

Naga Militancy and Violent Politics in the Shadow of Ceasefire

Åshild Kolås

Peace Research Institute Oslo (PRIO)

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Abstract

Ceasefires are often seen as a simple measure to end violence and allow more substantive negotiations to begin. Contemporary conflict resolution models thus posit the ceasefire as a basic step in the peacebuilding trajectory. Offering an in-depth analysis of Naga militancy in Northeast India, this paper argues that ceasefires should rather be understood as a part of the dynamics of conflict. Northeast India is a site of protracted conflict involving multiple contestants, where Naga militant organizations play a key role. A string of ceasefires since 1997 between the Indian government and the National Socialist Council of Nagalim (NSCN) has contained fighting between security forces and militants, while violence has continued unabated between NSCN factions and among an array of other armed groups in the area claimed as ‘Nagalim’, with serious consequences for local communities. This study suggests that ceasefires may impact on conflict dynamics in at least three ways, all interrelated: 1) by affecting the internal cohesion of belligerent groups, 2) by affecting the operational space of armed groups, and 3) by affecting the relations between multiple stakeholders and parties to a conflict, including but not limited to the challenger(s) and the state. The study concludes that the terms of ceasefire agreements, the strategic use of ceasefires by conflict actors, and the opportunities created by a lack of effective monitoring of ceasefire ground rules has facilitated the operations of militants vying for territory, revenues from illegal ‘taxation’ and political stakes. Ceasefires have also paved the way for an escalation of factional and inter-group fighting and violent politics in Northeast India, by empowering signatory groups versus contenders as well as non-violent actors.

Questioning the role of ceasefires in the trajectory to peace

Conventional peacebuilding wisdom holds that ceasefires are an integral step on the path to peace in civil conflict. A standard formula of contemporary conflict resolution is ‘a trajectory of ceasefire agreements, transitional governments, demilitarization, constitutional reform and democratic elections’ (Daley 2006: 304). As described by Clapham (1998: 195) the supposed role of ceasefires in the post-Cold War conflict resolution mechanism has been to ‘halt immediate suffering and to provide conducive conditions under which internationally supervised negotiations could take place to establish the basis for a lasting settlement’. Viewed primarily as a means to an end (the negotiated settlement), ceasefires have thus received little scholarly attention relative to the more prominent negotiation processes over peace treaties and comprehensive peace agreements. Based on a review of the long and checkered history of ceasefires and negotiations between the government of India and Naga militants in Northeast India, this paper argues that ceasefires should be understood as a part of the dynamics of conflict, rather than a basic step to facilitate ‘real’ peace negotiations.

Northeast India is a site of protracted conflict involving multiple contestants, where Naga militant organizations play a key role. The ‘Naga conflict’ thus remains high on the Indian government’s conflict management agenda. The current ‘Naga peace process’ started with the signing of a ceasefire agreement between the Indian government and the main faction of the National Socialist Council of Nagalim, NSCN (IM) led by Isak Chisi Swu and Thuingaleng Muivah. The government’s offer included negotiations over a political settlement to the ‘Naga conflict’, still ongoing today after 14 years without tangible results. Starting in 2001, a ceasefire agreement was also signed with the rival NSCN (K) faction led by S. S. Khaplang. The government has since extended ceasefires to a number of other armed groups in the region, many of them initially sponsored and trained by NSCN. Several of the groups now in ceasefire, as well as their ‘anti-talks’ contestants, maintain alliances with one

of the NSCN factions. The government currently describes ceasefire agreements and negotiations alongside ‘improved counter-insurgency measures’ as its strategy to ‘restore normalcy’ in the region (Ministry of Home Affairs n.d.).

As documented by the South Asia Terrorism Portal (SATP),¹ between 1992 (the first year included in the dataset) and 2010, more than 15,000 insurgency-related fatalities were recorded in the three states that make up the main theatre of conflict: Nagaland, Assam and Manipur. A comparison of the annual average insurgency-related fatalities in the years 1992-1997 to those in 1998-2010 (i.e. before and after the signing of the initial ceasefire) reveals that the number of ‘civilian’ and ‘terrorist’ victims of insurgency has increased (from 692 to 764 per year),² while the total number of insurgency-related fatalities (including members of the security forces) has decreased only slightly (from 860 to 840 killings per year). Of the overall insurgency-related fatalities, security forces made up less than 15 percent, with a marked decrease after 1997.³ These figures suggest that the signing of ceasefire agreements with a growing number of militant groups has successfully reduced encounters between security forces and militants, while civilian populations continue to suffer from insurgency-related violence.

