

NAGAS MAY NOT GAIN FROM I-M'S PUSH FOR OWN CONSTITUTION

Relevant for: Indian Polity | Topic: Issues and Challenges Pertaining to the Federal Structure, Dispute Redressal Mechanisms, and the Centre-State Relations

The NSCN(I-M), which has led the talks with govt, does not represent all of Naga ambitions

As pressure for resolution of the Naga peace process intensifies, and concern—even panic—over possible violence is raised, it is imperative to communicate plainly.

There have undoubtedly been lacunae in the process, which this column has consistently pointed out. Among these: the signing of the so-called Framework Agreement for Peace in August 2015 only with the National Socialist Council of Nagalim (Isak-Muivah), or NSCN (I-M), which unnecessarily provided this largest Naga rebel group primacy, when in reality there were—are—several other Naga rebel groups. And, indeed, Naga people both in Nagaland and contiguous Naga homelands in the states of Manipur, Arunachal Pradesh and Assam.

Keeping the contents of the agreement under wraps has led to equally unnecessary confusion, including much bickering over demands in recent weeks by NSCN(I-M), articulated largely through tame media, that no worthwhile solution is possible without the Naga people possessing their own flag and constitution—or Yezhabo. According to I-M it transcends everything, including agreed-to details of disarmament, rehabilitation and assimilation of cadres and leaders through induction in paramilitary forces and political structures like an expanded legislature, and autonomous councils in Naga homelands outside Nagaland—much already exists in the form of district or regional councils.

In reality, it boils down to the post-conflict status of the leadership of NSCN (I-M), led by its general secretary and supremo Thuingaleng Muivah in relation to all other groups. Indeed, all Nagaland and the Nagasphere, as it were. Where will he fit in? What indemnities will he, his family and senior colleagues enjoy? There are other, unsaid factors. Will I-M, an organization that applied the heft of its army and weapons to effect a parallel administration and extortion network more effectively than its rivals, be safe from retaliation after the peace deal? That's collectively the crunch. And, essentially, the deal-breaker. Flag and constitution provide I-M's leadership with an exit line.

Flag and constitution were not part of the framework agreement—which was an agreement to reach an agreement—but the can-neither-confirm-nor-denry aspect has muddied the waters and provided I-M a free run with agitprop. It's clever because it's emotive, in a situation of great expectation of lasting, honourable peace and nervousness about renewed conflict.

The flag is the flag of 'Nagalim', the rebel ideal of a unified Naga homeland: a light-blue background with three ribbons of red, yellow and green curving from about mid-section to the left and arcing to the right. The white six-pointed star of Bethlehem is at the top left corner of the flag. Flag-and-star patches also adorn the tunics worn by cadres, female and male, of all NSCN factions.

Interpreted through I-M's lens, the Yezhabo would accord the chief of the organization, in this case the prime minister, or Ato Kilonser, Muivah (not I-M's figurehead of a chairman, or Yaruiwo, Qhehezu Tuccu), the role of de-facto chief of a pan-Naga organization. Through this, Muivah would still hope to control the polity and politics of the Naga people. This would upend existing

political structures and make Muivah a super-leader—in form, and as he insists, function. Nobody else is biting.

The Yezhabo was articulated during the formation of NSCN in 1980—before it split in 1988, and subsequently. It was re-endorsed by an I-M-led meet in 1996 and again a decade later. The Yezhabo urged the formation of a complicated and contradictory entity: an “Independent Sovereign Christian Socialist Democratic Republic”. Among other things, it aims to almost entirely nationalise the economy, including minerals, as well as have jurisdiction to nationalise commons.

This is incendiary, considering that in Nagaland, traditional ownership of land and forests is vested in tribes. And, that Article 371A of India’s Constitution permits Nagaland primacy of “religious or social practices of the Nagas”, “Naga customary law and procedure”, “administration of civil and criminal justice involving decisions according to Naga customary law”, and “ownership and transfer of land and its resources”, which includes protection of tribal ownership of land and commons. Other constitutional provisions safeguard land ownership—as part of broader tribal ownership—in Manipur and Arunachal, for instance.

The Yezhabo may suit I-M, but not the Nagas.

This column focuses on conflict situations and the convergence of businesses and human rights.

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