediation. The representatives of the Nagaland peace council agreed to address and solve the Naga political problem within the framework of the Indian Constitution. The underground Naga Political Movement, what also was and is perceived by most Nagas as the 'Naga freedom Fighters', agreed to surrender their arms and ammunition. The Shillong Accord was not accepted by all the representatives however, it condemned and denounced as a sell out by some underground representatives. In January 1980 some individuals broke away from the NNC (Naga National Council) and formed their separate organization called National Socialist Council of Nagaland (NSCN). Because of these disagreements and splits, a lot of the Shillong Accord people were killed.

In 1988, another misunderstanding developed within the NSCN. A parallel NSCN led by Khaplang formed a coup resulting in some approximate casualties of 100 NSCN including the

⁸⁵ "Dawn of Peace in Nagaland - SHILLONG ACCORD". nagaland.nic.in. Archived from the original on 14 March 2012. Retrieved 27 April 2012. the historic "Shillong" signed at Shillong on November 11, 1975, by the Governor of Nagaland Mr. L.P Singh representing the Government of India and the underground leadership represented by Mr. Assa and Mr. Kevi Yalley

⁸⁶ Kashyap, Samudra G. (2015) "Towards the Govt-Naga peace accord: Everything you need to know" – The Indian Express: <https://indianexpress.com/article/explained/simply-put-towards-accord-step-by-step/>

⁸⁷ Lt Gen NS Brar (2016) "The Naga Imbroglio and Conflict Resolution" – Issue: Net Edition <http://www.indiandefencereview.com/news/the-naga-imbroglio-and-conflict-resolution/>

deputy General Commander-in-chief, Mr. Ashiho. Thereafter the NSCN was split into two NSCN (K) and NSCN (I-M).⁸⁸

The father of the Naga Nationalism Dr. A.Z. Phio, passed away in London in April 1990. As a response to the situation, his daughter Adino was elected as his successor by some of his supporter's. This informal procedure of electing his daughter without the democratic inclusivity of other groups had outraged some NNC Naga officials and their supporters. That outrage led to the formation of their own separate parallel NNC. As a result, within a decade the Naga political movement was divided into four different fractions. With this emergence of the divisions, fights and conflicts amongst themselves was very common and became frequent, a lot of casualties have fell a lot of people including non-factional ones have been killed, together with several important leaders. Several Naga civil movements and organizations have made repeated calls for peace, cease-fire and reconciliation, including Naga Mothers Association, the Naga Students' Federation, the Naga people's Movement for Human Rights and the Naga Ho-Ho, the apex body, due to the uncontrollable rampage of the episodes of violence that took place.

In 1997, under the leadership of Prime Minister, Narasimha Rao, the cease-fire was declared between the NSCN(I-M) and the Govt. of India⁸⁹. Few points were agreed upon in order to facilitate negotiation between the two sides, which included an agreement to meet in a third neutral country for negotiations, to have unconditional talks on high level authorities.

Since the 1997 cease of fire Since, then peace talks have been ongoing, largely focused on the major demands put forth by the NSCN-IM:

1. India should recognize the “unique history” of the Nagas

⁸⁸ Ibid

⁸⁹ Ibid

2. Repeal of the Armed Forces (Special Powers) Act in Nagaland
3. All Naga areas should be territorially integrated
4. Nagas should have their own constitution that would cover governance in the integrated “Nagalim.”

India, for its part, has demanded that any governance structure for the Naga rebels must comply with the structure of the Constitution of India and be an integral part of it. India has also been opposed to any territorial changes involving the states of Assam, Arunachal Pradesh, and Manipur, where significant Naga populations exist.

vi. Implications for Indian Foreign Policy

Coming to our present times, it is along these points of negotiation that the August 2015 Framework Agreement was signed between the government of India and the NSCN (National Socialist Council of Nagaland). Under the framework agreement, the Indian government has already fulfilled the first demand out of the four latter mentioned ones, with the prime minister’s office saying, “The Government of India recognized the unique history, culture and position of the Nagas and their sentiments and aspirations.”⁹⁰ However, the continued application and strong presence of the Armed Forces (Special Powers) Act and the demand for territorial integrity remain the most intractable. Today, the NSCN and the government of India remain engaged in talks on a final peace agreement, but without any concrete outline or tangible action plan.

⁹⁰ The economic times (August 2015), “Government signs landmark Nagaland peace treaty with NSCN(I-M) in presence of PM Narendra Modi”, India
[//economictimes.indiatimes.com/articleshow/48332059.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst](http://economictimes.indiatimes.com/articleshow/48332059.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst)

With India's upcoming 2019 central government elections, the prime minister's bold announcement in 2015 needs to be taken forward by delivering what the Nagas had been promised; a step that would act as a building block towards a sustainable peaceful negotiation. Resolving the Indian-Naga conflict would unlock tremendous economic opportunities for the people living in Nagaland, and the other northeastern states in general; since the Indian army's presence is not only heavily present on the Naga's territory, but also present in other states of the Northeast as part of the mitigation measures. The latter mentioned would help fulfill India's vision of its "Act East Policy," which remains stymied.

India's Look East policy is an effort to cultivate widespread economic and strategic relations with the nations of Southeast Asia in order to boost its standing as a regional power and a counterweight to the strategic influence of the People's Republic of China. This policy was initiated in 1991, it marked a strategic shift in India's perspective of the world⁹¹. Now called the "Act East," is a policy that calls for deepened engagement with Southeast Asia, is a centerpiece of Prime Minister Narendra Modi's foreign policy⁹². The policy builds upon the "Look East Policy" constructed by Prime Minister P.V. Narasimha Rao, and has called for greater regional connectivity and land-based infrastructure from India toward Myanmar, Thailand, and countries further east. However, the implementation of this policy has remained hindered by the lack of resolution on the Naga conflict.

A recent example of how the Naga conflict has negatively impacted "Act East" is the United Naga Council's obstruction of National Highway 2, a part of Asian Highway 1, the long

⁹¹ Thongkhohal Haokip, "India's Look East Policy: Its Evolution and Approach," *South Asian Survey*, Vol. 18, No. 2 (September 2011), pp. 239-257.

⁹² The economic times (Nov 2014), "Look East' policy now turned into 'Act East' policy: Narendra Modi" [//economictimes.indiatimes.com/articleshow/45136929.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst](http://economictimes.indiatimes.com/articleshow/45136929.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst)

route of the Asian Highway Network. The blockade “restricted the flow of most commodities, raising the price of fuel to \$4.50 a liter.”⁹³ Moreover, as they were enforcing the blockade in 2017, the NSCN attacked a supply convoy along a segment of National Highway 37, which is also a part of the broader Bangladesh-China-India-Myanmar project. The Jiribam-Tamu link of the Trans-Asian railway, too, saw stoppages in work due to the blockade.

In an outlined overarching view, it’s evident throughout the historical demonstrated timeline that Nagaland has its own unique historical imprint. All aspects of the Naga’s history are oriented towards the Naga people’s inimitable cultural and ethnic roots. The uniqueness of the Naga people was disrupted and threatened by the British empire colonialization, the annexation of Nagaland to ‘greater India’ without the consultation or even negotiation with the Naga people, and finally the response of the Indian government to the Naga insurgency in the post-colonialism era. The Nagas on multiple occasions communicated their discontent of being a part of India; their explicit request for independence, self-determination, and for obtaining complete sovereignty over their state. The response of the Indian government to the demands of the Naga people lacked coherency and inconsistency throughout the history of the Indian-Naga affairs, which took away the Indian government’s credibility to further reach out for new negotiations and peaceful settlements with the Naga people, especially, after failing to honor the commitments that were co-established between that Nagas and the Indian government. The 1950s marked violent nature of the conflict between both sides; the high presence of the Indian military, raids and acts of excessive force in the Naga villages targeting both rebels and common people. Following a decade of violence and targeted attacks, the Naga National council asked for a cease-fire and a call for a peaceful settlement between the two. Throughout the historical

⁹³ Watson, Sarah (March 2017) “Unrest & Isolation in India’s Northeast: Domestic Politics Pose Obstacles to Regional Connections”, USA, CSIS Asia Program

overview, the consistency and persistence of the Naga's call for separation and independence till our present day was apparent. Despite the recent 2015 flexibility and unusual declared cooperation and cooperation with the Naga demands, the Indian policy in Nagaland is still unclear and unfocused; the main motive behind this recent cooperation seems to fulfill India's economic interest only by opening its northeast region to the southeast of Asia for further economic development. The intention whether this recent cooperation is to finally start responding to the Naga demands or not is still ambiguous.

Chapter 3: Self-determination (Theoretical & Legal framework)

By principal, the right to self-determination is the right of a people to determine its own destiny. In particular, the principle entitles a people to choose and define its own political status and to determine its own form of economic, cultural and social development and progression. Exercise of this right can result in a variety of different outcomes, fluctuating from political independence to full incorporation within a state. In practice, however, the possible outcome of exercising self-determination will often determine and pinpoint the attitude of governments towards the actual claim by a people or nation. While claims to cultural autonomy may be more readily and willingly recognized by states, claims to independence are more likely to be rejected by them. Nevertheless, the right to self-determination is recognized in international law as a right of process (not of outcome) belonging to peoples and not to governments or states.

The following chapter aims to define the notion of self-determination with an attempt to outline all its aspects and different views and perceptions that were presented and elaborated upon by several scholars. This chapter also discusses the different theories that rotate around the notion of self-determination with an attempt to grasp its concept. These theories include the Choice Theory of Self-determination and the Remedial Right Theory.

Scholars such as Deborah Z. Cass, Hurst Hannum, and Nicolas Levrat, seem to agree that the history of national self-determination is recognizable both under international law and international human rights law. However, the controversy lies in whether it is a moral or legal right in international law as well as international human rights law and in the fact that the

principle of self-determination has no coherent definition⁹⁴. That is due to the vague scope of self-determination, swinging between the perceptions of them being considered as ‘internal’ self-determination in the eyes of the western world (i.e. USA, EU, Russia, etc..) and ‘external’ self-determination by third world countries (i.e. Southeast Asia, Africa etc..) , . The fragmentation of the former Soviet Union has given resurgence to the concept of self-determination, and what facilitated the growth of this concept was the independence movements worldwide, in countries such as Croatia, Slovenia, Eritrea and East Timor⁹⁵. Cass⁹⁶ pointed that the catalyst for all these developments is the principle of self-determination. He also observed that, ‘One could expect therefore that a principle so readily utilized in the international arena would possess a definite meaning. This is not the case.’⁹⁷

Self-determination can be observed in two aspects, internal and external. Internal self-determination is what can be looked at as the right of the people⁹⁸ of a state to govern themselves without any outside interference. External self-determination on the other hand is the right of peoples to determine solely their own political status and to be free of foreign domination, including the formation of their own distinct and independent state. However, the factor of independence is not the only possible product of an exercised act of self-determination.⁹⁹

⁹⁴ Senaratne Kelana, *Internal Self-Determination in International Law: A Critical Third-World Perspective*, *Asian Journal of International Law*, 3 (2013), pp. 305– 6, quoting James SUMMERS, *Peoples and International Law: How Nationalism and Self-Determination Shape a Contemporary Law of Nations* (Leiden/Boston: Martinus Nijhoff, (2007) at 188.

⁹⁵ Cass Z. Deborah, *Re-Thinking Self-Determination: A Critical Analysis of Current International Law Theories*, *Syracuse Journal of International Law and Commerce*, Vol 18 No. 1 (1992) Art. 4 Pp. 1, 2.

⁹⁶ Ibid

⁹⁷ Ibid.

⁹⁸ Even through defining “People” is difficult, in this context the people are considered to be human beings making up a group or assembly or linked by a common interest. A body of persons that are united by a common culture, tradition, or sense of kinship, that typically have common language, institutions, and beliefs, and that often constitute a politically organized group.

⁹⁹ Hannum, Hurst “Legal Aspects of Self-Determination” – Publisher: Encyclopedia Princetoniensis
Source: <https://pesd.princeton.edu/?q=node/254>

The right to self-determinations is considered as one of the most important principles of international law, in spite of it being very complex and vague, and like chameleon its color changes with profiles of those who invoke it, depending on the context it's being presented and raised¹⁰⁰. Till our present date, its meaning remains uncertain and its application controversial and the issue is perhaps due to the context in which it was incorporated in international law, mainly for the purpose of decolonization in the past and now, and presently it being focused on searching for a meaningful viewpoint for self-determination for indigenous peoples or groups under the oppression of domination of the central government in a given modern state. Most importantly, the right of indigenous self-determination¹⁰¹ is now accepted and acknowledged at both the national and international level, but the exercise of the right to self-determination does not imply any specific formal/informal institutional arrangement.¹⁰²

Taking into account the above mentioned argument, several attempts made by stormed groups or minority parties towards achieving the positive benefits of the principle, whilst demanding independence and separation, were often faced and subjected to confusion and disagreements between peoples in an existing state and even led to civil wars¹⁰³.

It's reasonable to say the fact that national self-determination is one of the most controversial principles of international law and will continue to be so, heavily basing on the fact

¹⁰⁰ Lugard Sunday, "Self-determination as a Right of the Marginalized in Nigeria: A Mirage of Reality?" Vol.1 Issue1, Journal of International Human Rights Law: Universal Multidisciplinary Research Institute Pvt Ltd, (2015) 127.

¹⁰¹ **Note:** The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly on Thursday, 13 September 2007, by a majority of 144 states in favour, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, Nigeria, Russian Federation, Samoa and Ukraine)

¹⁰² Imai Shin, Indigenous Self-Determination and the State, Comparative Research in Law and Political Economy, (CLPE) Oxford Research Paper 25/2008 Vol. 04 No. 05 (2008) P.1.

¹⁰³ See for example the Nigerian Biafra War between 1967 and 1970, following the declaration of state of Biafra by the peoples of Eastern region; The political turmoil in Spain following the efforts of the Catalans to secede from Spain; The ranging Corsican issue in France seeking for greater autonomy; The Southern Cameroun crisis with the Cameroun state-government and several other notable examples in international law.

that the principle of self-determination is open ended and not close ended in the eyes of the international law and that is furthermore coupled with the fact that the exact terms of the principle, its usage and application is contained in a language that is ambivalent and undefined even to lawyers and state representatives, who practice international law on daily basis.¹⁰⁴

However, it's only fair to mention that several interpretations have been given to the doctrine in the course of its application, but none seem to have resolved the complexity that it is associated with. The complexity varies from whether the principle of self-determination applies to groups within independent states or exclusively to colonized groups. Interestingly, the latter mentioned understanding was revised and revived by international lawyers with the end of the decolonization process, who in their role felt that the meaning of self-determination, beyond the colonial context, had to be of significance to a people within independent states.¹⁰⁵

To better grasp the concept of self-determination and with an attempt to theorize and define the term, a philosophical pendulum has been tilted in favor of either the choice or remedial theory of self-determination.

a. The Choice Theory of Self-Determination

This evolving theory of self-determination encompasses identity volition and separateness of a group. The main and only concern here is the 'choice' of the said group, usually publicized and channeled through a political process of majoritarianism extracted from the conduct of a 'referendum'. The right here is limited and condition upon 'choice' - the choice

¹⁰⁴ Nicolas Levrat, Sandrina Antunes, Guillaume Tusseau and Paul Williams, "Catalonia's Legitimate Right to Decide -Paths to Self-Determination" (2017) A Report by Commission of International Experts Pp. 17-25, http://exteriors.gencat.cat/web/.content/00_ACTUALITAT/notes_context/FULL-REPORT-Catalonias-legitimate-right-to-decide.pdf (visited 23/01/2018).