¹ South Asia Terrorism Portal, online at: <http://www.satp.org>.

² The distinction between ‘civilian’ and ‘terrorist’ is highly problematic, in part because the ‘terrorist’ label is known to have been applied by security forces to victims of extrajudicial killings.

³ According to SATP statistics, between 1992 and 2010 a total of 2,336 insurgency-related fatalities were recorded in Nagaland, of which 246 of the victims (10.5%) were security force personnel. During the same period 7,363 insurgency-related killings were recorded in Assam, of which 780 (10.6%) were security force personnel, while 5,537 killings were recorded in Manipur, of which 936 (16.9%) were members of the security forces. Prior to the first ceasefire (from 1992 until 1998) 15.9% of the recorded victims of insurgency were security force personnel, whereas after the ceasefire, only 3.3% of the victims were members of the security forces.

As argued here, the current ceasefire regime in Northeast India has paved the way for an escalation of factional and inter-group fighting and violent politics in the region, while poor monitoring and reduced threat of prosecution has enabled armed groups to operate more easily after entering into ceasefire agreements. With the signing of an indefinite ceasefire in 2007 the key parties to negotiations, NSCN (IM) and the government, have both lost an incentive to actively pursue a political settlement. Having given up all operations against security forces, NSCN (IM) leaders have also lost some of their leverage in the negotiations. However, the ‘peace talks’ are still of vital importance to Muivah and Swu, in providing a platform for them to stake out their claim as key political actors in Naga society. Providing safe bases in designated camps, ceasefires have also allowed NSCN (IM) to expand their territorial control and ‘taxation’ activities in neighboring areas. The benefits of never-ending negotiations and perpetual ceasefires seem to outweigh the potential advantages of a settlement by treaty.

For the central government, national security and stability concerns remain paramount, and counter-insurgency therefore tends to take precedence over conflict resolution. As described by Baruah (2005: 70), in Northeast India the goal of counter-insurgency is limited to ‘creating conditions under which particular insurgent groups or factions surrender weapons, come to the negotiation table on the government’s terms and make compromises in exchange for personal gain’. The ‘durable disorder’ is also maintained by the converging interests of insurgents and mainstream social forces (Baruah 2005: 16). In this scenario, the most expedient way for the central government to manage conflict may be to tolerate or actively support ‘localized ethnic autocracy’ (Lacina 2009).

Outlining the contours of ceasefire politics in Northeast India requires looking beyond single ‘cases’ of conflict such as the ‘Naga conflict’, to understand the region as an interconnected political scene as well as a conflict theatre with links to Delhi and beyond. The

present study is based on primary data collected during fieldwork in North Cachar Hills (now Dima Hasao), Karbi Anglong, Shillong, Guwahati, Delhi and the Hague, between July 2007 and April 2010. During fieldwork I interviewed a range of stakeholders, including participants in negotiations representing the Union Government of India, the State of Assam, and armed groups in ceasefire, law enforcement agents, retired armed forces personnel, members of the judiciary, government officials, representatives of civil society organizations including religious associations, women's organizations and tribal apex bodies such as the Naga Hoho, local journalists, and victims of militant violence. The study further draws on academic literature, reports, newspapers, publications by several armed groups, news broadcasts, and other materials available on the Internet.⁴

Following a review of the literature on the role of ceasefires in peacebuilding, this paper investigates the history of negotiations between Nagas and the Indian government, the ongoing 'Naga peace process' and the politics of ceasefire in contemporary Northeast India. The study asks several questions that are significant for understanding the effects of ceasefires on conflict dynamics. Firstly, how do ceasefires impact on internal dynamics and the cohesion of an armed group or faction entering into an agreement? Secondly, how do the terms of a ceasefire agreement and the implementation of those terms affect the operations of an armed group, by creating incentives and opportunities as well as limitations to the group's activities? Finally, how do ceasefire agreements impact on the dynamics between the parties to an agreement, their allies, rival groups, and other conflict actors and stakeholders? In addressing these questions, the study provides further evidence that ceasefires can exacerbate conflicts by

