

MCRG Note on Governance Initiatives

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The form of governance determines the manner in which power is exercised in the public sphere, and democratic governance derives its mandate, legitimacy, credibility and acceptability from consensus and persuasion. In other words, social life is coordinated through governance. The government outlines only one of the component structures of governance. There are other component structures of governance as well. After all, the initiatives of governance need to negotiate the embedded ideas of community and their politicized character, in particular in the regions, like India's Northeast. Sometimes, disruption of governance may take place in such regions as the foremost groups of minority communities often considered as ethnic 'others'. It is important to recall that India's Northeast has about 42% of India's indigenous communities, where each group attempts to retain its individual cultural identity.

India's Northeast consists of Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura. Of late, Sikkim is also considered to be a part of this region. The region is characterized by distinct ethnic, cultural, religious, and linguistic pluralities. This region contains important natural resources, like oil, timber, and hydropower potential. So far much of these resources have been extracted and utilized for the benefit of the rest of the country with the large-scale exclusion of the states of the region from these benefits. This has gradually made the local inhabitants quite sensitive about the use of these resources. Therefore, resource politics has added a significant dimension to the governance in the region.

The partition of the Indian sub-continent in 1947, and again in 1971, led to large-scale cross-border migration after the formation of Pakistan, and subsequently of Bangladesh. The geographical proximity, cultural immediacy and existing economic interdependence among the communities sharing the same territorial space in the pre-partition years shaped the colonial and then the post-colonial history of India's Northeast in characteristic ways.

In the post-partition era, India's Northeast became virtually landlocked, surrounded by 'inhospitable' neighbours. Even with the mainland India, the only land-link is through the 'chicken-neck' Siliguri corridor. Therefore, the partitions crippled crucial economic linkages between Kolkata, Chittagong (now in Bangladesh) and India's Northeast. The traditional transportation routes, like the inland waterways, road, and railway communications were abruptly

out of bounds. Whereas the earlier channels of rail, road and river, linking the Chittagong and Calcutta ports, suddenly became unavailable, alternative routes were prohibitively costly.

The “Inner Line Permit” system of the colonial era (which is in operation in the post-colonial period too), in a way, prohibited access to large parts of India’s Northeast to all “outsiders”, except those who obtained special prior permission from the government. But, as many of the ‘recent immigrants’ have been employed in the different sectors of formal economy in the post-colonial era, like in the state-run factories and institutions, the grievances of the local inhabitants have gone up in many cases and the indigenous people have turned xenophobic in a few cases. In this scenario, the insurgencies and movements seeking autonomy or independence or the assertion of an identity distinct from the rest of India has created a mental divide as the rest of India considers the areas of Assam and beyond as a remote and perpetually disturbed place.

In view of all these, there is a need to select a set of recent governance initiatives that have been taken to address conflicts in India’s Northeast, and analyze the discourses of those governance initiatives. There is also a need for field-based analysis of governance initiatives implemented in this region marked by the long-drawn-out and multi-layered conflicts. In other words, it is important to flag a few such governance initiatives at the very outset.

First of all, recognizing the special requirements of the region and the need for significant levels of government investment, the Government of India has recognized the Northeastern States as Special Category States. And, one of the major governance initiatives has been the liberal development assistance to these states.

Second, the Northeastern Council (NEC) was established under the NEC Act, 1971 to work as an advisory body in connection with the socioeconomic development and balanced development of the seven States of India’s Northeast. The functions of NEC are to discuss the matters of common interest in the field of economic and social planning of the region and advise both the Central and concerned State Governments regarding the action to be taken on such matters, formulate Regional Plans and recommend the manner in which the Regional Plan/s may be implemented. The NEC is also to monitor the progress of the execution of the sanctioned projects and recommend to the Central Government the quantum of financial assistance to be given to the States.

Third, the Central or federal Plan assistance to these States has been provided on liberal terms. It is interesting to observe that, for these Special Category States of India’s Northeast, the per capita level of Central assistance is among the highest in the country. The programmes under the scheme include, among other things, Special Initiatives (10% Mandatory Earmarking of Funds for India’s Northeast). Special attention has been given to the economic development of

this region from the 8th Five-Year Plan period onwards. In October 1996, the Government of India announced the New Initiatives for the North Eastern Region. These included a number of measures for the development of the NER which covered policy changes, special area development and development projects in the key sectors. Arrangements were also made for the Non-Lapsable Central Pool of Resources (NLCPR) and setting up of the Ministry of Development of Northeastern Region. The NLCPR created in 1997–98, and operationalized in 1998–99, is the accrual of the unspent balance of the mandatory 10% budgetary allocation of the Ministries/Departments. The broad objectives of the NLCPR Scheme is to ensure speedy development of the infrastructure by way of filling the existing economic and social infrastructural gaps in the region by making funds available from the pool. The Department of Northeastern Region is responsible for the coordination of the planning, execution and monitoring of the special developmental schemes and projects. According to an assessment made by the Department of Northeastern Region, the Central Ministries/Departments invested Rs.35186.30 crore between 1998–99 and 2005–06. Over and above, the Central Government has also been announcing special packages for the socio-economic development of India's Northeast from time to time.

Fourth, in the latest phase of globalization, India's Look East Policy relies upon the historical and cultural contiguity of India's Northeast and the contiguity of the South and Southeast region as a whole. However, it is argued by many scholars that, it can spell disaster to the region unless the existing conflicts are not managed and peace is not ensured in this region, and unless this policy is designed to address the overlapping issues of borders, citizenship and labour migration. After all, in the present policy context, the borders are primarily viewed as the gateways for trade and commerce and less as the traditional boundaries. In the same context, the question of trans-border labour migration remains unresolved and contested. Therefore, if India's Look East Policy can supersede the older border control regime and if its anachronistic character is realized, India's Northeast can benefit immensely.