¹⁰⁵ Senaratne Kelana, *supra* note 3 at 306.

expressed by a majority through referendum or collective vote for self-determination.¹⁰⁶ “This choice is reflective of utilitarianism and the Principle of Territorial Integrity, that is to say, the distinctive and separateness of a group is based on the premise of ownership of a given territory in a predecessor state.”¹⁰⁷

According to Philpott, the choice theory complies with the approach of John Stuart Mill and Woodrow Wilson, according to the American Revolution and colonial independence movements: self-determination is a basic right, embedded in liberal democratic theory, available to any group the majority of whose members desire it.¹⁰⁸ Philpott upholds and states the need for the self-determination groups to be at least as liberal and democratic as the State from which they are separating from, and to be able to demonstrate a majority preference for self-determination, commit to protect minority rights, and to meet distributive justice requirements.¹⁰⁹

Most importantly, the nature of the group, ‘the peoples,’ is at the core of any theory of self-determination, both as to whether particular ‘peoples’ are perceived as being entitled to pursue self-determination, and as to ‘who is the majority, who is the minority, and what is the relationship between them.’¹¹⁰ From there the debate comes around the uncertainty surrounding the nature of ‘peoples.’¹¹¹ A nation is defined as ‘a group of people who recognize one another as belonging to the same community, who acknowledge special obligations to one another, and who

¹⁰⁶ Dickson, *supra* note 17, at 551.

¹⁰⁷ Anya Kingsley, Odigie Dennis (Dec 2018) “A “Philosophy-Evolution” of Self-determination in International law and politics: A Basket Full of Water?”

¹⁰⁸ Daniel Philpott, *Self-Determination in Practice*, in *National Self-Determination and Secession* 1, 1 Margaret Moore ed., 1998 p.79.

¹⁰⁹ *Ibid* at 80.

¹¹⁰ Moore, Introduction: The Self Determination Principle and the Ethics of Secession, *supra* at p. 11

¹¹¹ See generally Christian Tomuschat, *Secession and Self Determination*, in *Secession: International Law Perspectives* 94, 120 Marcelo G. Kohen ed., (2006) Pp. 23-26, where the author strived to analyze the concept of ‘people’ and incidental legal implication surrounding the word ‘people.’ According to David Miller, *Secession and the Principle of Nationality*, *infra*, note 28 at 62, 75: The principle of nationality is the core attributive factor furnishing the meaning of the word ‘people,’ and consequently the issue of secession, and ultimately a self-determination theory, as an issue of secession, that ‘can avoid us having to condone a secessionist free-for-all without forcing us to defend existing state boundaries regardless.’

aspire to political autonomy.’¹¹² The choice theory have a decent inseparable place in the aspect of human rights law, excepting that it is still a philosophical premise.¹¹³ From the human rights angle it obviously accommodates people and/or group desire to self-determination. Dickson argues that if the choice theorist school of thought is to triumph, it will lead to other unavoidable outcomes including 1) an exponential increase in minorities, as any heterogeneous new state will naturally contain its own minorities; 2) potential increase in the movement of peoples as they seek escape from or entry to a state; and 3) increased fluidity of political and legal identity.¹¹⁴ The Bangkok Governmental Declaration, which originated from a regional meeting of Asian countries prior to the Second World Conference on Human Rights, by virtue of stressing territorial integrity and a state’s right to political independence, anticipated self-determination in a restrictive fashion, which suppresses groups within sovereign independent States from declaring self- determination as grounds for a legal claim to separation, diminishing fears of State fragmentation.¹¹⁵

b. The Remedial Right Theory

The hypothesis of this school of thought is that self-determination right is legitimate only if necessary to remedy a prior injustice.¹¹⁶ Remedial Right Theory starts with the assumption that nation states who ask for independence and self-determination rights, and that are accorded legitimacy under international law have valid claims to their territories; but then argues that such

¹¹² Miller, *supra* f/n 27, at 65.

¹¹³ The choice theorist school of thought is yet to attain and or command a bandwagon effect in international politics and relations.

¹¹⁴ Dickson, *supra* note 17, at 23.

¹¹⁵ Asian Conference, 1993.

¹¹⁶ Allen Buchanan, *Democracy and Secession*, in *National Self-Determination*, *supra* note 22, at 14.

claims can be overridden or extinguished in the face of persistent patterns of serious injustices and violations.

Comparatively, a people exercising a simple choice by referendum or plebiscite will not, and should not, ground a collective right to self-determination, according to the Remedial right theorists.¹¹⁷ Furthermore, recognition of a plebiscitary right to separate would threaten the notion of democracy.¹¹⁸ By distinction, the remedial right theorists impose a burden of proof on those seeking self-determination, a burden to prove they have a just cause:

A group has the right to secede (in the absence of any negotiations or constitutional provisions that establish a right) only as a remedy of last resort to escape serious injustices. On my version of the remedial right only position, injustices capable of generating a right to secede consist of persistent violations of human rights, including the right to participate in democratic governance, and the unjust taking of the territory in question, if that territory previously was a legitimate state or a portion of one (in which case secession is simply the taking back of what was unjustly taken).¹¹⁹

Consequently, an examination of normative issue will be enough and adequate. The fixated point upon which agitation for self-determination is pivoted is the normative ethical issue of ‘abuse or violation of human rights law.’¹²⁰ The sacredness of human rights has grown to become cross cultural in the global community. However, the degree of respect has always been doubtful.

Critics agreed to the overwhelming effect of separationists attempts based on response to oppressive and perfected exclusion from governance of the given State. This argues that the international community is more likely to recognize the realities of separationists attempts as a

¹¹⁷ Ibid

¹¹⁸ Ibid at 17.

¹¹⁹ Ibid at 25.

¹²⁰ Human rights issue has attracted a lot of international concern. It has once been said that an injustice anywhere is threat justice everywhere. There are avalanche of international frameworks respecting human rights issue. Some of these frameworks have been internalized in domestic instruments in order to evince the degree of importance attached to it by States all over the world.

remedy where the government of the Predecessor State committed gross human rights violations against the separating unit.¹²¹ Moore explains that the nature of a group having the right to benefit from the principle of self-determination can be condensed and summarized into two particular questions: first, as to who the people are; and secondly, as to the relevant territorial unit over which they should exercise self-determination. These questions are interrelated.

This view of remedial rights and self-determination potentially has considerable significance for recognition of a separating state. It has been argued that remedial separation has broad support in the legal literature and should be acknowledged as part and parcel of positive law.¹²²

International law practitioners and activists have formulated means of determining the immediacy of application of the remedial right tool. Firstly, any group, groups and collectivity seeking to rely on remedial right theory need to show that there is the occurrence and / or presence of significance of injustices capable of generating a right to separate. Secondly, that the occurrence and/or presence of the injustices can be resolved without resorting to the ultimate sanction of separation.¹²³

However, the exercise of remedial right theory doesn't need to strictly follow this pattern. The international community has witnessed separating states relying not only on violations of

¹²¹ Li Ann Thio, *International Law and Secession in the Asia and Pacific Regions*, in *Secession*, supra note 33 at 297. The secession effort of South Ossetia from the State of Georgia could have served as a very useful example of secession ignited by gross violations of human rights (i.e., to remedy the prior injustices against South Ossetia) but for the non-verification by the United Nations and North Atlantic Treaty Organization teams, of the alleged atrocities in South Ossetia made by Russia against the government of Georgia.

¹²² Christian Tomuschat, supra note 25, at 38, 42. The author noted that 'exceptional circumstances are capable of sustaining a claim for secession, particularly circumstances akin to a grave and massive violation of the human rights of a specific group in a discriminatory fashion.' Significantly, the events leading up to the establishment of Bangladesh and the events giving rise to Kosovo as an autonomous entity under international administration can both be classified as coming under the purview of remedial secession. It could be rationally compared with the circumstances which prevailed in the Darfur region in Sudan, and Tibet province in China.

¹²³ Dickson, supra note 17, at 554.

human rights but based on great deprivation and denial of offices to a particular minority in a federating State. In other words, the echo of the act of deprivation and denial though outside the realm of human rights law, is capable of igniting self-determination leading to separation. Consequently, this operates to expand the reference points of Dickson with respect to self-determination and attendant secession.¹²⁴

c. The evolution of the Right to Self-Determination

In the international law, in the 1960s the right of self-determination became recognized and was interpreted as the right of all the colonial territories/colonialized states to become independent or to adopt any other status they choose freely. However, Ethnic or other distinct groups and minorities within the colonies did not have a right to separate themselves from the "people" of a predetermined territory as a whole. Nowadays, the right of groups to govern themselves is increasingly tangled with human rights norms, in particular the rights of the indigenous people and minorities. Under the international law, no right to secession has yet been recognized, it is possible however, that such a right may be accepted and looked at in the future as an exceptional measure, in case a distinct group of people is systematically and continuously denied the right to actively participate in the government of the given state or if individuals within such a group suffer from consistent and gross violations of human rights and oppressions that make their participation in that state impossible.¹²⁵

Hannum in his short essay is confined to a discussion of attempts to define this vague phrase in legal terms and frameworks, through international treaties and other texts. He expresses

¹²⁴ See for example, the success of Kosovo declaration of independence from Serbia was a hybrid issue involving choice theory and fear of deprivation and denial of office in the new Serbian state.

¹²⁵ Imai Shin, *Indigenous Self-Determination and the State*, Comparative Research in Law and Political Economy, (CLPE) Oxford Research Paper 25/2008 Vol. 04 No. 05 (2008) P.1.

that for those who are looking for "the" definition of the term self-determination will be disappointed, Hannum continues that for many of the texts are deliberately ambiguous or even contradictory. Nonetheless, he encourages that we must ultimately try to articulate the international norm of self-determination in terms and expressions that are sufficiently precise and comprehensive so that it continues to be relevant and a subject for elaboration in the post-colonial era.¹²⁶

U.S. President Woodrow Wilson was one of the earliest advocates of a right to self-determination. After a month of his famous "Fourteen Points"¹²⁷ speech to the U.S. Congress in January 1918 (in which the term "self-determination" does not appear), he proclaimed:

"Self-determination" is not a mere phrase. It is an imperative principle of actions which statesmen will henceforth ignore at their peril. We cannot have general peace for the asking, or by the mere arrangements of a peace conference."¹²⁸

Despite Wilson's advocacy, the attempts to transform self-determination from a "mere phrase" into a binding norm did not happen for over 40 years, amidst the deaths of tens of millions in the two major wars. Even though the League of Nations indirectly did address the principle of self-determination, but without using the word in the system of mandates that it established. The identification of the mandate and implementation of the system was solely dependent on politics and not on law.¹²⁹ Following the end of the World War I, winners and

¹²⁶ Ibid

¹²⁷ Kolla E.J., "The Revolutionary Origins of the Principle of National Self-Determination," *International Judicial Monitor-Historic Moments in International Law*, Fall 2009 Issue, P.1.

¹²⁸ 56 Congressional Record at 8671 (Feb. 11, 1918).

¹²⁹ See generally Quincy Wright, *Mandates under the League of Nations* (Chicago: Univ. of Chicago Press, 1930); R.N. Chowdhuri, *International Mandates and Trusteeship Systems: A Comparative Study* (The Hague: Martinus Nijhoff, 1955).

losers were determined accordingly by the political calculations and alleged needs of the Great Powers, rather than on the basis of strongest claims to self-determination of each group.

Analysis on the scope of the notion of self-determination was done by two groups of international experts, that were appointed by the League of Nations to examine the case of the Åland Islands, a culturally and linguistically Swedish territory that wished to reunite with its cultural motherland (Sweden) rather than remaining part of the new Finnish state, which became independent of the Russian Empire in December 1917.

For the first body of experts, it was a clearly declared statement that self-determination had not obtained the status of international law. The body observed and acknowledged that although the notion of self-determination by the people plays an important part in modern political thought, especially from the time of the Great War, it must however be pointed out that there isn't any mentioning of the self-determination principle in the covenant of the League of Nations. Despite of the recognition of this principle in several certain number of international treaties, it is not sufficient to be considered to put it upon the same footing as a positive and active rule of the Law of Nations.¹³⁰

The second group of experts reached to a similar conclusion with respect to the scope of self-determination, which it termed "a principle of justice and of liberty, expressed by a vague and general formula which has given rise to the most varied interpretations and differences of opinion."¹³¹

¹³⁰ Report of the International Committee of Jurists entrusted by the Council of the League of Nations with the task of giving an advisory opinion upon the legal aspects of the Åland Islands question, League of Nations Off. J., Spec. Supp. No. 3 (Oct. 1920) at 5

¹³¹ The Åland Islands Question, Report presented to the Council of the League by the Commission of Rapporteurs, League of Nations Doc. B.7.21/68/106 (1921) at 27

To grant minorities, either of language or religion, or to any other fractions of a population the right of withdrawing or retreating from the community to which they belong, because it is their wish or simply their good pleasure, would be to destroy order and disrupt stability within States and to facilitate anarchy in international life; it would be to uphold a theory that is incompatible with the very idea of the State as a territorial and political unity.¹³²

However, this same commission did suggest that, at least under extreme oppression, a kind of self-determination by the Åland citizens might be possible "as an altogether exceptional solution, a last resort when the State lacks either the will or the power to enact and apply just and effective guarantees."¹³³

The "principle" of self-determination is stated only twice in the Charter of the United Nations, both times in the framework of developing "friendly relations among nations" and in conjunction with the principle of "equal rights... of peoples."¹³⁴ The reference to "peoples" clearly incorporates groups beyond states and encompasses at least non-self-governing territories "whose peoples have not yet attained a full measure of self-government."¹³⁵

As decolonization advanced, however, the vague "principle" of self-determination found in the Charter soon transformed into a "right" to self-determination. This evolution ceased in the decade between 1960 and 1970, when the great majority of former colonies became an independent state. The first notable text, the Declaration on the Granting of Independence to Colonial Countries and Peoples ("Declaration on Colonial Independence"), was adopted by the

¹³² Ibid at 28

¹³³ Ibid

¹³⁴ United Nations Charter, arts. 1(2), 55. Curiously, however, the French text of the Charter does refer to respect for the "right" of self-determination, the "principe de l'égalité de droits des peuples et leur droit à disposer d'eux-mêmes" (literally, the "principle of equality of the rights of peoples and their right to dispose of themselves").

¹³⁵ UN Charter, art. 73.

UN General Assembly in 1960.¹³⁶ Furthermore, on the need for stability, peace, and respect for human rights, the Declaration on Colonial Independence "Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations" and declares that "All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." It further declares that "Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence."

As it was outlined in paragraph 6 of the declaration setting forth another fundamental principle, without which one almost never finds a UN reference to self-determination: "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations." The final paragraph reiterates "the sovereign rights of all peoples and their territorial integrity."

Resolution 1541 outlines a list of principles to guide states in determining whether they should convey information under article 73(e) of the Charter on "non-self-governing" territories; in effect, it describes at least one of the categories of peoples eligible to self-determination.¹³⁷

Self-determination was addressed, and elaborated upon, in 1955 in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation amongst States in compliance with the Charter of the United Nations ("Declaration on Friendly Relations"). This declaration is considered by many legal commentators to reflect customary international law, and

¹³⁶ UN G.A. Res. 1514 (14 Dec. 1960).