⁴ The names of some informants have been withheld for security reasons or because they provided information on condition of anonymity. Online sources include the Government of India, Ministry of Home Affairs (indiagovernance.gov.in), NSCN (IM) (nscnonline.org), Morung Express (morungexpress.com), Centre for Development and Peace Studies (cdpsindia.org) and South Asia Terrorism Portal (satp.org).

fueling rivalry and contributing to the fragmentation of non-state actors (Darby 2001, Mahieu 2007). Moreover, contrary to the common understanding of ceasefires as a simple measure to end violence and provide the conditions for more substantive negotiations, ceasefire agreements are shown to be highly significant to conflict dynamics. The role of ceasefires in peacemaking and conflict resolution should therefore be reconsidered.

Ceasefires in the literature

In the growing academic literature on the termination of civil and inter-state wars, Fortna's *Peace Time* (2004) is still one of the few systematic studies of why ceasefires fail or succeed in bringing peace.⁵ Fortna (2004: 10-13) highlights the importance of de-militarized zones between states, efficient monitoring of ceasefires, confidence-building measures, and dispute resolution mechanisms. As reciprocal arrangements, Fortna (ibid.) finds that ceasefires tend to endure when the costs of renewed warfare outweigh the incentives to fight, suggesting that demilitarized zones can be beneficial for maintaining ceasefires by rendering rebel defections costly and difficult to engineer. Although her study does not cover intra-state or civil wars, Fortna (2004: 215) claims that in maintaining peace, the most important difference between civil and inter-state wars is that in civil wars belligerents do not have 'the luxury of leaving the fundamental political issues unsettled'. This is so because 'it is difficult for countries torn by civil war to go about their business with issues of secession or who will run the country still up in the air' (ibid.). If this is true, India represents an exceptional case, having left issues of secession and statehood unsettled for more than half a century, in Kashmir as well as the Northeastern region.

⁵ See Smith 1995 for an earlier multi-case study focusing on challenges and obstacles to reaching a ceasefire.

In most quantitative studies of civil war duration and termination, civil wars have been treated as dyadic or two-party conflicts between a state and a non-state actor or rebel group, largely ignoring the multiparty nature of many intra-state conflicts and the role of veto players in negotiations (Cunningham 2006, Nilsson 2008). However, the challenges of dealing with multiple armed actors have long been acknowledged in the literature on conflict resolution, giving rise to debates on the inclusion of various stakeholders and warring parties in negotiations (Licklider 2001, Nilsson 2008, Rubin 2002). Spoilers have been identified as a significant risk to the implementation of peace agreements and negotiated settlements, as actors who try to take advantage of the new conflict dynamics created by a peace process, either as a party or an opponent to negotiations (see for instance Stedman 1997). Case studies have also addressed factionalism and fragmentation as a challenge to peace processes (see Clapham 1998 on Rwanda, Daley 2006 on the Great Lakes region, Hampson 1996, and Milton-Edwards & Crooke 2004 on the Israeli-Palestinian conflict).

Writing on the 1992-3 Arusha Peace Process, Clapham (1998) also describes a different kind of challenge, related to the ceasefire as such. In the Rwandan case, a ceasefire was imposed by mediators as a prerequisite for participation in negotiations. Clapham (1998: 205) argues that it was the subsequent loss of territorial control by the Rwandan Patriotic Front (RPF), caused by the ceasefire, that enabled 'extremist factions associated with the regime' first to organize themselves for the genocides while the Arusha negotiations were taking place, and then to implement their plans. This shows that a ceasefire may strengthen the position of factions opposing a negotiated settlement, and as described by Clapham (1998: 204), a negotiation may even become 'a cover for genocide'.

Large-N studies tend to assume that a ceasefire has failed only when an agreement between signatory parties has been discontinued. However, as the Rwandan case illustrates ceasefires may have vital consequences for conflict dynamics by creating conditions that

allow actors to sustain or exacerbate conflict. In order to understand the dynamics involved, researchers have recognized the need to look at the changing relations between multiple stakeholders, rather than focus narrowly on the immediate outcomes of negotiations.

Qualitative case studies such as the present are needed to address this knowledge gap.