Fifth, each state of India's Northeast has a different administrative structure under the Constitution of India. Some areas are under the Sixth Schedule of the Constitution of India or under the special constitutional safeguards. The Sixth Schedule is applicable to the three Autonomous Councils in Assam, namely North Cachar Hills, Karbi Anglong and Bodo Territorial Council, the whole of Meghalaya and the hill areas of Tripura. The Constitution of India was amended in 1963 to introduce Article 371A to bring civil affairs in Nagaland under the tribal customary laws. Similarly, Article 371G introduced in 1986 conferred the same powers on Mizoram. It is stated in Article 371A of the Constitution that, notwithstanding anything in this

Constitution – no Act of Parliament in respect of (i) religious or social practices of the Nagas; (ii) Naga customary law procedure; (iii) administration of civil and criminal justice; and (iv) ownership of land and its resources shall apply to the state of Nagaland.

The Government of India undertook a further reorganisation of India's Northeast and the North East Areas (Reorganisation) Act, 1971 was brought into force in January 1972, which led to the formation of the states of Manipur, Meghalaya and Tripura and the Union Territories of Mizoram and Arunachal Pradesh (earlier known as NEFA). By this enactment, these areas ceased to be part of Assam.

Sixth, sometimes, the traditional institutions with exclusive character deny women and ethnic 'others' any representation or role in the decision-making, engage in conflict with rational-legal institutions, resulting in disjuncture in governance. Several peace initiatives have also been taken by the Government of India in order to deal with the multiple conflict situations in India's Northeast. But, in many cases, these peace initiatives were used to create divisions among an existing insurgent group and put different kinds of pressure on one or two groups to surrender arms and join the so-called mainstream. Therefore, whereas the peace overtures of the Shillong initiatives (November 1975) could 'tame' the Naga National Council (NNC) led by A.Z. Phizo, it gave rise to new insurgent group of National Socialist Council of Nagaland (NSCN) in 1980, led by Isak Chisi Swu, Thuingaleng Muivah and S.S. Khaplang. Subsequently, the NSCN also split into two in 1988 to form two separate and rival insurgent groups of NSCN(I-M) and NSCN(K).

Seventh, the question of autonomy seems to be linked with the success of peace accords in this region. Otherwise, the accords are unlikely to be 'rational instruments' of governance. But, in many instances of India's Northeast, this question was not addressed or at best addressed tangentially without detailing the forms of autonomy to be granted to the rebel communities.

Eighth, although the United Nations Security Council Resolution 1325 on Women, Peace and Security urges the Member States to ensure increased representation of women at all the decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict, very few institutional initiatives at the governmental levels have been taken so far in this regard. However, women's groups, like the Naga Mothers Association (NMA), have been involved in the peace initiatives in Nagaland and Manipur. The NMA has attempted to persuade the leadership of the Naga insurgent factions and the other Naga organizations for a reduction in violence. It has organized various rallies and appeals to stop violence. In fact, its campaign "Shed No More Blood" has served as a channel of communication for various Naga groups and spread the message that peaceful conditions are the prerequisite for human development. The NMA has also coordinated with different churches in

Nagaland to give momentum to the ongoing peace process between the Union Government and the Naga insurgent organizations. It has also participated in meetings and conferences with the Naga Students' Federation (NSF), the Naga Hoho, and the Naga People's Movement for Human Rights (NPMHR). The Naga Hoho, the apex council of the Naga tribes, also has been active in efforts to bring about unity among the various militant factions and to find an acceptable solution. Similarly, in Manipur, the Meira Paibies, or the Naga Women's Movement, Manipur (NWUM), have been active in playing similar role in peace-making.

Ninth, the Armed Forces Special Powers Act (AFSPA) indicates the reluctance of the government to manage the conflicts of the region with adequate political measures. The AFSPA was passed in 1958, as a short-term measure to contain insurgency in the Naga Hills, but has been in place for more than last fifty years. Similarly, the relocation of villages and consequent regrouping of those villages to contain insurgencies in India's Northeast by the Indian State has a lasting impact on the politics and society of the region.

India's Northeast is a place, in some ways comparable to the Balkans, where the ongoing protracted conflicts are myriad and multiple in nature. There are conflicts between the state and societal groups, conflicts among different ethnic groups sharing the same territorial space for centuries, as well as conflicts between the union and state governments. To deal with this complex situation, in India, there have been arrangements of federal administration, other institutional mechanisms for granting autonomy to the indigenous communities, like the autonomous councils proposed in the Sixth Schedule of the Constitution of India. However, the limited form of autonomy provided by the 6th Schedule of the Constitution of India could not contain the search for self-determination of the Naga peoples, who in 1973 'statehood' within the Indian Union without giving up military resistance for full independence. Moreover, there have been peace initiatives, like the ongoing peace talks of the Government of India with the insurgent groups like NSCN (I-M) and ULFA. One can say that, in view of the ongoing peace talks between the NSCN (I-M) and the Government of India (since 1997), and the recent peace initiatives taken by the Government of India and Government of Assam since 2010-11, another era of insurgencies and autonomy movements in India's Northeast is coming to a close, giving rise to a different phase of movements for autonomy or insurgencies to be unraveled. But, such observations remain to be tested.

Therefore, it is evident that, there has not been any dearth of governance initiatives in India's Northeast in the post-colonial period to manage conflicts and wage peace. These initiatives have been in the form of special economic packages, NE Reorganization Act, Article 371, and the 6th Schedule of the Constitution of India, peace dialogues, and the recent civil

society initiatives. But, the question remains whether these governance and peace initiatives can manage the multiple conflicts or not in India's Northeast unless justice is done to the wronged individuals and communities. After all, can there be peace without justice?

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