¹³⁷ Ibid Principles I and II.

it remains until today the most authoritative statement on the meaning definition of self-determination.¹³⁸

A major contemporary debate addresses whether self-determination should be interpreted as incorporating a right to democratic governance and/or certain rights of self-governance by minorities and indigenous peoples, prior of a right to independence. This position has been reinforced by inclusion of a right of effective political involvement and participation in a number of documents dealing with these two groups¹³⁹, and there is no logical reason or any justification why similar considerations should not apply to both geographic regions as well as to ethnically distinct groups respectively. As if now, however, neither the principle nor its application has been widely accepted or even acknowledged in practice, although for example there are indications that a number of governments and/or international human rights bodies in both Latin America and Africa are sympathetic to the claims and demands of indigenous peoples for self-government and control over their own traditional territories.

Ultimately, self-determination remains a rhetorical tool that is used by groups within states seeking independence, sovereignty, autonomy, or simply a greater degree of control over issues that are of a direct effect on them. Many of these groups share common ethnic, linguistic,

¹³⁸ UN G.A. Res. 2625, Annex (24 Oct. 1970).

¹³⁹ See the UN Declaration on Minorities, note 14; European Framework Convention, note 14. The UN Declaration on the Rights of Indigenous Peoples, which was adopted by the UN General Assembly in 2007 in resolution 61/295, does state explicitly that "[i]ndigenous peoples have the right to self-determination." (Article 3) However, concern over this language delayed adoption of the declaration for nearly a year after it had been adopted by the Human Rights Council in 2006. The compromise was to retain the original language but to add a new paragraph as Article 46, in which the oft-repeated phrase regarding territorial integrity is repeated: "Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States." A preambular paragraph also was added, recognizing that "the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration." Article 4 of the declaration does provide that indigenous peoples, "in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions."

cultural or other characteristics, but the international law of self-determination -- as opposed to a few non-binding recommendations and declarations -- has never gave to such groups any special right of self-governance or independence. Given the widely and uniquely divergent situations within states, it is most unlikely that self-determination will acquire an adequately determinate clear definition to enable it to be used as a legal tool for arbitrating disputes, even if it continues to be interpreted as excluding one-sided withdrawal. However, the political appeal of the term and it's consistency is unlikely to fade, and it is possible that its use will lead to an extensive interpretation of human rights norms regarding identity and effective participation and thus offering new opportunities for accommodating conflicting principles of diversity and unity.

Chapter 4: Self-Determination with respect to Nagaland

This chapter will analyze Nagaland's stance from the notion of self-determination and will examine whether Nagaland is entitled to its right to self-determination. This chapter will also attempt to define and analyze the different terminologies that navigates an entity's call for self-determination.

a) Understanding Nagaland's Call for Self-determination

In his book “‘Nagas' Rights to Self Determination: An Anthropological-historical Perspective” the author Reisang Vashum¹⁴⁰ describes and reassures on the universal perception and concept of self-determination as a ‘hot topic’ that is shrouded in controversy reflected by many takers and reciters since few decades ago. The concept of self-determination ‘inextricably’ linked with the idea and the principle of ‘right’, ‘natural right’, ‘human right’ and ‘collective right’ among others the archetypal bases of the human survival, right to human dignity, progress, integrated development and realization of the world according to their own defined terms and rights¹⁴¹. And as the author links the self-determination concept to it being closely related and associated with the notion of ‘societal pluralism’, ‘co-partnership’ and ‘cultural relativism’ and other related notions of ‘justice’ and ‘peace’. It was also expressed that the concept has been subjected to a lot of debates due to the vagueness of the term's nature. The term self-determination doesn't have the status of a legally binding obligation as to the right to implement and/or reinforcement, no general consent or agreement on that matter. Consequently, while this idea is welcomed by the oppressed, colonized, ruled, and subjugated nations and/or peoples as

¹⁴⁰ Vashum, Reisang (2000) “‘Nagas' Rights to Self Determination: An Anthropological-historical Perspective”, New Delhi pp.37

¹⁴¹ McCorquodale, Robert (1994) “Self - Determination: A Human Rights Approach”, ICLQ, Vol. 43, Issue 04, pp. 857-885

much as it is also used to demonstrate their desired ambition and aspiration, the existing sovereign states, the colonizers, the rulers, subjugators, and the exploiters would generally despise and condemn such ideas as irrational, illogical, disintegrative and/ or destructive simply because it doesn't feed into their interests. However, the game changes until they cannot avoid them by the increasing pressure from all fronts within from the local communities and without from the international community, neighboring countries, or other states.¹⁴²

Vashum highlighted in his book that all of the unrests and struggles and that happened and are still happening of the subjugated and exploited peoples for liberation and freedom from any form of colonialism, neo-colonialism or oppression, have made it more relevant and crucial for the discussion of the principle of the right to/of self-determination¹⁴³.

It was also stated in his book¹⁴⁴ that there are so many movements for autonomy within the federal States of India like the various other demands for autonomy under the Sixth Schedule of the Constitution of India¹⁴⁵ particularly in North-East India and generally in other similar autonomy demands in other tribal areas of India such as the cases of Darjeeling in West Bengal, Ladakh in Jammu and Kashmir among others. There are other various tribal groups in India, besides the tribals of the North-East India, who are requesting and demanding for the implementation of the Sixth Schedule. Since the ones under the Fifth Schedule felt that they have not been able to acquire enough power and authority to develop their areas and territories in order to determine their way of life by themselves. As for the ones who are under the Sixth

¹⁴² Vashum, Reisang (2000) “‘Nagas' Rights to Self Determination: An Anthropological-historical Perspective”, New Delhi pp.37

¹⁴³ Ibid

¹⁴⁴ Ibid

¹⁴⁵ The Constitution of India makes special provisions for the administration of the tribal dominated areas in four states viz. Assam, Meghalaya, Tripura and Mizoram. As per article 244 and 6th Schedule, these areas are called “Tribal Areas“, which are technically different from the Scheduled Areas under fifth schedule.

Schedule in the Northeast of India (such as Bodos, Karbis, and North Cacharis) and Autonomous Councils under State Acts (like the District Autonomous Councils in Manipur) are demanding for a separate statehood as they find the existing Schedule/Council incompatible and a mismatch with the way they want to develop. The cases of statehood demands (demands that are within the the Union of India) are also widespread in many parts of India like those in Jharkhand, Uttaranchal, Chhattisgarh (that have now gained for themselves), Vidharba, Telangana, Seemachal, Mithila, et. The third type of movement for self-determination in India is the struggle of various people asking for independence/ sovereignty and to be separated from India. All these cases are reported from Jammu and Kashmir, Assam, Punjab, Meghalaya, Tripura, Nagaland, Manipur and in some parts of West Bengal, Arunachal Pradesh, etc. Some of these struggles having geographical contiguity with other neighboring sovereign states.

However, for instance, the Nagas' claim for self-determination is beyond the Indian Union. Almost half of the Naga areas fall under the state of Myanmar. Likewise, Kashmir issue has international geographical dimensions since they are located in both the States of India and Pakistan, given because these two States have been claiming sovereignty over Kashmir even as they had divided them. Kashmiris are struggling for sovereign ' Azad Kashmir' which even goes beyond and completely different from the purview of both the States of India and Pakistan as the Kashmiris desire it. The Indian State is one such State which was supposed to have been formed after its independence with the consent of the component partners of the Union. But the various separatist movement in pre- and post- independence of India had raised concerns and doubts of the sincerity of the component nationalities. The once princely States like Kashmir, Manipur, Tripura, etc. and the ethnic groups/nations like the Nagas, Bodos, etc. have been claiming that the Indian State had annexed their countries forcefully without their consent or any sort of

inclusion in the decision making. This has resulted in a rupture of violent confrontations between the Indian State and the groups who are fighting for independence. Some movements advocating and calling for independence or autonomy have been suppressed and prosecuted while others have been still going strong till today. This has forced to look once again at the nationality question in India taking Naga national movement as an example. The question of self-determination or for that matter, national (ethnic) self-determination of the Nagas is a relatively a modern concept. In modern sense, the awareness of the Nagas, to determine their own way of life by themselves (Nagas) and to live as nation- state, could be dated to the early 20th century A.D. In other words, this period marks the emergence of Naga nationalism, perhaps, for the first time in the history of the Nagas. Before this period viz., early 20th century, if there was anything as Naga nationalism, it was only in an incipient form. The resistance of some sections of Naga tribes against the entry of the Ahoms into the Naga Hills in the early 13th century and the aftermath conflicts between them on one hand, and sections of Naga society/ tribes who countered the British force in the Naga Hills in the early 19th century and the aftermath consequences till the early 20th century. However, it is felt that the Nagas' ethos of past life had immense roles to play in the emergence of Naga nationalism. The national (ethnic) self-determination of the Nagas is a socio-cultural, economic and political problem. However, these problems are seen as rallying round the political issue, mainly. The Naga political problem had been given shape by several social, cultural, and geopolitical forces from within and without the Naga Hills, while the immediate causal factor could be attributed to the Nagas' encounter with the British colonialism in 1832.¹⁴⁶

¹⁴⁶ Vashum, Reisang (2000) “‘Nagas' Rights to Self Determination: An Anthropological-historical Perspective”, New Delhi pp.37

Thoroughly, the Nagas quest for self-determination comes under the category 'national (ethnic) self-determination. Since ancient history, the Nagas were self-contained and self-determination reliant republics on a village level. In the recorded history of the Nagas, and for the first time, they resisted the entry of the Ahoms sometimes in A.D. 13th Century¹⁴⁷. Later, after the Nagas settled in the Naga hills and the Ahoms in Assam, they became good neighbors for over 600 years without interfering with each other's sovereignty. It was in the 1830s that the British made their entry into the Naga Hills. The British gradually became colonialists in the Naga Hills till 13 August, 1947 except for Tuensang Area¹⁴⁸ (also called 'Free Nagaland') who were not conquered by the British or any other outsiders. made them realize that a village(s) force(s) was/were not compatible at all to modern forces.

Summarizing the historical overview that was in reviewed in chapter 2, by the year 1918, some Nagas-government employees, village chiefs and few others formed a welfare organization at Kohima known as 'Naga Club'. It was clear from the Memorandum submitted to the Simon Commission 1929, that the Nagas wanted to be excluded from any proposed constitutional reforms and to be left in the initial state that they were in before (in other terms, to leave them as a sovereign state). In the year 1947, a historic agreement between the Nagas (represented by NNC – Naga National Council) and India (represented by Sir Akbar Hydari, the Governor of Assam back then) generally known as 'The Nine Point Agreement' or 'the Hydari Agreement' was signed. Of all the nine points, point nine is said to be the most important and also the most controversial proposed dynamics between the Nagas and the Indian Union relations. It was ought to have a special responsibility for a period of ten years implying that the NNC was to voluntarily decide their (the Nagas) future course. This was again strongly opposed by the Indian

¹⁴⁷ Nitul Kumar Gogoi (2006). *Continuity and Change Among the Ahom*. Concept Publishing Company. pp. 65

¹⁴⁸ B. Datta-Ray, S. P. Agrawal (1996). *Reorganization of North-East India since 1947*. Concept. p. 6.

Government after the Agreement was being signed. In Indian perspective, the agreement meant something less than independence. For the Nagas, the 'special responsibility' to be assumed by the Indian government would dissolve after ten years and thereafter the Nagas could be free from the Indian guardianship if the Nagas wished to do so. The Referendum of May 16, 1951 where the Nagas voted 99% in favour of Naga sovereign stated was also not acknowledged by the Indian Government. The Indians started allocating and deploying it's forces into the Naga Hills, leading to tremendous casualties and episodes of violence. In the cases of the sixteen-point Agreement of July 1960 and the Shillong Accord of November 11, 1975 were attempts to bring resolution to the conflict which eventually ended-up in failure. The Nagas perceived the signatories of the Shillong Accord as traitors, leading to internal splits and divides. According to the United Nations Universal Declaration of Human Rights of 10 December, 1948 which is said to be the standardized norm of the peoples or states, outlines that: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood". Something that is hardly valued and considered by many states. Such attitude and action make the Nagas hesitant and fearful of their dealing with India and Myanmar especially when it comes to political dialogue(s). The United Nations' "Declaration on the Granting of Independence to Colonial Countries and Peoples"¹⁴⁹ of 14 December, 1960 was significant especially for the 'nations' or 'peoples' who are yet to attain independence while for the colonialists and oppressing regimes it has become a headache ¹⁵⁰.

The Declaration mentioned above reads thus:

- a. *The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the*

¹⁴⁹ Declaration on the Granting of Independence to Colonial Countries and Peoples
Adopted by General Assembly resolution 1514 (XV) of 14 December 1960

¹⁵⁰ R. Vashum, Nagas and the quest for self-determination

United Nations and is an impediment to the promotion of World peace and so-operation.

- b. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.*
- c. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.*
- d. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to complete independence, and the integrity of their national territory shall be respected.*
- e. Immediate steps shall be taken, in Trust and Non- Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any distinction as to race, creed or color, in order to enable them to enjoy complete independence and freedom.*

The United Nations "Declaration on the Granting of Independence to Colonial Countries and Peoples" of 1960 was even supported by India and Myanmar.¹⁵¹ At that time India was going through challenging times to liberate Goa from the colonial rule of the Portuguese among other conflicts and tensions with other countries such as the Pakistan/Kashmir conflict¹⁵². India was able to drive out the Portugal colonialists from Goa in 1961 by military might. In 1966, India's representative at the UN forums supported use of terms 'rights of self-determination'¹⁵³. The latter implying that when self-determination' served India's interests, it was supported and advocated for. An Indian Parliamentarian (Jaya Prakash Narayan) goes one step ahead of his countrymen when he says: "It is for more important to have friendly Nagas on our frontier closely associated with us (India) in some new constitutional manner rather than unfriendly and discontented Nagas kept forcibly 'within the Indian Union.' The experience of the past ten years

¹⁵¹ Meetings Coverage and Press Release: The United Nations "Declaration on the Granting of Independence to Colonial Countries and Peoples" of 1960 was even supported by India and Myanmar – Source: <https://www.un.org/press/en/2017/ga11924.doc.htm>

¹⁵² Poddar, Prem (2008-07-02). Historical Companion to Postcolonial Literatures - Continental Europe and its Empires. Edinburgh University Press.

¹⁵³ Economic and Political Weekly: Vol. 36, Issue No. 04, 27 Jan, 2001 » Sovereignty, Territorial Integrity and Right of Self-Determination – Source: <https://www.epw.in/journal/2001/04/commentary/sovereignty-territorial-integrity-and-right-self-determination.html>

has proved that no one can defend the Naga Hills and the Nagaland borders better than the Nagas themselves".¹⁵⁴

b) Naga People: A People?

When it comes to understanding the notion of the right to self-determination under international law, the Charter connotes that such a right is conferred only upon the validation and proof of existence of one particular entity which is a “people”. In such a case, the fundamental question to ask is what constitutes a “people”; how can it be defined and how does it differ from the categorization of “minority group” or “indigenous people”?