Naga militancy: Ceasefires and fragmentation

Naga separatists have challenged the Indian state since the Naga nationalist movement was militarized in the early 1950s. Northeast India is now a zone of conflict involving numerous armed groups advocating the right to a separate homeland or independent state, based mainly on claims of indigeneity or nationhood. Briefly stated, the Indian government has addressed these demands by negotiating agreements with militants, forming autonomous district councils and territorial councils, and establishing new states and union territories. The following review of the history of Naga militancy investigates how ceasefires and negotiations with the government have affected the internal cohesion of the Naga nationalist movement, suggesting that ceasefires as well as negotiations have contributed to fragmentation and factional fighting.

When India gained independence, the Naga National Council (NNC) acted as representatives of the Nagas in negotiations with the governor of Assam on Transfer of Power from the British to the Indian government, resulting in the proposed Hydari Agreement. The negotiations broke down in 1949 due to discord over the agreement's final clause, which promised a review (or self-determination, as some argued) after a ten-year period. Following this, a majority of NNC members shifted their position to a demand for independence (Franke 2006: 78). In 1951 NNC (now led by Angami Zapu Phizo) organized a plebiscite to determine whether the Naga people would join the Indian Union, reporting that 99% of Nagas favored a separate state (see Franke 2009). Deteriorating relations with NNC led the Nehru government

to deploy large numbers of troops in the Naga Hills. Armed resistance was then adopted by NNC, starting with the ambush of an Indian paramilitary unit (Assam Rifles' patrols) in 1953. By the mid-1950s violence was also used to police the Naga movement itself, as extremists started to assassinate opponents of Phizo. In 1956, Phizo established the Naga Federal Government and Naga Federal Army. This provoked further militarization of the conflict, and in 1957 the central government took direct control over the Naga Hills, followed by large-scale army operations (Franke 2006: 78). Hill areas of Assam and Manipur were then declared as 'disturbed areas' under the newly promulgated Armed Forces Special Powers Act, 1958, authorizing Indian security forces to fire on and use force against suspects, 'even to the causing of death', and to enter, search and arrest without a warrant.⁶

As the violence escalated, members of NNC became divided on the utility of Phizo's militant strategy, some advocating negotiations with the government. Opponents of Phizo within the NNC became involved in efforts by the Naga church to organize a Naga Peoples Convention (NPC) for a peaceful settlement, eventually mobilizing meetings with up to several thousand delegates. The new government strategy was to negotiate with moderates in the NNC while continuing military operations against the Naga Federal Army (Franke 2006: 83). Facing persecution by the armed forces and divisions within his own organization, Phizo was forced to leave the country. After reaching the U.K. in 1960, he continued to lead NNC from his London home until his death in 1990.

⁶ In recent years, several cases of rape, murder and extrajudicial killings by security forces have sparked public outrage against AFSPA, especially in Manipur. As Vajpeyi (2009: 38) points out, 'after being applied for half a century and with an ever-expanding scope, the AFSPA has only confirmed the rupture between what is and what is not India'. Those who argue for a repeal of AFSPA see it as unconstitutional and a threat to human rights, in effect maintaining 'disturbed areas' as warzones (see Kolås 2010: 91).

In July 1960, the NPC signed an agreement with the Government of India by which the previous Naga Hills District and Tuensang Area was to form the 16th state of the Indian Union. According to the agreement, the Nagaland Legislative Assembly would have extensive powers to veto laws passed by the Indian parliament. However, the NPC had to give up its proposal to include contiguous Naga-inhabited areas outside the Naga Hills and Tuensang Area as a part of the state of Nagaland. When the new state was eventually established in 1963, NNC under Phizo responded by denouncing the statehood agreement, promising to continue the armed struggle. Having had no part in the negotiation process, Phizo picked up on the NPC's major concessions, declaring that NNC would fight for a unified independent Naga territory, including the present state of Nagaland and Naga-inhabited areas in Manipur, Assam, Arunachal Pradesh, and Sagaing Division in Myanmar.

