

TREADING CAUTIOUSLY ON THE FINAL NAGA PEACE AGREEMENT

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

Around the time that the Centre announced the abrogation of special status for Jammu and Kashmir (J&K) under Article 370, there was a flutter of anxiety, bordering on panic, in the North-Eastern States, particularly in Nagaland, which enjoys certain special privileges under Article 371(A) of the Constitution. The State's Governor, R.N. Ravi, assuaged the angst through assurances that there would be no tampering with Article 371(A).

Given that J&K Governor Satya Pal Malik had given a similar assurance to the denizens of that State when former Chief Minister Omar Abdullah met him two days before the constitutional change was announced, the Naga people are justifiably sceptical about the statements of their Governor that Article 371(A) is a "solemn commitment to the people of Nagaland..." and that they "don't have to worry at all."

For reasons best known to the concerned officials in the government and the signatories on behalf of the National Socialist Council of Nagaland (Isak-Muivah), the Framework Agreement, which was signed with much fanfare in the presence of the Prime Minister Narendra Modi in 2015, has remained under wraps. Was there something in the agreement that was hindering its disclosure? Perhaps it was a clause regarding a separate flag and Constitution for Nagaland? Could the Centre have strategised that the final agreement for Nagaland would only be announced after the decision on J&K, so that the latter could serve as a precedent event and render reversal of any aspects of the Naga agreement — including clauses on its flag and Constitution — impossible?

Herein lies the crux of the matter. While the Nagas maintain that "the Naga national flag is the symbol of the recognised Naga entity... the Constitution of the Nagas is the book form of the recognised sovereignty," the Centre has conveyed its firm stand that the matter stands rejected.

Meanwhile, akin to actions taken in J&K, leaves of all government officials including police personnel have been cancelled and the State put on alert. While the Naga National Political Groups (NNPG), an umbrella organisation of seven insurgent groups, has consented to be a signatory to the agreement for the time being, it has asserted that the Naga Constitution, must be drafted by a committee of distinguished personalities from every Naga tribe. Though the NNPG does not distance itself from the final agreement, it holds the view that such a Constitution could be drafted subsequently. Currently, to meet the deadline of October 31, the agreement seems to be getting pushed forward, with the Centre hopeful that the talks slated for October 24 will be decisive and final.

However, with the NSCN (I-M) obdurate in its stand of having a separate flag and Constitution, the situation could take a turn for the worse. In a reference to the armed outfit of NSCN (I-M), the Centre has categorically stated that talks at gunpoint are not acceptable and has directed all armed outfits including the NSCN (I-M) to decide upon a date for surrender of all arms in their possession. While the other outfits like NSCN (Khaplang), NSCN (Unification) and NSCN (Reformation) may readily agree to surrender their arms, the NSCN (I-M) may not give up as easily, unless of course the prospect of governmental berths being offered in the Nagaland Assembly might be allurements enough for it to do so.

The Centre also could do well to step back from its rigid position of forcing an agreement that a major political stakeholder is not willing to ink. The government will have to tread cautiously in tackling the situation lest a variant of the pre-1997 militancy returns to the State. That would be a retrograde development, especially given the last 22 years of hard-fought peace.

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