As it was stated earlier in the first introductory chapter of the research, a people are human beings making up a group or assembly or linked by a common interest. A body of persons that are united by a common culture, tradition, or sense of kinship, that typically have common language, institutions, and beliefs, and that often constitute a politically organized group.¹⁵⁵ According to UNESCO Experts’ “Justice Kirby definition”, a group in order to qualify as a “people” must possess some or all of the following 7 common features: (a) a common historical tradition; (b) a racial or ethnic identity; (c) cultural homogeneity; (d) linguistic unity; (e) religious or ideological affinity; (f) territorial connection; and (g) common economic life.¹⁵⁶

¹⁵⁴ Vashum, Reisang (2000) “‘Nagas' Rights to Self Determination: An Anthropological-historical Perspective”, New Delhi p. 328

¹⁵⁵ Merriam-Webster's collegiate dictionary, 1999 - <https://www.merriam-webster.com/dictionary/the%20people>

¹⁵⁶ Ijezie, Chinonso (2018) “Right Of Peoples To Self-Determination In The Present International Law”, University of Hertfordshire

Furthermore, and with addition to the definition, the group “must have the will to be identified as a people or the consciousness of being a people”¹⁵⁷, and it “must have institutions or other means of expressing its common characteristics and will for identity.”¹⁵⁸ Therefore, in order for the group to qualify and to fall under the category of a “people”, it is crucial for the people to collectively and consciously recognize themselves with a shared distinguished identity. It’s worth mentioning that the group doesn’t need to be large.

As discoursed by the Canadian Supreme Court in re-secession of Quebec, a “people” may even include a fraction of the larger population of an existing state¹⁵⁹. Yet, the term “people” is often being confused with “indigenous people” or “minorities”; “indigenous people” and “minorities” are usually entitled only to their “right to internal self-determination” and not to “external self-determination”. Exceptions apply due to the vagueness of the terminologies and the incoherent usage of these terms (ex. Sudan Vs. South Sudan). A simple minority group that is scattered throughout a state may not be considered ‘a people’ with the right to secede and become independent because they fail to meet the "territorial connectedness" requirement. The United Nations Human Rights Committee has said that "peoples" have a right to self-determination, but mere "minorities" are not entitled to have the same right¹⁶⁰.

In order to define the status of the Naga people and identify under which umbrella they fall, a clear definition of ‘indigenous’ vs. ‘minorities’ should be drawn. To begin with, there is no universally accepted international definition of neither the indigenous peoples nor of the minority

¹⁵⁷ Guibernau, Montserrat, (2004) “Anthony D. Smith on nations and national identity: a critical assessment” Open University, Walton Hall, Milton Keynes, MK7 6AA p.p. 125 -141

¹⁵⁸ Ibid

¹⁵⁹ Roya M. Hanna, (1999) “Right to Self-Determination in In Re Secession of Quebec” , 23 Md. J. Int'l L. 213

¹⁶⁰ Benedict Kingsbury, Self-Determination and Aindigenous Peoples, 86 am. soc'y int'l l. proc. 383, 388 (1992).

groups'¹⁶¹. With an attempt to define these two terminologies under international law, indigenous people are distinct ethnic communities who are the first inhabitants of a geographical region, and whose identities and cultures are inextricably linked to the land on which they live and the natural resources on which they depend¹⁶². Numerous sources cite the following characteristics, either alone or in combination: (1) indigenous peoples are descendants of the peoples who inhabited the land or territory prior to colonization or the establishment of State borders; (2) they possess distinct social, economic and political systems, languages, cultures and beliefs, and are determined to maintain and develop this distinct identity; (3) they exhibit strong attachment to their ancestral lands and the natural resources contained therein; and/or they belong to the non-dominant groups of a society and identify themselves as indigenous peoples. The aforementioned points are derived from the work of the Working Group on Indigenous Populations, the provisions of Convention No. 169 of the International Labour Organization (ILO)¹⁶³ and the contents of the United Nations Declaration on the Rights of Indigenous Peoples.

On the other hand, a 'minority group' refers to a category of people who experience relative disadvantage as compared to members of a dominant social group¹⁶⁴. A "minority group" often occurs within the discourse of civil rights and collective rights, as members of minority groups are subjected to differential treatment in the countries and societies in which they live¹⁶⁵.

In comparison, the fundamental difference between indigenous peoples and minorities lies in

¹⁶¹ United Nations, (2010) "Minority Rights: International Standards and Guidance for Implementation, New York and Geneva

¹⁶² Sanders, Douglas (1999). "Indigenous peoples: Issues of definition". *International Journal of Cultural Property*. 8: 4-1

¹⁶³ Note: Convention concerning Indigenous and Tribal Peoples in Independent Countries (Entry into force: 05 Sep 1991) Adoption: Geneva, 76th ILC session (27 Jun 1989) - Status: Up-to-date instrument (Technical Convention). Convention may be denounced: 05 Sep 2021 - 05 Sep 2022

¹⁶⁴ 1945-, Healey, Joseph F., (2018-03-02). *Race, ethnicity, gender, & class : the sociology of group conflict and change*. Stepnick, Andi., O'Brien, Eileen, 1972- (Eighth ed.). Thousand Oaks, California.

¹⁶⁵ Johnson, Kevin. "The Struggle for Civil Rights: The Need for, and Impediments to, Political Coalitions among and within Minority Groups". heinonline.org. *Louisiana Law Review*

indigenous peoples' ties to their territory of origin or specific livelihoods when nomadic. In many indigenous belief systems, land has a symbolic and spiritual value, as well as a social and economic function within the group, even for those who live outside of the homeland. Some minorities have territories that they traditionally occupy, but indigenous people are considered to be the first inhabitants of their territories.

Now the controversial and unresolved question is: can the Nagas be said to possess the status of a "people"? To answer this question, it first should be determined whether the Naga people are considered to be a minority group, indigenous people, or "a people", with the aim of determining the eligibility towards self-determination under the international law's scope. Clearly, and basing on the previously mentioned definitions, the Naga people cannot be recognized as a minority group, due to their distinct "territorial connectedness". Would that mean then that the Nagas are ought to be considered "indigenous people" or "a people"? Despite the vagueness of the term "Indigenous people", it can be based on the provisions of Convention No. 169 of the International Labour Organization's definition; in comparison, the terms "Indigenous people" and "a people" are complementary and their characteristics do not contradict one another. However, within the context of India, whilst viewing it as a sub-content and by looking at Nagaland as a particular case; the term "Indigenous" does not completely embody the Naga people. The term 'Indigenous people' in international law is also referred to the previous presence of a certain group of people in a given territorial land, and in the case of Nagaland, the Naga people are still the original inhabitants of the same land that their ancestors lived and survived on. The Naga community's presence was not threatened by genocide, displacement or permanent foreign occupancy, although Nagaland is part of India, it still preserves the homogeneity of its culture, community and other demographical aspects. Finally,

this leaves us with the closest scope in which Nagaland and the Naga people can be magnified under, and that is the status of “a people”.

Nagas, in comparison to mainland India, have no ethno-linguistic, racial, religious or cultural consanguinity whatsoever with India, let alone ideological affinity. More importantly, Nagas have consistently maintained their separate identity with the collective will to be identified as a “people”. Through the Amsterdam Declaration of 2002¹⁶⁶, India officially recognized Nagaland by declaring the “history” and “situation” of the Nagas as “unique” - “unique history” in the sense that “Naga nation has never signed any document of accession with India in the history of formation of the Indian Union”¹⁶⁷ and “unique situation” in the sense that “Naga issue accordingly is not a case of secessionist insurgency”¹⁶⁸. These crucial historical facts were formally recognized by the Deputy Prime Minister of India, L.K. Advani.

In conclusion, the argument regarding the established status of the Nagas as a “people” is valid and in-line with the prerequisites. The same has also been recognized by other sovereign nations including international recognized bodies such as the UNPO¹⁶⁹. In comparison, if the inhabitants of Somaliland could be considered a “people” as distinct from the greater Somali community¹⁷⁰, the status of “people” in the case of Naga nation is so much the more appropriate and legitimate due to the compatibility of the Naga people’s eligibility.

¹⁶⁶ Pronk J. (2002) The Amsterdam Declaration on Global Change. In: Steffen W., Jäger J., Carson D.J., Bradshaw C. (eds) Challenges of a Changing Earth. Global Change — The IGBP Series. Springer, Berlin, Heidelberg

¹⁶⁷ Ibid

¹⁶⁸ Ibid

¹⁶⁹ Note: The Unrepresented Nations and Peoples Organization is an international membership organization established to facilitate the voices of unrepresented and marginalised nations and peoples worldwide. It was formed on 11 February 1991 in The Hague, Netherlands.

¹⁷⁰ The Transitional Federal Charter of the Somali Republic" (PDF). University of Pretoria. 1 February 2004. Archived from the original (PDF) on 25 March 2009. Retrieved 2 February 2010.

Taking Kosovo as an example, it controversially declared independence from Serbia on 17th February, 2008¹⁷¹, in which Moscow fiercely challenged it as a violation of Serbia's sovereignty while Washington fully supported and backed the action. However, the International Court of Justice in its advisory opinion dated 2010, opined that Kosovo's "unilateral declaration of independence" didn't contradict any international law principle¹⁷². Similarly, the Canadian Supreme Court in *Re-Secession of Quebec* observed that "secession" by itself is not prohibited under international law and the federal government of Canada. Thus, Canada cannot deny the right of Quebec to pursue "secession", given that the clear majority of the people of Quebec choose that pursuit¹⁷³. The important question then is, when does the right to secession apply to "peoples" and "minorities"? Observing the Canadian Supreme Court in *Re Secession of Quebec* case implies that a "people" who is blocked from meaningful exercise of its right to internal self-determination is entitled to exercise the right to secession. Therefore, what is crucial for the "indigenous peoples" and "ethnic minorities" under conventional international practice is that the denial of obtaining internal autonomy, and the subjection of human right violations, the status of a "people" may be applicable, vis-à-vis entitling them forthwith to the right to secession.

Coming back to the Naga case, them being a "people" under colonial and foreign suppression, undoubtedly entitles them to the "right to self-determination". Even assuming as a counter-argument that Nagas do not possess the status of a "people", but are a mere "ethnic minority" within the Indian Union, the history of armed suppression and the vastness of war crimes and human right violations committed by the Indian armed forces starting from the 1950s

¹⁷¹ "Canada recognizes Kosovo, Serbia pulls ambassador". CBC News. 18 March 2008. Retrieved 25 July 2008.

¹⁷² Hilpold, Peter (2009), "The International Court of Justice's Advisory Opinion on Kosovo: Perspectives of a Delicate Question", *Austrian Review of International and European Law*, Netherlands

¹⁷³ Roya M. Hanna, (1999) "Right to Self-Determination in *Re Secession of Quebec*", 23 *Md. J. Int'l L.* 213

under the regime of the Armed Forces (Special Powers) Act, 1958 would indisputably entitle the Nagas to the right to exercise the right of secession.

Chapter 5: Voice of the People (Data Analysis)

The following chapter will exhibit and analyze the outcomes of the data that was collected from the interviews and the surveys both qualitatively and quantitatively. This chapter also aims to capture and portray the ‘voice of the people’, in other words the Naga people. A linkage will be drawn between the expressed statements of the Naga people and the arguments/facts that are presented and rooted through the chapters of the paper.

It’s important to highlight that the consent was given from the majority of the interviewees prior to the interview to use their statements and quotes throughout the research. However, most of them weren’t comfortable nor assertive of this step. Therefore, as a mitigation and safety measure, and due to the sensitivity and actuality of the conflict, their names were not disclosed, and their quoted statements were used anonymously. Another reason for the anonymity is that most of the interviewees hold key and high posts within the Naga and the Indian society.

a. Field observations

Upon arrival and throughout the journey from Delhi to Nagaland, the first thing that can be observe and that was evident was the poor infrastructure that stretched from Dimpaur the train station of arrival to Kohima, Nagaland’s state capital. The journey is a stretch of 3 hours almost 68 Kms, and the road throughout that stretch consisted of bumpy, unsafe, unrehabilitated, and poorly maintained road and highway. Adding to that it’s common in Nagaland for people to get stuck in traffic hours reaching up to 8-9 hours mainly due to landslides blocking roads as a result

of heavy rain and nature of the land's fragile rocky hills. Compared to its neighboring states, Nagaland has the poorest infrastructure and roads, known for its bottleneck pathways. This doesn't only affect the quality of people's life, but most importantly the economic growth. Due to its geographical nature, Nagaland is an isolated state surrounded by lands, and the only scope of transportation of commodities is through its poor roads, this constraint led to the increase of the commodities expenses due to its increased transportation cost. Commodities including vegetable, food items, medicines, other goods and services.

b. Data Analysis

When it comes to the surveys, 187 Naga individuals contributed, almost 80 percent of which are males and the rest females. 70 percent varying between the age group between 19 – 34, 23 percent varying between 35 to 50 and the rest 51 and above. 86 percent of the surveyed had degrees of either bachelors and/or Masters, 6 percent (12) PHD holders and the rest either high school or secondary school graduates. The individuals represented were from all of Nagaland's major 16 tribes and some belonged to some other 28 sub tribes; majority of the submitters belonged to the Angami (18%), Sumi (10%), Poumai (10%),Ao (8%), Lotha (4%) Tangkhul. Which indicates a fair representation of the various tribes that Nagaland consists of, giving it more credibility due to the extent of education thus exposure that the submitters have to a certain extent, furthermore a validation to their answers and sense of judgment to the current situation in the home state.

(Refer to Annex 3 for the Interview Questions)

i. Surveys and interviews Overview:

The results of the Survey are as follow:

99% identify themselves as Nagas, out of which 60% identify themselves as being Nagas only and 40% as being both Nagas and Indians. 80% believed that Nagaland should be declared as an independent state from India, justifying the reasoning due to cultural and ethnic differences in the first place, many mentioning the history of the land and its sense of belonging to the Nagas, drawing that Nagaland only become under the sovereignty of the Indian government because of the British annexation during its colonial era.

“Because the Naga and the Indian are two different entities in term of race, culture, customs and in every aspect. We the Naga take Indian as outsiders, and also the Indian considers us as outsiders. There was no history that Indian conquered the Nagas, and Naga at no point of time consented to be part of India. The present position of India in the Naga territory is forceful occupation against the wish of the weak Naga.”

The 20% who believed that Nagaland should remain under the sovereignty of India and as part of India justified by saying that the Nagas are not ready for independence due to the fragility of the people and the state itself, and its dependence on the Indian government and regime for survival, as the economic reason is the main factor for this hesitation. Several others mentioned that Nagaland would fall into civil war amongst its tribes to claim power and leadership over the “Newly independent” Nagaland.

“Maybe after some 20 years or so. We do not have capable leaders as of now. All are selfish and greedy. If we get independence now, the corruption will increase tenfold.”

“Our politicians are extremely corrupt and will only lead us to war among ourselves in pursuit of power and individual interests. Also, Nagaland doesn't produce or export anything to generate revenue. Finally, the countless underground groups will fight for power and completely destroy peace in our land.”

67% often goes to mainland India for work and educational purposes, however 24% rarely go and 8% never been to mainland India. From 67%, 88% (111/187) have been, often to all the time, discriminated in mainland India for looking different.

92% believed that the Indian government is negligent to the Naga's affairs. With respect to the Indian military presence in Nagaland 30% expressed that they felt threatened, 38% expressed a feeling of discomfort, only 8% felt safe and empowered and the remaining had a neutral feeling towards the military presence.