The first ceasefire between NNC and the government was signed in 1964, thanks to mediation efforts by the Nagaland Baptist Church Council (Singh 2004: 93-95). As stipulated by the ceasefire, NNC and the government entered into negotiations on a settlement. After a series of conferences in Nagaland, talks were held in Delhi in 1966 and 1967 between representatives of the Naga Federal Government (NFG) and the Government of India under Indira Gandhi. The government would not allow Phizo himself to take part in the negotiations, and the Naga delegation was instead headed by Kughato Sukhai as Prime Minister of the NFG. Commenting on these negotiations in a recent interview, NSCN (IM) leader Thuingaleng Muivah claims that Indira Gandhi 'took advantage of a rift that had cropped up among us in the latter part of the talks'.⁷ This 'rift' was caused mainly by the tactics employed by the excluded Phizo, who broke the terms of the ceasefire agreement by sending contingents overland to China for training and weapons acquisition. Phizo's 'China

⁷ NSCN online: Muivah on the Naga issue – An unpublished interview: I (<http://www.nscnonline.org>).

policy' not only undermined the negotiations, it also caused serious tensions within the Naga movement. As described by Means (1971: 1009-1010), the dispute led to an outright 'coup' in 1967 by the chief negotiator's brother Kaito Sukhai, former Commander-in-Chief of the Naga Federal Army. Further contention became apparent when Kughato Sukhai was given the blame for the breakdown in the negotiations, and was forced to resign. NFG President Scato Swu was also ousted, and a few months later Kaito Sukhai was murdered. The new leaders replacing the three were all Angami Nagas from Phizo's native village Khonoma, which brought to fore rivalry between Angamis and Semas (Bhaumik 2005: 206). The former NFG leaders responded by declaring the Naga Federal Government 'dissolved', and subsequently 'replacing' it with their own Revolutionary Government of Nagaland (Means 1971: 1012). The Indian Army then launched operations targeting NFG bases and intercepting many of the militants returning from China. This left the Naga militant movement fragmented and in disarray.

Members of NNC signed a second ceasefire agreement with the government in November 1975, known as the Shillong Accord. Following the promulgation of President's Rule (Emergency) in March 1975 the Indian Army launched renewed operations against Naga militants, who suffered heavy losses. The Shillong Accord stated that NNC after surrendering weapons were to formulate 'issues for a final settlement with the government'.⁸ The signing of this agreement rekindled ideological and leadership struggles within the Naga movement, especially after Phizo repudiated the ceasefire and refused to enter into negotiations. It was against this backdrop, and in response to the continuous weakening of NNC, that Muivah, Swu and Khaplang formed the National Socialist Council of Nagaland (NSCN) in 1980, projecting themselves as the true champions of Naga nationhood. After a few years, however,

⁸ See Nuh & Lasuh 2002 for the complete text of the Shillong Accord and other agreements.

the issue of commencing a dialogue with the government led to renewed disagreements and serious in-fighting within the NSCN leadership. In April 1988, Khaplang made an attempt on the life of Muivah and his followers, attacking Muivah's camp in the Patkai hills. Hundreds of men, women and children lost their lives in this tragic incident, leaving a lasting mark on the survivors as well as witnesses to the scene of the massacre.⁹ NSCN thus split into two factions; NSCN (K) led by Khaplang, and NSCN (IM), led by Muivah and Swu. In the wake of the divide, the Khaplang faction established its headquarters in Myanmar's Sagaing Division, whereas Muivah and Swu spent time in Europe, where they developed contacts with several international organizations.¹⁰

In the mid-1990s the Indian government started attempts to communicate with NSCN (IM) via emissaries.¹¹ In accordance with the wishes of NSCN (IM), Indian prime ministers subsequently met with Muivah and Swu on neutral ground. Several meetings took place in Paris and Geneva among other places, culminating in the signing of a ceasefire starting 1 August 1997. As previously, the ceasefire was presented as a first step to facilitate negotiations on a political settlement to the conflict. The ceasefire agreement has since been renewed continuously, and extended indefinitely since 1 August 2007. Beginning in 1998, as talks between NSCN (IM) and the government were underway, several unilateral truces and suspensions of counter-insurgency operations were announced by NSCN (K) and the government respectively, for periods of two to six months at a time. After NSCN (K) called

⁹ Personal communication, Shillong, July 2007.

¹⁰ Michael C. Van Walt van Praag, former head of the Unrepresented Nations and Peoples Organisation (UNPO), now associated with the organization Kreddha, has assisted NSCN (IM) in negotiations, although representatives of the Indian government continue to dismiss these mediation efforts in public (Author's interviews with staff of UNPO and Kreddha, the Hague, February 2008).

¹¹ Personal communication, Shillong, July 2007.

for a formalized ceasefire agreement, the parties formulated a 15-point charter of ceasefire grounds rules, announcing a year-long ceasefire in April 2001. Despite the ceasefire, Indian security forces have continued to cooperate with the Burmese military on joint operations against NSCN (K) bases in Myanmar. Moreover, the government has reserved negotiations on a political settlement for NSCN (IM). NSCN (K) has nevertheless renewed the ceasefire agreement annually since 2001.