On the perception of the Indian government, 46% perceived the government as being a corrupt system, and 9% as it being the enemy. On the other hand 25% perceived the government as a partner, and 12% perceived it as their own government.

The majority of the people survey had an understanding of the historical background of the Naga struggle, however some pinpointed the blame on the British occupation and colonialism and others on the Indian government and its intentions to attain power and expand.

Interviews Overview:

As for the interviews conducted (12 Interviewees), the responses mirror the ones mentioned in the surveys. The 12 personnel's interviewed consisted of 9 males and 3 females, all

being influential and active members in their communities, varying from a school principle to journalists, scholars, senior community leaders, social activists, and authors/scholars.

All of the interviewees reflected the distinct cultural, racial, and strong identity and sense of belonging that the Nagas share amongst each other. All of the interviewees highlighted the negligence of the Indian government of the Naga affairs, and the lack of any steps towards its development on various levels including infrastructure, economy, education and preservation of the Nagas culture and heritage.

“We are not asking anymore for an independent state, all what we are asking for now is some attention and development. It is because of such negligence of the Indian government, this generation grew with even a greater sense of resentment towards the government, and a stronger feeling of clinginess to the Naga patriotism erupting into more violence and feelings of indifference contributing to the instability and tension that we are witnessing and living today”

A couple of the interviewees expressed that the British should intervene and act as a mediator between the Nagas and the Indian government and reach to some sort of settlement and agreement between the two, since the British were the ones who were behind the whole conflict and forced inclusion of Nagaland to the Indian sovereignty.

“They decided our fate and destiny, and took our freedom away and gave it to the Indians on a piece of paper and left, the least that they can do is to facilitate a process of mediation or dialogue between us and the Indians. I hold the British accountable and I believe that they can and should take some action.”

8 out of 12 interviewed individuals expressed that Nagaland is not ready yet to have a separate state and declare its independence.

“We are not ready yet for separation, if Nagaland is ought to independent today, we will collapse and crumble as people, because the Nagas now are not united and we don’t have a moral and decent leader to look up to and look after the people’s affairs. We would fall into civil wars, brothers killing each other’s, and tribes raging to gain power and control.”

ii. Perception of Being a Naga: what does it mean to be a Naga?

As it was evident in the interviews, and several academic sources, it is quite hard to trace down the exact ancestral trail of the Naga people. It’s still unsure and undetermined the origins of the Naga people, when did they arrive to the Northeast of India, how did they come to existence, which empire, historical nationhood or even ethnicity do they trace back to. However, several interviewed individuals had some theories and a general idea of their origin and the essence of being a Naga and/or of belonging to the “Naga” nationhood.

“I read from the books that the Nagas originally came part of Siberia, there are a lot of theories around that.”

“Nagas don’t know where they come from, Nagas don’t know how they got to form a people, and what the word Naga means. The name Naga was given to the tribes by somebody else, and I am almost certain of it. Still it is unknown and a confused concept over what does Naga means, many people have different interpretations of the meaning, but no unified agreed upon meaning. They defend their name very strongly that they are a Naga and we don’t know what it even means. And our sense of belonging grows stronger when we are away from Nagaland. Some scholars say that our tribes came from the east, and others say came that we came from 3 different routes between the north and the east. When the Nagas get buried their heads are tilted to the east, similar to Muslims being bound to mecca. The Nagas went through

harsh living conditions, since Nagas can eat and eat everything meaning they took extreme measures to survive.”

One of the seniors expressed that according to the story of their forefathers, is that their original place is from China, but he didn't see any book in which it was written or documented. People believed that during the construction of the great wall of China, that some people left the country and settled down in Sokaju. “Our forefathers travelled from one place to the other until they settled here in Nagaland. So, we believe that we came from China and that we belong to the Mongolian tribe.”

One of the interviewees is a journalist and an author, in which he referred to Vashum's book, saying that it is outlined and described elaboratively about the origins of the Nagas in that book, and according to the interviewee's perception it's the closest credible information as to the origins and the roots of the Nagas. According to the book ('Nagas' Rights to Self Determination: An Anthropological-historical Perspective'), Vashum's stated that the origin and meaning of the etymon 'Naga' is still incomprehensible and obscure till today. Non-Naga scholars tried to link the origin of the word Naga to the ancient sanskrit literature. To these scholars for instance, 'Naga' means serpent (sanskrit Naga, serpent), mountaineer (sanskrit ng or nag, mountain) or nanga (sanskrit term meaning naked from the paucity of their clothing). Yet, these theories have been rejected by many Naga scholars and Non-Naga scholars as well. For example, on the theory of the definition of the term 'nanga', William Robinson (1841) comments: "The origin of the word Naga is unknown; but it has been supposed to have been derived from the word (nanga) and applied in derision to the people from the paucity of their clothing; but there seems little foundation for the etymological derivation, as the term has never been, known to be applied by the Bengalies to either the Khasias or the Garos with whom they were better acquainted than

with the Nagas; and besides, the Garos especially are habitually accustomed to a greater degree of nudity than any of the Naga tribes with whom we are acquainted". There are some theories propounded by Naga scholars. We shall quickly look into the most popular ones. There are some scholars who opined that the word 'Naga' was derived from the Burmese word 'naka' (also in some of the Naga languages)¹⁷⁴

The author added on the origin and migrational patterns of the Nagas that it is yet another difficult task set before the scholars (including the Nagas). It is still considered a term built and constructed on speculations and assumptions derived from scarce sources if there is anything at all on this subject matter. It was also highlighted that not much research has also been done on the history and/or prehistory of the Naga society, and this is the reason in main for lagging in this area of inquiry. It is a topic that the author recommended that it will be enriching and beneficial to have an abrupt look into this neglected topic for a deeper knowledge of Naga society. It is generally believed and passed on by the word of mouth from one generation to the other that in the remote past, various ethnic groups of the mongoloid stock are lightly scattered in the region which is occupied today by China, Mongolia and Korea, and that is believed to be the origins of the Naga people.¹⁷⁵

It seemed what shaped up the sense of identity amongst the Nagas is the shared cultural norms, values, beliefs and moral systems that they function amid, something that determines their social structure; altogether leading to the delivery of a sense of identity, thus abiding to this social structure gives the Naga individual a sense of belonging.

¹⁷⁴ Vashum, Reisang (2000) "Nagas' Rights to Self Determination: An Anthropological-historical Perspective", New Delhi pp. 9 -22

¹⁷⁵ Ibid

For some, being a Naga was abiding to the tribal and cultural values that were passed upon from one generation to the other, as it was reflected and shared by one of the female interviewees “I was taught on 4 principles as a you Naga child, and that is having wisdom, integrity and dignity, Tabboos and shame (Things to be mindful of while dealing with others). And my father used to be an Angami (Naga tribe), you need to have wisdom. And to respect the other person and to have shame towards others as a lady. And for me that meant what it means to be a Naga and what distinct me as an individual.”

iii. Identity: Naga vs. Indian

A clear homogenous and concrete expression was obvious in all the interviews and surveys amongst all of the individuals when asked on whether they identify themselves as Indians, Nagas or both. All of the interviewees responded by stating that they strongly identify as Nagas, only when it comes to international exposure, they express by saying “I am a Naga, from India”.

“It goes back to the effects of my history, I never perceived myself as an Indian, I always recognized myself as being a Naga, always been and always be.”

Another added, “We refer as being Indians as citizens of this country. But when I am asked about my identity, I refer to myself as a Naga. The Naga identity is always there as well. When people ask me I say I am an Indian Naga.”

However, a senior and community leader gave a moderate and different perspective by saying:

“I am an Indian citizen, as we are part of India after the British left us. Before the British left we made our position clear. In 1929, we told them that we fought against you we resisted

you, we were defeated we are not ashamed, we are so tiny. But since you are going, we tell you that we retain our right to decide our own future. And that for me is very honorable, and to defend that is also very honorable. In that sense I am a citizen of India, but I am not an Indian as a part of history, my roots don't go there. I am happy to be in any part of India, but I am an Indian citizen and not an Indian, I have an Indian passport, and no one would let me go anywhere without it.”

Given the demographical homogeneity of the state of Nagaland, all Nagas whether living in Nagaland or outside of it, in India or outside of it, they perceive themselves as being Nagas; some would even continue in identifying themselves by their Naga tribal affiliation. The only time in which the Nagas would feel that they're Indians or identify themselves as Indians, is when they're forced to present themselves with legal formalities and documentations, such as the usage of their passports and Indian national IDs.

iv. Perception of the Indian government by the Nagas

As it was reflected in the results of the surveys it was also affirmed by the results of the interviews done, there was a split of opinions and perceptions of the Indian government. Some moderates believed and perceived that the Indian government is their own government and a partner, while others believed that the Indian government is merely a corrupt malfunctioning one perceived to be the 'enemy' as described by few.

Some justified their perception of the Indian government as it being the enemy due to the violent historical approach of the Indian military towards the Nagas, mirrored in the discontinues and abrupt invasions of the Naga hills resulting in casualties and destruction amongst the Naga community.

“The Indian government cannot be considered as enemy’s, but when the invasion took place in the 1950s, the military action and operation was violent and suppressed out movement, and it wasn’t tolerated. But we definitely do not consider them as friendly people. Some Nagas however consider them as enemy’s since our houses and barns were burned down several times. We were chased and hunted like wild animals. Such treatments were committed by the Indians.”

Others justified their negative perception of the Indian government due to the governmental negligence of the Naga affairs. Another facet is the declaration of Nagaland itself being a state and part of India and the Indian sovereignty disregarding any of the Nagas contribution or saying in the decision making behind this process, resulting for some in perceiving the Indian government as the oppressor.

“Ever since the independence of India, Nagaland had been declared as it being the 16th state. We had no choice but to say that Nagaland is part of the Indian subcontinent. Indian government is just manipulating us, and making use of our land, and resources. And we are located so distantly geographically from the Indian subcontinent, we were ignored for a longtime, Nagaland and the Northeast in general. And just recently the light had been shed on the region and we have been looked at. The Nagas were always vocal on what we want and what we are. And I think Indians now are taking interest in knowing more about Nagaland and trying to understand the situation.”

As it was put by one of the senior freedom fighters approaching the age of 80, and an indulged experienced individual in the Naga cause and the struggle ever since he was in his early youthful years. He walked for three months and crossed borders all the way from Nagaland to China in order to get whatever support he can get that might aid his people in the Naga struggle; he stated:

“The government of India does not understand the Naga politics; we expressed our issue for the first time in proper in English during the 1929 memorandum to Simon’s commission. The British were weak after the WWII, yes, they won but they were economically weak. We were given to the Indians without proper thinking or consideration of the issue. Government of India never acknowledged our advocacy till 1952, the Prime minister came to Kohima (Neeru). And he had a superior approach by wanting to share his views, and not giving the space or allowing the Nagas to express there’s. So the Nagas thought to themselves why should we accept his views and listen to him, if he doesn’t respect us or want to listen to us. So everyone just left the meeting, and it was most unexpected. It was the beginning of the official bad relationship with the Naga and the Indian government, Neeru was so embarrassed, and the government felt that we have humiliated their prime minister. The Assam armed police came later on and the tension started building up, us treated like traitors and rebels. There has moments in which we resisted and started fighting back, but only in 1962 – 1963 is when we went to east Pakistan and started getting armed.”

Another senior community leader and a peace activist gave again a moderate point of view; stating that everything cannot be blamed on the Indian government and that it is a shared responsibility between the government and the Naga people, in particular Naga freedom fighters. He specifically said:

“The Naga freedom fighters were at range and very angry that the state was created and being part of India, it is right that we declare our historical position that we are not part of India or anybody. The Naga national council’s position and that’s how the Naga story started. The Naga said that the Indian Army is coming in, and we cannot defeat the army, but we can have a settlement with India, and the Naga freedom fighters called them traitors and puppets under the

Indian government etc.. And for me the Naga state declaration was needed for the Nagas and India, but this is the tragedy, that we were handling something that was given to us, I don't regard it as traitors but the freedom fighters do. We need to respond to a rapidly changing world, and that for me didn't cancel the history of Nagaland. But it is up to the Nagas to lead the state properly and take care of the development, economic, social political etc.. and because we are so new, and we don't have experience in running a state, we ran the state very badly. Because we were handling systems of governance and resources on a scale we never handled before... Delhi has given us enough to develop ourselves properly, and the Nagas that came to the state government, got rich or collected enough money to run for the second elections instead of development. The relationship between Delhi and Naga today is that they should be mindful of not dividing us in order to control us, it'll backfire on the Nagas and Delhi. But also us as people we should be united. For me both sides are failing to develop Nagaland. We are just learning to respond to a changing world.”

Another voice also expressed:

“I was born after the struggle, I have heard about it, my father being a politician, family members were involved in the struggle. But for me I don't perceive the Indian government as being an enemy, however I definitely believe and stand for the Naga struggle; I acknowledge it.”

The predominant perception of the interviewees is a perception of indifference towards the Indian government. Views were fluctuating between two spectrums: 1) strong emotions of resentment and condemnation of undesirable past experiences with the Indian government in Nagaland, 2) to others having a neutral view of the government, yet with unmet expectations and requests for dialogues and active interventions in the area. This variation of perceived indifference was a result of people either being previously subjected and directly impacted by the

ferocious conduct of the government, or it being an inherited perception from previous generations. Either which, the previously mentioned statements under this section, does not reflect a constructive view of the Indian government by the Naga people.

v. Historical awareness and Demands from the British

Almost all of the interviewed and surveyed Nagas had strong awareness over the historical cause of the conflict; it rooting back and starting since the British invasion to India and later to Nagaland, to after the departure of the British and the annexation of Nagaland to India.

As expressed by one of the interviewed people: “Nagaland is something that happened as a result of the British invasion. As a written story we are not known, as we have been isolated by the world. Our geographical location is as such, we have not been in touch with anybody and no one was in touch with us. But our values, culture, discipline, tradition is what have shaped our identity, and these were ideas that shaped our identity. We are in a tradition that we shouldn’t create trouble to others, but if others make trouble to us, being silent is worse so we need to defend ourselves. When the British came, they defeated us and included us to India without our consent, when the British left we told them, okay you defeated us and leaving, but now we want our land back and our claim to be a nation. When we started saying that, the Indian army came started suppressing us as a response. There’s a Naga village on the Burma border of 47 houses, and 57 Naga villagers were killed by the Indian army due to an attack. And going back to our tradition, we cannot be silent, and that’s how the conflict started and the tension between us and the Indian army.”

Some even blamed the British government fully as them being the main trigger and the root cause of the problem, as elaborated below by an individual:

“The British empire and the British government are the cause of the whole problem. They left us under the Indian government. And the British did their role well in dividing and conquering, and the end of the day they would only look after their own personal interests.”

When the interviewees were asked if they had any demands from the British government now as a follow up question. Several perceived the British being accountable to the current conflict in Nagaland. Opinions, however, speckled between the British government can't offer anything now to the Nagas to the British government is responsible and must intervene in resolving the conflict that they have initially created.

One voiced out saying: “We have repeated it many times, that the British need to tell the truth about Nagaland and share what we shared with them back then.”

Another senior added: “Most Nagas would say that the British left without settling the problem, but that is failing to see the world in a wider picture. The British bled and were exhausted fighting the Germans and the Japanese during the world war, and Britain had to reach a settlement and started leaving its empires. Within the international court of law, we can blame the British and say that you left us with this issue, but the British had a global empire to think about and Nagaland is nothing but a small detail. The British couldn't do more, in 1947 they left India August 15. The British can apologize by simply saying that sorry we didn't look into your affairs since we had a global empire to look into, then that would settle it, the Nagas would understand since they will be recognized. The British did, I believe, pass on the memorandum in 1929 and to the Indian government to integrate it in the constitution, Article 371A which stated

that the state assembly of Nagaland whatever the parliament of India passes will prevail in Nagaland only if the state of assembly of India ratifies it, that is the most important practices, traditions and customs of the Nagaland. So, I think the British passed on that position to the Indian government.”

As for the ones who had no expectations or demands from the British government reflected by saying: “I don’t expect anything from the British to be honest, they are a selfish nation that just left us under the mercy of the Indian government. They befriended us and then betrayed us to fulfill their own interest.”

A connecting thread can be observed throughout the research, and that thread being the shared and acknowledged history of Nagaland and the Naga people. This thread was carried out from one generation to the other connecting the Naga people together. This shared historical knowledge is what held their persistence whilst carrying a shared consistent message throughout the years; a message that embodied a call for the right to self-determination.

vi. Perception of the Naga Freedom Fighters

When the interviewees were asked this question almost all of them insisted on the distinction between the current freedom fighters and the previous ones. This distinction seemed crucial for individuals since it gave two different perceptions of the Freedom Fighters. Most believed that the previous freedom fighters of the old generation, the ones who initiated the struggle, were genuine and honest; ones who sacrificed their lives and everything they had for the cause. The current ones, were defined as being corrupt and lack genuineness and integrity.

One directly stating: “The genuine ones are the genuine ones, and they are few. But many aren’t, falling into extortion and making more money of the cause. The few ones are calling for an honorable and acceptable settlement between India and Nagaland.”

An senior freedom fighter who actually took part in the battle against the British occupation and the Indian ruling said basing on his past experience: “Previously there has been times in which we perceived them as genuine freedom fighters, but not now. They just use the cause to gain money from the Indian government and be silent. For me the common people are the true and genuine freedom fighters.”

Another expressed: “They started as being very sincere and very faithful, working very hard for the Naga cause and for the interests of the Nagas, achieving tremendous honorable things. However, today, we are left divided, segregated, fighting each other and being selfish each working for their own interest.”

A young activist expressed that: “It’s a mixture of both, some are genuine that would fight for the cause and keep it alive, and others they push us away from the cause, leading to divisions and aiding in pacifying the situation and making it worst. Some are using the notion freedom fighters just to resort to extortion and gaining more money and getting richer Many of course are genuine and they are honestly sacrificing and fighting for the cause. Some issues that we face as common people is the secrecy of the freedom fighters, some having under the table negotiations, nobody knows what’s the content of the framework of negotiation and there’s a lot of secrecy. This lack of transparency makes the people disconnected from them freedom fighters, I mean you want decide on behalf of the people and for the people without including them and making them aware of the situations and the decisions.”

“Now they are very confusing and confused, they all claim that they are fighting for the Naga people and all claim that they’re fight for the cause but they can’t get together and unite. They march in the name of the Naga people and they can’t come together.”

Finally, it was expressed and elaborated by another ex-freedom fighter the following:

“I consider myself as a freedom fighter, and I believe that we should fight till we get our sovereignty, many people have died for that cause and for that sovereignty. We might be able to reach a common ground and a peaceful agreement. But without sovereignty we cannot negotiate with the Indian government. India is very big, and I don’t think they would care enough to resolve our social, political and economic issues, only us we can resolve them.”

It is undebatable that all interviewees made a clear distinction between the timelines of the perception when it comes to the previous fighters. There’s a clear discrepancy between the initial freedom fighters were looked up as being genuine, sacrificing, and visionary; in comparison to the current ones that are being looked down on as being dishonest, corrupt and self-interest driven.

vii. Should Nagaland declare itself as an independent state?

This was the only controversial and confronting question amongst the interviewees, there was a clear and a strong divide between the ones who said that yes Nagaland should declare itself as an independent state, and others said that no it shouldn’t since the Nagas are not ready for it now. It’s worth mentioning that during the research and in several interviews, it was highlighted that the Nagas would most certainly fall into the traps of civil war, since there is

already an internal struggle amongst the various Naga leaders and Naga tribes over hegemony and leadership.

It was expressed by one of the community leaders: “We have very little experience in running a state, many Nagas might not like what I am saying, but we might run the country just like we are running the state now (A failure, corruption and underdevelopment as mentioned previously). Look at South Sudan, Somalia, Eritrea, they got their independence, but they are suffering with poor governance. Look at Somalia for instance, their nation is poisoned with bitterness affecting not only the nation but their relationships with other countries. Unless we solve our problems, we will be smothered with more problems.”

And one of the interviewed authors and journalists elaborated on the claim by saying: “I have mentioned it in my book, that probably it’s in the best interest for Nagaland to be in the India union given the current circumstances. For instance, I think that in today’s world Nationalism has become so small.” He also added “Usually when Nagas talk about Nagaland it’s Naga and Land. Wherever there are Nagas it’s Nagaland. We have never been part of India, and since the 1929, the official request to separate, we’ve been calling for separation and independence. Geographically speaking, India cannot let go of Nagaland, it would be like opening Pandora’s box¹⁷⁶ on the rest of India. We had nothing to do with the Indians and we didn’t know them, even the tribes in Burma, no connection at all, and it was only the British who brought them together.”

¹⁷⁶ Pandora's box is an artifact in Greek mythology connected with the myth of Pandora in Hesiod's Works and Days. The container mentioned in the original story was actually a large storage jar but the word was later mistranslated as "box."

In modern times an idiom has grown from it meaning "Any source of great and unexpected troubles", or alternatively "A present which seems valuable but which in reality is a curse". Later depictions of the fatal container have been varied, while some literary and artistic treatments have focused more on the contents of the idiomatic box than on Pandora herself. There is also an alternative tradition in which the divine gift of a jar was opened by a curious male.

A previous general and a senior in the freedom fighters group expressed by saying: “It’s very difficult, there’s a redline that they cannot cross, set by the government. I believe that Nagas should unite first amongst themselves, and the government of India should encourage the Naga people to do so. Else wise we won’t last long. It’s only then we can stand on our feet and reach a settlement.”

The general overview was a strong belief that Nagaland and the Naga people are not ready for separation, however, that doesn’t take away the right from the Nagas to have a separate and sovereignty state, but first the Nagas need to resolve their internal disputes and struggle in order to move forward with unity and advocate for, if not instant but gradual separation and independence.

In brief of the ‘Should Nagaland declare itself as an independent state’ section; the ones who believed that Nagaland should separate from India and obtain its status of sovereignty and independence, defended their belief by arguing the following: 1) that it’s their natural right given that they were never part of any state or under any sovereignty before the colonialization of the British, 2) a mistrust in the government of India, stating that India doesn’t care about the Naga affairs due to their distinct fundamental differences (i.e.: religious believes, features, traditions, culture and values), 3) believing in the notion that “Only the Nagas know what’s best for them”, arguing that due to their distinction and uniqueness, they’re the only ones who’d know what vision they need to adopt as a nation. On the other hand, for the ones who believed that Nagaland shouldn’t be separated or that it’s not yet ready for such a transforming step, argued by stating the succeeding: 1) The Nagas are not yet ready due to poor ethical governance and leadership, tribal leaders are still under a furtive dispute; a ticking bomb that’s yet to blast in a form of a civil war and a struggle over power and leadership, 2) The most likely occurring assumption that

the Indian government might condemn Nagaland as a response of the presumed independence; a response that can be translated into a diplomatic isolation and exclusion, inclusive of economic and political cutoffs, 3) Finally, the fear of external interferences/pressures from the neighboring countries such as Myanmar and primary China; a threat of masked economic or political domination.

Encapsulation of this chapter, it was very vibrant throughout the whole data collection process as it was expressed by the Naga people, that Nagas have a very unique and distinct culture, traditional, and ancestral shared values and believes undeterred by the variety of the tribal groups that exists in the Naga societal structure. All the Nagas viewed themselves as being Nagas first, and only few acknowledged their dual identity, the other being Indian. The perception of the Naga freedom fighters varied amongst the Naga people, some had divided views each associated with a different timeline, others strictly viewed them as righteous activists and freedom fighters. The history of Nagaland and the annexation by the British government was a shared knowledge amongst the majority, something that can be linked to the strong sense of identity and shared history, which acts as a foundation for the other shared societal and cultural elements of the Naga people. When it comes to the perception of the Indian government, a defying connecting link amongst all of the interviewees was the stated acknowledgement and perception of the Indian government's weak presence, and to some, the deliberate negligence of the Northeast and Nagaland in particular, as a response to their persistent insurgency and resistance towards the Indian government.

Finally, addressing the 'golden-question' of the Naga people whether Nagaland should declare itself an independent state or not; irrespective of the swinging pendulum between an assertive yes and a shy no, the inevitable underlying answer was the appeal for Nagaland to be

independent, yet the differentiating variables are being a question of when and under what circumstances. As a derivative from the interviews with the Naga people, it's fair to conclude that the Naga's blame is a combination of three entities for the current dreadful state that Nagaland is currently in. These blamed entities are the British, initially, the Indian government, and unconventionally themselves. In order to come up with a solution to the dilemma, the root cause of the problem needs to be dug-out and dealt with. If the Naga people collectively accepted to be part of the blame, they can be part of the solution as well, and reach a settlement with the Indian government when it comes to communicating their needs, demands and expectations.

Chapter 6: Way Forward and Recommendations

Establishing on the historical overview of the Northeast in general and Nagaland in particular, it is fair to state the Indian government had been negligent of the region's affairs and demands on various layers and other different aspects. It is also noticeable that this negligence is one of the main reasons and contributing factors to the instability and erupting violence in Nagaland. The Indian government's response to the Naga's demands was either inconsistent and unmet promises throughout the years, or the tendency to resort to oppressive and forceful military measures in Nagaland. Both forms of responses were counterproductive resulting in widening the gap more between the Nagas and mainland India, agitating the conflict and feeding the insurgency and acts of violence even more. The Indian government also failed in meeting the social, economic and political development needs in Nagaland, resulting in a catastrophic poor infrastructure, corrupt internal governing system, and a failed sterile economic structure.

It was a key finding that a collection of several factors led the Naga people to be persistent, consistent and proactive in their call for separation, sovereignty and self-determination. These factors were both interrelated and independent factors, including but not limited to: 1) racism against the Naga people upon active engagement in mainland India , an act that brought them into solidarity with one another, 2) The government's weak presence and negligence that led to: a) a huge flux immigrants from neighboring countries (ex: Bangladesh) threatening the homogeneity of the Northeasters, b) weak political leadership and short-sightedness of the decision making, c) sufferings from lack of basic entitlements and social infrastructural development. 3) cycles of violence and underdevelopment; both variables being interrelated one feeding into the other, 4) Indian government's responses to the Naga insurgency.

All the previously mentioned factors combined, form the perfect recipe for a legitimate call for separation and independence.

When it comes to addressing the question of Nagaland's legitimacy and entitlement to its right for the call of self-determination, and basing on the analysis that's branched-out throughout the paper; it is with no doubt that Nagaland is entitled and eligible to obtaining its right for self-determination and independence from the Indian government. As presented earlier in the paper, under the international law and founding on the interpreted entitlements of external self-determination; the Naga people can undeniably fall under the 'a people' status. However, regardless whether the Naga people's status is ought to be perceived as "a people", "a minority group", or "indigenous people, Nagaland still have the valid arguments which are reflected throughout its history and the projected policies and acts of the Indian government. The main focus here is whether Nagaland is ready to be a functioning sovereign state or not.

The issue was comprehensively elaborated and summed up by the lecturer Koheni Moses in July 1999, through a speech that was delivered at the university of Shillong titled "The Naga struggle for sovereignty: Its past and the probable future". In his speech he stated that the Nagas are facing two major conflicts/struggles that are parallel to each other throughout the history of the political movement. On one hand, there is the Naga struggle for sovereignty, self-determination and independence from the Indian government. And on the other hand, there is equally powerful struggle and that is within and amongst the Naga people/communities/tribes, a struggle of leadership for power and hegemony over the Naga community. Pr. Koheni Moses, highlighted that the key and the direction of the future struggle should be towards the empowerment of the people. Elaborating that by the empowerment of the people, it is meant by creating the conditions in which people can help themselves or improve their lives in freedom,

sharing and cooperation and not in living in fear, constant competitive destruction and extremely isolated individualistic pursuit of self-interest and maximization of profit. He was one of the pioneers to speak about the role of democracy in empowering the people, whilst ensuring the aspect of the freedom of expression.

“The best way humankind has realized so far, the empowerment of the people is through democratic set up of the kind the various developed countries have instituted in their states governed by the "Rule of Law" enshrined in secular democratic constitutions. And this question is precisely what is not being addressed by the so called 'freedom movement' programme of the Nagas.”

He continued by criticizing the movement saying that it is already badly split and fragmented over the last thirty-one years i.e., since 1968 with the formation of the 'Revolutionary Government' of Nagaland' that was led by General Kaito, who was later on assassinated by a deadly shot at Kohima by fellow Nagas. And even stretching his criticism to the over-ground Naga politicians stating that:

“They are through and through corrupt without the slightest moral scruples. Their only goal seems to be to make as much money as possible by any means. They view politics as a mere money-churning machine and not to serve the people. The result is too obvious for anyone to see, like public roads, any public services, cottage industries etc. are there but only in name in Nagaland. And this is true also with most of the active participants of the of the 'underground movement' with the few exceptions of the top leaders, which is reflected in the fact that in actual life they do not like to be left behind in the race for accumulation of wealth for themselves individually independently of the cause.”

The Nagas can be diagnosed of being ‘Morally Degenerating’, meaning that it would be difficult for the Nagas to come into a peaceful democratic sovereign state at this rate of internal cold wars, deviation from ethical governance and leadership, indulgence in greed, corruption and power attainment would definitely result into an endless cycle of internal conflicts and divides that its effect would stretch and echo throughout history from one generation to other, stating the examples of the internal conflicts in India (Jammuh Kashmir), Sri Lanka, Burma, Indonesia etc...

Even if sovereignty was attained through the violence of armed struggle or militancy, the same struggle for power will eventually continue internally amongst the Nagas, even more fiercely. This issue of internal struggle would resolve once the notion of people’s empowerment is worked upon, hence the only way to achieve the latter is when the question of the political status or the statehood of the people settled is peacefully and addressed. In order to attain this peaceful settlement, a referendum should be conducted in order to measure and quantify whether the ‘Naga people in the changed circumstances’ are willing and happy to continue with the Indian citizenship under the Indian sovereignty or whether they still prefer complete sovereignty and independence or perhaps some other arrangement. And in order for this to happen all the parties concerned including the four factions adding to that the currently ruling party plus the government of India must first agree to hold the referendum underneath a neutral authority such as the United Nations, secondly, all parties must make a prior commitment to respect and abide to the result of the referendum no matter what the outcome is.

Developing the points that were mentioned in Koheni Moses’s speech/lecture, and after a close overarching analysis of the situation in Nagaland, taking into account the historical background, the theoretical view of the notion of “Self-determination”, and after assessing and

evaluation the current status of the situation through the eyes of the Naga people; the following statement can be drawn: In order to address the Naga conflict of self-determination an effort should be established concurrently on both levels, internally and externally.