In recent years there have been several attempts to reconcile and even reunify the two NSCN factions. In November 2007 an inter-factional ‘truce agreement’ was signed by cadres and leaders of both NSCN (IM) and NSCN (K), moderated by the President of the Western Sumi Hoho (the tribal council of the Sumi Nagas). This marked the founding of a new group, known as NSCN (U) (for Unification), aiming to reunite NSCN. Another effort was initiated in March 2009 in a meeting on Naga Peace Reconciliation, attended by Naga civil society actors, representatives of all NSCN factions and Nagaland state government officials. An outcome of this process was the establishment of a Joint Working Group for Naga Reconciliation,¹² still functioning at the time of writing.

A review of the early history of Naga militancy shows that ceasefire agreements have had various impacts on group cohesion, sometimes serving as a focal point of contestation, at other times fuelling factional and inter-group differences, depending on the political context, conditions and processes leading up to the signing of the agreement. When NNC entered into its first ceasefire agreement with the Indian government in 1964, the government’s exclusion of Phizo in the subsequent negotiations fuelled serious internal contestations among Naga stakeholders. Phizo’s subsequent violations of the ceasefire agreement became a focal point of

¹² The first meeting of the Joint Working Group for Naga reconciliation was held in August 2009. A second meeting was held in Chiang Mai, Thailand, attended by all NSCN factions and Naga civil society actors. See Naga Flag Flying High in Peace Summit (<http://www.morungexpress.com/frontpage/33882.html>).

this contestation. When Phizo repudiated the second ceasefire agreement, the 1975 Shillong Accord, the signing of the agreement without Phizo's sanction was an important issue in its own right. The authority of Phizo as the leader of NNC was at stake, and the unsanctioned signing of a ceasefire agreement gave rise to an intense dispute, which ultimately weakened the position of NNC as a political force in the Naga movement. The 1988 splintering of NSCN was the outcome of serious contentions between the group's leaders, Muivah and Swu on the one hand and Khaplang on the other, centering on questions related to negotiation with the government. No further divisions have emerged after the signing of ceasefires by both NSCN factions since the late 1990s. However, after ceasefires were also offered to smaller armed groups in the region, many of these groups have splintered into 'pro-talks' and 'anti-talks' factions. I will return to this in the following section, which describes how the current ceasefire regime impacts on the operations of armed groups in Northeast India today.

Operating under ceasefire

As the Naga case shows, a ceasefire agreement may have various impacts on the cohesion and internal dynamics of an armed movement, depending on the political context, the process towards the signing of an agreement, the terms and implementation of the agreement, and the effects of this on the group's operations. In addition, the conditions created by ceasefire terms, monitoring and sanctioning of breaches to an agreement are also important for conflict dynamics in a wider sense, not only within a movement, but among multiple contending and allied groups, as well as other conflict stakeholders. These conditions therefore deserve careful investigation.

The terms and conditions of the 'Suspension of Operations' agreement currently offered to armed groups in Northeast India are similar to those of the 1964 ceasefire agreement between the government and NNC. Under this agreement, security forces were to

refrain from undertaking ‘jungle operations’, raiding of camps of the ‘underground’, patrolling beyond one thousand yards of security posts, searching of villages, aerial action, arrests and imposition of labour by way of punishment. Security forces would also refrain from imposing ‘fines connected with allegations of complicity with underground activities’, while the ‘underground’ on their part would refrain from sniping and ambushing, imposition of fines, kidnapping and recruiting, sabotage activities, raiding and firing on security posts, towns and administrative centres, parading with arms in inhabited areas, and importing of arms from abroad (Means 1971: 1019-1020).

Following the signing of ceasefire agreements with both NSCN factions, similar ‘Suspension of Operations’ agreements have been signed with a number of smaller armed groups in the region, including United Peoples Democratic Solidarity (UPDS), Karbi Longri North Cachar Hills Liberation Front (KLNLF), Dima Halam Daogah (DHD), Achik National Volunteer Council, National Democratic Front of Bodoland (NDFB), eight Kuki groups under the United Peoples Front and 11 others under the Kuki National Organisation. As described by the Ministry of Home Affairs (n.d.), the ground rules or code of conduct of a ceasefire agreement entails that: ‘The insurgent groups will not engage in violent armed conflict, live in designated camps or cordoned off sites mutually agreed by both the State and the group, not engage in any illegal activities like extortion, kidnapping etc., and put weapons in double-lock mode’.¹³ Groups under ceasefire can in effect continue to train in their designated camps, while the government provides funds for food and other supplies based on the number of cadres under the group’s command.

As noted above, ceasefire agreements have caused divisions in several smaller armed groups, who have split into ‘anti-talks’ and ‘pro-talks’ factions as a result of differences over

¹³ ‘Double-lock mode’ refers to a double locking system on weapons storage facilities.

the entry into ceasefire. After UPDS entered a ceasefire agreement in 2002, KLNLF was established as a breakaway ‘anti-talks’ group in 2004. Similarly, differences in the DHD leadership surfaced after the group entered a ceasefire in 2003, leading to the founding of the ‘anti-talks’ group Black Widow. After Black Widow and KLNLF both entered into ceasefire in 2010, yet another ‘anti-talks’ group has broken out of KLNLF, taking the name Karbi People’s Liberation Tigers. A splintering has also occurred in NDFB, with opponents of the 2005 ceasefire making up an ‘anti-talks faction’ (NDFB-ATF). While some of these divisions have caused violent factional fighting, there is also evidence of a more pragmatic kind of splintering, directly related to the incentives of entering into a ceasefire. As explained by one informant, Kuki militants have taken advantage of the system by creating fictitious ‘new factions’ with the same individuals as members, who have then been offered their own ceasefire agreement, a new designated camp and more funds.¹⁴

According to Rajkumar Meghen (alias Sana Yaima), chairman of the Manipur-based United National Liberation Front (UNLF), starting up an armed group is easy: ‘if you have two pistols you can form a group and start collecting money from the people’.¹⁵ This belies the organizational complexity, degree of collusion with administrators and politicians, and sheer volume of the ‘underground economy’ of Northeast India (see Sahni 2001). In fact, armed groups in the region demand routine payments of illegal ‘taxes’ from private enterprises, citizens and government departments alike. Vehicles on all major routes in affected states of Northeast India pay a ‘toll tax’ at points marking the transition between territories controlled by different armed groups (Sahni 2001: 139). Armed actors make regular rounds to village headmen, government offices and enterprises of all kinds to collect their

¹⁴ Personal communication, Guwahati, April 2009.

¹⁵ KNA/KNO, NSCN (IM), UNLF (<http://www.youtube.com/watch?v=BN9IS5ud2m0&feature=related>).

Rajkumar Meghen was arrested in late 2010.

dues, while 'notes' containing specific demands are given to selected individuals depending on their perceived ability to 'contribute'. Smuggling of drugs and weapons is another key source of income. With the help of allied groups, NSCN (IM) maintains effective control over arms smuggling from Myanmar into Northeast India. In the words of one informant, 'nobody can bring weapons into this region without permission from NSCN (IM)'.¹⁶ The scale of the illicit arms trade was disclosed in 2004, when a large shipment of weapons was seized in the Bangladeshi port of Chittagong. The consignment was worth an estimated USD 4.5-7 million, including assault rifles, grenades, grenade launchers and ammunition of Chinese, Israeli and US manufacture, loaded in Hong Kong and Singapore (Davis 2004). The seizure was also significant in that it revealed a newly forged partnership between NSCN (IM) and the United Liberation Front of Assam (ULFA), involving ULFA's Commander-in-Chief Paresh Baruah and Anthony Shimray, Muivah's nephew and chief of procurement for NSCN (IM). While Shimray has been arrested, Baruah is at large in China (Datta 2011), and is now the key opponent of a formal peace process between ULFA and the Indian government.