Internally, the Naga people and the Naga authority, should first acknowledge the core dispute and divide that stretches amongst all aspects of the Naga struggle; politically, ideologically, and in the structure of leadership and decision making. A conscious effort should be made to tackle these fundamental disputes. Otherwise, Nagaland will never have a fertile soil to grow or nurture any attempts of independence and sovereignty. The growth of these seeds would be hindered by the contamination of corruption, struggle for power and internal divisions.

And externally, the Indian government takes it an extra mile in changing its perspective on the conflict, and address the issue disregarding the approach of demeaning the Naga people's request, and to actual acknowledge and recognize the cultural and leadership trauma that bombarded Nagaland after the British invasion and occupation. Reflecting on Newton's Third Law of motion "For every Action, there's an equal and opposite reaction", and projecting on the Indian approach towards the conflict, we can draw from the situation clearly that the more the Indian government is going to attempt in suppressing resisting the Naga people, the more the Naga people are going to backfire persist, pushing them away by all means from complying to any negotiations or dialogues in reaching common grounds. Instead, the Indian government should channel its efforts and invest in addressing these issues not only in Nagaland but the Northeastern part as a whole. And should work creating more spaces and invitations to dialogues agreements on neutral grounds.

On another hand, the Indian government would benefit greatly from creating a compliance and accountability mechanism in managing the state of Nagaland and its affairs, with

the aim of preventing corruptions and ensuring the proper and efficient usage of resources that are already being given to the officials in authority in the state of Nagaland and other states. Such effort would assist in bringing the Naga people closer to the government of India, and perhaps in regaining the trust in the government tackling the impression that the Indian government is negligent to the Naga affairs in particular and the Northeast in general. Especially when it comes to fulfilling the Indian government's schemes in the Northeast, such as the "Act East" policy, an initiative that would bring a lot of economic prosperity to the region as a whole and to Nagaland in particular.

Last but not least, a key recommendation can be raised as a response to the ambiguity of several definitions of terminologies and statuses that can act as a cutting edge whilst the determination of the validity of entitlements and eligibility towards the right to self-determination. The United Nations, for instance, should take a more active role in its experience, and the experience of the International Court of Justice, when it comes to resolving disputes involving issues of self-determination. The International Court of Justice has issued numerous advisory opinions regarding the right of various groups to self-determination. The basis of a group's rights to self-determination lie in the United Nations Declarations. The International Court has extensive experience in interpreting these documents. Such initiative by the United Nations and the International community would act as a protective guard against the misuse of self-determination by the mother states and third parties, that might abuse such authority for personal political gain and interests.

Chapter 7: Conclusion

In an overarching summary, it was outlined in several academic publications, social media publications, and National news; that the north-eastern part of India is in a poor condition that suffers from government negligence and poor investments in the infrastructure, economy, health care and education. It was also evident that in Nagaland in particular there were two factors that were leading to the agitation of the people and for the call for separation; the first one being the negligence of the Indian government compared to other states of India, negligence coming from the lack of supervision and accountability mechanisms and frameworks to evaluate and monitor financial expenditures and how they're being utilized in the region. Fair and equitized amount of finances are given to states in India but due to corruption in Nagaland there's a waste and misuse of these finances and resources. The other factor contributing to that feeling of indifference and call for separation is made of two aspects; one being the historical background on which the basis of how Nagaland was conquered by the British and the Nagaland given and handled to India after the withdrawal of the British colonialism without any consultation or engagement of the Naga people in the decision making; and two being the distinct cultural, religious (Which later on shaped to Christianity during and after the British colonialism), ethnic and traditional traits, making their integration with the prospect of the Indian Nationalism difficult and almost impossible at certain aspects. This has also been validated through the increase of recorded hate crimes and social discrimination in mainland India due to the Naga's distinct features.

Going back to the topic's main question: To what extent is national identity and the need for independence linked to cultural, historical, political and economic factors in the case of

Nagaland's call for separation and independence? Reflecting back at the literature review, historical overview, and the analysis of Nagaland's right to self-determination, it is evidential the Naga's call for independence is highly linked to all of the mentioned factors combined; including the cultural, historical, political and economic factors. The negligence and misfit response of the Indian government highly contributed to the establishment of gaps in all of the previously mentioned factors. It's been clearly stated and emphasized upon as well the extent of entitlement of the Naga people when it comes self-determination in the eyes of the international law and community. When it comes to the extent of readiness of the Naga people to have their Independent and sovereign Nagaland, it's apparent that Nagaland's economy is not sustainable or strong enough, on the contrary the economy is sterile and restricted. It was also evident that there has been a struggle, resistance and separation ever since the British colonialism and the reconstruction of Nagaland's borderlines leading to the disintegration of the Nagas throughout Myanmar (Burma) and the North-eastern part of India. Going back to the current situation and as it was reflected by the data collected, the majority of the common people advocated for the call for separation, calling for a separate and sovereign Nagaland state, which is justified by the latter mentioned reasons of government negligence and the poor attempts of the Indian government for integration, and due to the Nagas clear distinct culture, traditions and features compared to the rest of India. However, it was also reflected by few especially during the interviews who were community leaders and scholars, that Nagaland is currently not ready for separation or sovereignty. For two main reasons, one being that the Naga people, and there are not united and are divided by internal struggles and conflicts, if Nagaland is ought to have an independent state there's a great possibility of the country falling into a civil war and tribal clashes of dominations and attainability of power. Secondly, as it was mentioned by several

interviewees, Nagaland and the Naga people lack strong and ethical leadership that would unite and lead the nation. That's been said, taking the historical example of the after-maths of the separations of India and Pakistan, and judging on the current stances, the two nations have a tensed political and diplomatic relationship, with almost completely closed borders, and restrictions for the flow of citizens between the two nations. If by any case India gave Nagaland to the Nagas, there's a risk of isolation and political resentment, leaving Nagaland vulnerable to stronger more powerful neighbors including China and Myanmar, adding to that that Nagaland is rich with its natural resources and virgin oil reserves making it vulnerable to the Chinese dragon. Which eventually might lead Nagaland to be the new Tibet. Assuming the absence of the possible threats by the neighboring countries, would the Naga people stop their request to their call for independence and sovereignty of Nagaland? Or would they fall in the webs of civil and tribal wars and call for further disaggregation? Is Independence really the answer for Nagaland and the Naga people? Is there any possibility for integration and development in Nagaland? Does the British have any role to play in mending that hurt that the Nagas had suffered due to colonialism which effect still does echo to our present day?

On a final remark, constructing on the fair representation of the consulted people whilst conducting this research, an approach and mid-way solution was proposed and suggested by few yet credible voices from the interviewees. The suggested approach was for the Naga people (namely the leaders/representatives) and the Indian government to collaboratively cooperate and work together in finding a common ground towards the attainment of a resolution. These few suggested a two-way approach for resolution, one starting with dealing with working on the unity of the Naga people amongst themselves and in standing against the drawbacks of corruptions; the other way is through a constructive alliance with the Indian government in

mending the past progressively and systematically. This two-way approach ensures ‘realpolitik’¹⁷⁷, one that is sustainable and preparatory for later stages in the future; one that can be the building-block for a peaceful settlement and constructive dialogue towards independence and absolute sovereignty.

¹⁷⁷ Note: a system of politics or principles based on practical rather than moral or ideological considerations.

Bibliography

1. "Britain's Greatest Battles". National Army Museum. Retrieved 15 December 2015.
2. "Burma Campaign: Seizing Imphal and Kohima In World War II". HistoryNet. 6 December 2006. Retrieved 17 December 2017.
3. "Dawn of Peace in Nagaland - SHILLONG ACCORD". nagaland.nic.in. Archived from the original on 14 March 2012. Retrieved 27 April 2012. the historic "Shillong" signed at Shillong on November 11, 1975, by the Governor of Nagaland Mr. L.P Singh representing the Government of India and the underground leadership represented by Mr. Assa and Mr. Kevi Yalley
4. "Naga Hills Tuensang Area Act, 1957" Source: <https://indiankanoon.org/doc/727141/>
5. "Nagaland." , Encyclopdia Britannica, 19 Jul. 2018. academic-eb-com.neptune.ndu.edu.Ib:9443/levels/collegiate/article/Nagaland/111213. Accessed 26 Jul. 2018.
6. 1945-, Healey, Joseph F., (2018-03-02). Race, ethnicity, gender, & class : the sociology of group conflict and change. Stepnick, Andi., O'Brien, Eileen, 1972- (Eighth ed.). Thousand Oaks, California.
7. Agrawal A. and Kumar V. (November, 2017) "Cartographic Conflicts within a union: Finding land for Nagaland in India" Political Geography, Volume 61, pp 123-147
8. Allen Buchanan, Democracy and Secession, in National Self-Determination, supra note 22, at 14, 17 and 25.
9. Anonymous, (March 2012) "Is Shared Sovereignty the Future of Nagaland?", Tehelka; New Delhi <https://unpo.org/article/14728>
10. Anya Kingsley, Odigie Dennis (Dec 2018) "A "Philosophy-Evolution" Of Self-Determination In International Law And Politics: A Basket Full Of Water?" Asian Conference, 1993.
11. B Koheni Moses (26-28 July, 1999), "The Naga struggle for sovereignty: Its past and the probable future" Lecturer, Deptt. Of Philosophy - NEHU, Shillong
12. Banerjee, Monica (2009) Civil Society and Violence in India's Northeast, Journal of Civil Society, 5:2, 151 -167
13. Benedict Kingsbury, Self-Determination and Aindigenous Peoples, 86 am. soc'y int'l l. proc. 383, 388 (1992).
14. Canada recognizes Kosovo, Serbia pulls ambassador". CBC News. 18 March 2008. Retrieved 25 July 2008.
15. Cass Z. Deborah, Re-Thinking Self-Determination: A Critical Analysis of Current International Law Theories, Syracuse Journal of International Law and Commerce, Vol 18 No. 1 (1992) Art. 4 Pp. 1, 2.
16. Caste, Nationalism and Ethnicity: An Interpretation of Tamil Cultural History and Social Order, p. 57-71.
17. Charles Chasie (2005), Nagaland in Transition, India International Centre Quarterly, Vol. 32, No. 2/3, Where the Sun Rises When Shadows Fall: The North-east (Monsoon-Winter 2005), pp. 253-264
18. Chasie C. and Hazarika S. (2009), "The State Strikes Back: India and the Naga Insurgency", Washington: East West Center pp.8 – 11
19. Christian Tomuschat, supra note 25, at 38, 42.

21. Daniel Philpott, Self-Determination in Practice, in National Self-Determination and Secession1, 1 Margaret Moore ed., 1998 p.79.
22. Dickson, supra note 17, at 23 and 551.
23. Duncan McDuie-Ra (2008), Between National Security and Ethno-nationalism: The Regional Politics of Development in Northeast India, pp 1-26
24. Duncan McDuie-Ra (2016) Adjacent identities in Northeast India, Asian Ethnicity, 17:3, pp 400-413
25. Economic and Political Weekly: Vol. 36, Issue No. 04, 27 Jan, 2001 » Sovereignty, Territorial Integrity and Right of Self-Determination – Source: <https://www.epw.in/journal/2001/04/commentary/sovereignty-territorial-integrity-and-right-self-determination.html>
26. Gellner, E. (1983) Nations and Nationalism (Ithaca, NJ: Cornell University Press) pp. 6-7
27. Guha, Ramachandra (2007) [2007]. India After Gandhi. Pan Macmillan Ltd., London. pp. 269–278
28. Guibernau, Montserrat, (2004) “Anthony D. Smith on nations and national identity: a critical assessment” Open University, Walton Hall, Milton Keynes, MK7 6AA p.p. 125 -141
29. Hannum, Hurst “Legal Aspects of Self-Determination” – Publisher: Encyclopedia Princetoniensis - Source: <https://pesd.princeton.edu/?q=node/254>
30. Hilpold, Peter (2009), “The International Court of Justice’s Advisory Opinion on Kosovo: Perspectives of a Delicate Question”, Austrian Review of International and European Law, Netherlands
31. http://exteriors.gencat.cat/web/.content/00_ACTUALITAT/notes_context/FULL-REPORT-Catalonias-legitimate-right-to-decide.pdf (visited 23/01/2018).
32. Ijezie, Chinonso (2018) “Right Of Peoples To Self-Determination In The Present International Law”, University of Hertfordshire
33. Imai Shin, Indigenous Self-Determination and the State, Comparative Research in Law and Political Economy, (CLPE) Oxford Research Paper 25/2008 Vol. 04 No. 05 (2008) P.1.
34. Is Shared Sovereignty the Future of Nagaland? - Publication info: Tehelka ; New Delhi (Mar 20, 2012)/ <https://search-proquest.com.neptune.ndu.edu.lb:9443/docview/929070342?accountid=28281>
35. J.C. JohariI (March 1975) “CREATION OF NAGALAND: TRIUMPH OF EBUILLIENT INFRA-NATIONALISM” Source: The Indian Journal of Political Science, Vol. 36, No. 1,pp. 13-38
36. Johnson, Kevin. "The Struggle for Civil Rights: The Need for, and Impediments to, Political Coalitions among and within Minority Groups". heinonline.org. Louisiana Law Review
37. Kashyap, Samudra G. (2015) “Towards the Govt-Naga peace accord: Everything you need to know” – The Indian Express: <https://indianexpress.com/article/explained/simply-put-towards-accord-step-by-step/>
38. Kolla E.J., “The Revolutionary Origins of the Principle of National Self Determination,” International Judicial Monitor-Historic Moments in International Law, Fall 2009 Issue, P.1.
39. Kumar, B.B. 1996. Re-organization of North-East India (Facts and Documents). New Delhi: Omsons Publications.
40. Li Ann Thio, International Law and Secession in the Asia and Pacific Regions, in Secession, supra note 33 at 297.
41. Lotha, Abraham (April 2012), “A Reflection on the Forum for Naga Reconciliation Meeting, Feb, 29th”, Imphal Free Press, Manipur – India

- (<http://www.imphalfreepress.in/page/items/5230/5230-a-reflection-on-the-forum-for-naga-reconciliation-meeting-feb-29th/>)
42. Lt Gen NS Brar (2016) “The Naga Imbroglia and Conflict Resolution” – Issue: Net Edition Source: <http://www.indiandefencereview.com/news/the-naga-imbroglio-and-conflict-resolution/>
 43. Lugard Sunday, “Self-determination as a Right of the Marginalized in Nigeria: A Mirage of Reality?” Vol.1 Issue1, Journal of International Human Rights Law: Universal Multidisciplinary Research Institute Pvt Ltd, (2015) 127.
 44. M.S Prabhakara, March (2011), “Mother of insurgencies or reinvention?” <https://www.thehindu.com/opinion/lead/Mother-of-insurgencies-or-reinvention/article14962563.ece>
 45. Madhab, Jayanta (Feb. 6-12, 1999) “North-East: Crisis of Identity, Security and Underdevelopment” Economic and Political Weekly Vol. 34, No. 6, pp. 320-322
 46. Max Weber, Weber's Rationalism and Modern Society, translated and edited by Tony Waters and Dagmar Waters. New York: Palgrave Books, 2015, pp. 129-198.
 47. McCorquodale, Robert (1994) “Self - Determination: A Human Rights Approach”, ICLQ, Vol. 43, Issue 04, pp. 857-885
 48. Meetings Coverage and Press Release: The United Nations "Declaration on the Granting of Independence to Colonial Countries and Peoples" of 1960 was even supported by India and Myanmar – Source: <https://www.un.org/press/en/2017/ga11924.doc.htm>
 49. Merriam-Webster's collegiate dictionary, 1999 - <https://www.merriam-webster.com/dictionary/the%20people>
 50. Misra, R., & Castillo, L. G. (2004). Academic Stress Among College Students: Comparison of American and International Students. International Journal of Stress Management, 11(2), 132-148.
 51. Misra, Udayon. 2000. The Periphery Strikes Back: Challenges to the Nation-State in Assam and Nagaland. Shimla: Indian Institute of Advanced Studies.
 52. Monoj K. & Manoj K. “Mapping North East On India's Foreign Policy : Looking Past, Present And Beyond”, The Indian Journal of Political Science, Vol. 65, No. 4 (Oct.-Dec., 2004), pp. 636-652
 53. Moore, Introduction: The Self Determination Principle and the Ethics of Secession, supra at p. 11
 54. Moorti, S. (2004). "Fashioning a Cosmopolitan Tamil Identity: Game Shows, Commodities and Cultural Identity". Media, Culture & Society. 26 (4): 549.
 55. Namrata Goswami (27 November 2014). Indian National Security and Counter-Insurgency: The Use of Force Vs Non-violent Response. Routledge. p. 45.
 56. Neivetso Venuh; Bonita Aleaz (2005). British Colonization and Restructuring of Naga Polity. Mittal Publications. pp. 55–65.
 57. Nicolas Levrat, Sandrina Antunes, Guillaume Tusseau and Paul Williams, “Catalonia’s Legitimate Right to Decide -Paths to Self-Determination” (2017) A Report by Commission of International Experts Pp. 17-25, http://exteriors.gencat.cat/web/.content/00_ACTUALITAT/notes_context/FUL L-REPORT-Catalonias-legitimate-right-to-decide.pdf (visited 23/01/2018).
 58. Nicolas Levrat, Sandrina Antunes, Guillaume Tusseau and Paul Williams, “Catalonia’s Legitimate Right to Decide -Paths to Self-Determination” (2017) A Report by Commission of International Experts Pp. 17-25,
 59. P. K. Mohanty, "Encyclopaedia of Scheduled Tribes in India: In Five Volume", p. 253

60. Poddar, Prem (2008-07-02). *Historical Companion to Postcolonial Literatures - Continental Europe and its Empires*. Edinburgh University Press.
61. Pronk J. (2002) *The Amsterdam Declaration on Global Change*. In: Steffen W., Jäger J., Carson D.J., Bradshaw C. (eds) *Challenges of a Changing Earth. Global Change — The IGBP Series*. Springer, Berlin, Heidelberg
62. Renzut A. (November 2017) “Skyline of Northeast India”,
https://en.wikipedia.org/wiki/Northeast_India
63. Report of the International Committee of Jurists entrusted by the Council of the League of Nations with the task of giving an advisory opinion upon the legal aspects of the Aaland Islands question, *League of Nations Off. J., Spec. Supp. No. 3* (Oct. 1920) at 5
64. Roy, S. K. (2005) *Conflicting nations in North-East India*, *Economic and Political Weekly*, 14 October, pp. 2177–2182.
65. Roya M. Hanna, (1999) “Right to Self-Determination in In Re Secession of Quebec” , 23 *Md. J. Int'l L.* 213
66. Sanders, Douglas (1999). "Indigenous peoples: Issues of definition". *International Journal of Cultural Property*. 8: 4–1
67. Sanyu V. and Broome R. (2017) “A Naga Odyssey: Visier’s Long Way Home”, *Australia – Monash University* p.p 15 - 114
68. See generally Quincy Wright, *Mandates under the League of Nations* (Chicago: Univ. of Chicago Press, 1930); R.N. Chowdhuri, *International Mandates and Trusteeship Systems: A Comparative Study* (The Hague: Martinus Nijhoff, 1955).
69. Senaratne Kelana, *Internal Self-Determination in International Law: A Critical Third-World Perspective*, *Asian Journal of International Law*, 3 (2013), pp. 305–6, quoting James SUMMERS, *Peoples and International Law: How Nationalism and Self-Determination Shape a Contemporary Law of Nations* (Leiden/Boston: Martinus Nijhoff, (2007) at 188.
70. Senaratne Kelana, *supra* note 3 at 306.
71. Source: www.satp.org (retrieved 24 October 2006). Figures reflect the period 1992–2006.
72. Thakker, Amman & Singh, Kartikeyal (January 2019), "A States-Led Effort To Resolve The Naga Conflict", *Nagaland's Time, India*
73. *The Aaland Islands Question*, Report presented to the Council of the League by the Commission of Rapporteurs, *League of Nations Doc. B.7.21/68/106* (1921) at 27
74. *The economic times* (August 2015), “Government signs landmark Nagaland peace treaty with NSCN(I-M) in presence of PM Narendra Modi”, *India* [//economictimes.indiatimes.com/articleshow/48332059.cms?from=mdr&utm_source=content_ofinterest&utm_medium=text&utm_campaign=cppst](http://economictimes.indiatimes.com/articleshow/48332059.cms?from=mdr&utm_source=content_ofinterest&utm_medium=text&utm_campaign=cppst)
75. *The economic times* (Nov 2014), “‘Look East’ policy now turned into ‘Act East’ policy: Narendra Modi” [//economictimes.indiatimes.com/articleshow/45136929.cms?from=mdr&utm_source=content_ofinterest&utm_medium=text&utm_campaign=cppst](http://economictimes.indiatimes.com/articleshow/45136929.cms?from=mdr&utm_source=content_ofinterest&utm_medium=text&utm_campaign=cppst)
76. *The Transitional Federal Charter of the Somali Republic* (PDF). University of Pretoria. 1 February 2004. Archived from the original (PDF) on 25 March

2009. Retrieved 2 February 2010.
77. Thongkholal Haokip, "India's Look East Policy: Its Evolution and Approach," *South Asian Survey*, Vol. 18, No. 2 (September 2011), pp. 239-257.
 78. Thongkholal, Haokip (2013) "The Kuki-Naga conflict in the light of recent publications", pp 1-12
 79. UN Charter, art. 73.
 80. UN G.A. Res. 1514 (14 Dec. 1960).
 81. UN G.A. Res. 2625, Annex (24 Oct. 1970).
 82. United Nations, (2010) "Minority Rights: International Standards and Guidance for Implementation, Newyork and Geneva
 83. Van Schendel, Willem (2011) "The Dangers of Belonging," pp. 36.
 84. Vashum, Reisang (2000) "'Nagas' Rights to Self Determination: An Anthropological- historical Perspective", New Delhi pp. 9 – 22
 85. Vashum, Reisang (2000) "'Nagas' Rights to Self Determination: An Anthropological- historical Perspective", New Delhi p. 328
 86. Watson, Sarah (March 2017) "Unrest & Isolation in India's Northeast: Domestic Politics Pose Obstacles to Regional Connections", USA,
 87. CSIS Asia Program

Annex 1: Nine Point Agreement

Naga-Akbar Hydari Accord (Nine Point Agreement) Kohima, 26-28 June 1947

That the right of the Nagas to develop themselves according to their freely expressed wishes is recognized.

1. Judicial – All cases whether civil or criminal arising between Nagas in the Naga Hills will be disposed of by duly constituted Naga Courts according to Naga customary law or such law as may be introduced with the consent of duly recognized Naga representative organizations: save that where a sentence of transportation or death has been passed there will be a right of appeal to the Governor. In cases arising between Nagas and non-Nagas in (a) Kohima and Mokokchung town areas, and (b) in the neighbouring plains districts, the judge if not a Naga will be assisted by a Naga assessor.

2. Executive – The general principle is accepted that what the Naga Council is prepared to pay for, the Naga Council should control. This principle will apply equally to the work done as well as the staff employed.

While the District Officer will be appointed at the discretion of the Governor, Subdivisions of the Naga Hills should be administered by a Subdivisional Council with a full time executive President paid by Naga Council who would be responsible to the District Officer for all matters falling within the latter's responsibility, and to the Naga Council for all matters falling within their responsibility. In regard to: (a) Agriculture – the Naga Council will exercise all the powers now vested in the District Officer. (b) C.W.D. – The Naga Council would take over full control.

(c) Education and Forest Department – The Naga Council is prepared to pay for all the services and staff.

3. 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 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.

4. Land – That land with all its resources in the Naga Hills should not be alienated to a non-Naga without the consent of the Naga Council.

5. 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.

6. Boundaries – That present administrative divisions should be modified so as (1) to bring back into the Naga Hills District all the forests transferred to the Sibsagar and Nowgong Districts in the past, and (2) to bring under one unified administrative unit as far as possible all Nagas. All the areas so included would be within the scope of the present proposed agreement. No areas should be transferred out of the Naga Hills without the consent of the Naga Council.

7. Arms Act – The Deputy Commissioner will act on the advice of the Naga Council in accordance with the provisions of the Arms Act.

8. Regulations – The Chin Hills regulations and the Bengal Eastern Frontier Regulations will remain in force.

9. Period of Agreement – The Governor of Assam as the Agent of the Government of the Indian Union will have a special responsibility for a period of 10 years to ensure the observance of the 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. Naga National Council Governor of Assam, Sir Akbar Hydari Tribes Represented at Discussions on the 26th, 27th and 28th June, 1947 at Kohima Western Angamis Eastern Angamis Kukis Kacha Nagas (Mzemi) Rengmas Semas Lothas Aos Sangtams Changs.

Annex 2: Memorandum of the Naga Hills

Dated, 10 January, 1929

The British Statutory Commission; Camp-India Subs: Memorandum of the Naga Hills

Sir,

WE the Undersigned Nagas of the Naga Club at Kohima, who are the only persons at present who can voice for our people have heard with great regret that our Naga Hills is included in the Reformed Scheme of India without our knowledge, but as administrator of our Hills is continued to be in the hands of the British Officers and we did not consider it necessary to raise any protest in the past. Now we learnt that you have come to India as representative of the British Government to enquire into the working of the system of Government and the growth of education and we beg to submit below our view with prayer that our Hills may be withdrawn from the Reformed Scheme and placed outside the Reforms but directly under British Government. We never asked for any reforms and we do not wish for any reforms.

Before the British Government conquered our country in 1879-80, we were living in a state of intermitted warfare with the Assamese of the Assam valley to the North and West of our country and Manipuris to the South. They never conquered us nor were we subjected to their rules. On the other hand, we were always a terror to these people. Our country within the administered area consists of more than eight regions quite different from one another, with quite different languages which cannot be understood by each other, and there are more regions outside the administered area which are not known at present. We have no unity among us and it is only the British Government that is holding us together now.

Our education is poor. The occupation of our country by the British Government being so recent as 1880, we have had no chance or opportunity to improve in education and though we can boast of two three graduates of an Indian University in our country, we have not got one yet who is able to represent all our different regions or master our languages much less one to represent us in any council of a province. Moreover, our population numbering 1,02,000 is very small in comparison with the population of the plain district in the province; and any representation that may be allotted to us in the council will be negligible and will have no weight whatever. Our language is quite different from those of the plains and we have no social affinities with the Hindus or Mussalmans. We are look down upon by the one for "beef" and the other for our "pork" and by both for our want in education, is not due to any fault of ours.

Our country is poor and it does not pay for any administration. Therefore if it is continued to be placed under Reformed Scheme, we are afraid new and heavy taxes will have to be imposed on us, and when we cannot pay, then all lands have to be sold and in long run we shall have no share in the land of our birth and life will not be worth living then. Though our land at present is within the British territory, Government have always recognized our private rights in it, but if we are forced to enter the council the majority of whose number is sure to belong to other districts, we also have much fear the introduction of foreign laws and customs to supersede our own customary laws which we now enjoy.

For the above reasons, we pray that the British Government will continue to safeguard our rights against all encroachment from other people who are more advanced than us by withdrawing our country that we should not be thrust to the mercy of other people who could never be subjected; but to leave us alone to determine ourselves as in ancient

times. We claim not only the members of "Naga Club" to represent all those regions to which we belong viz, Angamis, Kacha Nagas, Kukis, Semas, Lothas and Rengmas, but also other regions of Nagaland.

Signed by

(1) Nihu Angami, Head Interpreter,

(2) Hisale Peshkar,

(3) Nisier Angami, Master,

- (4) *Khosa Doctor,*
- (5) *Gebo Kacha Nagas, Interpreter,*
- (6) *Vipunyu Angami, Potdar*
- (7) *Goyiepra Angami, Treasurer,*
- (8) *Ruzhukhrie Angami, Master,*
- (9) *Dikhrie Angami, Sub-overseer,*
- (10) *Zapuzhulie Angami, Master,*
- (11) *Zapulie Angami, Interpreter,*
- (12) *Katsuno Angami, Interpreter,*
- (13) *Nuolhoukielie Angami, Interpreter,*
- (14) *Inzevi Sema, Interpreter,*
- (15) *Apamo Lotha, Interpreter,*
- (16) *Resile Rengma, Interpreter,*
- (17) *Lengjang Kuki, Interpreter,*
- (18) *Neikhriehu Angami, Interpreter,*
- (19) *Miakrao Angami, Chaprasi,*
- (20) *Levi Kacha Naga, Clerk.*

Annex 3: Survey Questions:

- 1) Gender: a. Female
b. Male
c. Other

2) Age group:

- a. 14 – 18
b. 19 – 34
c. 35 – 50
d. 51 +

3) Level of Education: a. None

- b. High/Secondary school
c. Bachelor
d. Master
e. PhD

4) I identify myself as an Indian a. Strongly Agree to

- b. Agree
c. Disagree
d. Strongly Disagree

5) I identify myself as a Naga

(Strongly Agree to Strongly Disagree scale)

6) Nagaland should be declared as an independent state from India?

(Strongly Agree to Strongly Disagree scale)

7) Explain: Yes or No

8) How often have you been to mainland India? a. Never

- b. Rarely
c. Often
d. All the time

9) Have you ever been discriminated in mainland India for looking different? a. Never

- b. Rarely
- c. Often
- d. All the time

10) The Indian government is negligent to the Naga's affairs

(Strongly Agree to Strongly Disagree scale)

11) I feel the following with regard to the Indian military presence in Nagaland: a. Threatened

- b. Scared
- c. Neutral
- d. Safe
- e. Empowered
- f. Other (Box)

12) My perception of the Indian Government: a. My government

- b. An enemy
- c. A corrupt system
- d. A partner
- e. Other (Box)

13) In your opinion what was the historical cause of the problem between Nagaland and India?

Annex 4: Interview Questions

- 1) What's your perception and understanding of being a Nagas? What does it mean?
- 2) In your opinion what was the historical cause of the problem? And is the problem still the same today?
- 3) Does the Nagas have any demands or expectations from the British?
- 4) What would the situation be in Nagaland if it were an independent state today?
- 5) When do you feel Nagas and when do you feel Indian?
- 6) What can the government of India do today to promote more inclusiveness among Nagas and Indians?
- 7) Is there any affiliation between the Nagas and external parties (Neighboring countries? States from the NE)?
- 8) What's your perception of the Naga Freedom Fighters, do you think they assist in pacifying the situation between the two or do they further add to the gap between the two? Are they rebels or freedom fighters?
- 9) Do you believe that Nagaland should be separated from India? Justify, whether yes or no?