As explained by Sahni (2001: 140), the illegal activities of militants permeate Northeast Indian society: 'there is little resistance and virtually no faith in the ability of institutions of governance to protect private citizens and enterprises from this predatory regime'. A pertinent question is why law enforcement agencies fail to bring armed actors to justice. The working conditions of the police forces, especially under-funding, under-staffing, lack of proper training and outmoded weaponry and equipment, are the mainstay answers to this question. While these conditions may partly explain the situation, there is also evidence that the police and security forces have their own stakes in militancy. A recurring allegation is that members of paramilitary forces and local police are involved in extortion and other

¹⁶ Author's interview with members of Dima Haram Daogah (DHD), Dhansiri designated camp, Karbi Anglong, November 2008.

serious crimes, including smuggling of arms and drugs. Among several such accounts, I was informed in one interview that a colonel of the Assam Rifles had ‘slapped a note’ to the interviewees demanding 500,000 INR to be paid within one month. After a reduced rate had been negotiated, the money was reportedly given to the colonel, who was later dismissed.

Local Assam Rifles personnel passed the blame to the police for enabling militant extortions and sharing the loot.¹⁷ Police officers were also accused of taking huge bribes for the release of arrested militants. I was informed that such bribes ran to the rate of about 3-400,000 INR. Other informants explained that local police were involved in the torching of houses in villages that were seen to provide ‘support’ to militants. In 2002 a complaint was filed to the National Human Rights Commission (NHRC) on the torching of houses in a Dimasa village in Karbi Anglong by joint forces of the Central Reserve Police Force, Black Panthers (a special force) and local police. The complete original complaint, including names of the petitioners, was subsequently sent to the commanding superintendent for his comments. The police superintendent responded that: ‘the so-called victims of the petitioners have burnt their own houses themselves for reasons known to them’. Reviewing the handling of this and other cases, an Indian human rights organization criticized the commission for allowing the police to be judge and jury and ‘exposing the complainants to the authorities who can take retaliatory measures’.¹⁸ Verified records of death in custody and extrajudicial killings prove that this is a well-founded concern.

While ceasefires have contained fighting between security forces and militants, violence continues unabated between NSCN factions and among an array of other armed groups in the area claimed as ‘Nagalim’, with serious consequences for local communities. During fieldwork I heard numerous first-hand accounts of routine ‘taxation’ by armed actors

¹⁷ Personal communication, Guwahati, August 2007.

¹⁸ Asian Centre for Human Rights, ACHR Review, Embargoed for 15 September 2004, Index: Review/38/2004.

as well as extortion demands targeting individuals. I also witnessed unsanctioned carrying of firearms in public by a group in ceasefire. The frequent violation of ceasefire ground rules is well-known and has been acknowledged by several ceasefire monitoring bodies, including the NSCN (IM) monitoring group and the Joint Monitoring Group of Suspension of Operations with Kuki ‘underground groups’.¹⁹ As recorded by the South Asia Terrorism Portal,²⁰ the number of insurgency-related killings in Assam, Nagaland and Manipur has continued to rise since the Indian government started to pursue its current strategy of ‘agreements and negotiations alongside improved counter-insurgency measures’ (Ministry of Home Affairs n.d.). It is clear that the signing of ceasefire agreements has failed to bring peace to local communities that are caught in the crossfire between rivaling militants while also being subjected to harassment by security forces. Due to deficient monitoring and failure of law enforcement agencies to control crime and protect victims of extortion, ceasefires have in effect enabled armed groups to carry on with lucrative ‘businesses’ of extortion and smuggling operations, which ‘bankroll the underground army’ (Kumar & Ghosh 2006: 9). Militants thus have real equities in keeping the conflict alive, and an equal interest in maintaining perpetual ceasefires.

Ceasefire and conflict dynamics

As suggested by this study, ceasefires may impact on conflict dynamics in at least three ways, all interrelated. Firstly, ceasefires may affect the internal cohesion of belligerent groups. Secondly, ceasefires may impact on the operational space of armed groups, creating new

¹⁹ Nagaland: Too few interlocutors. *Economic and Political Weekly*, editorial, 12 April 2003; Centre for Development and Peace Studies, Overview: Insurgency & peace efforts in Nagaland (http://www.cdpsindia.org/nagaland_insurgency.asp).

²⁰ South Asia Terrorism Portal, online at: <http://www.satp.org>.

opportunities as well as limitations to the activities of militants, depending on the imposition of terms and conditions, monitoring and sanctioning. Thirdly, ceasefires may affect the relations between multiple stakeholders and parties to a conflict, including but not limited to the challenger(s) and the state. In Northeast India the current terms of ceasefire agreements combined with a lack of monitoring and sanctioning of breaches to ceasefire ground rules allows militants vying for control of revenue and political stakes to prey on local populations. By empowering signatory militant groups versus their contenders, the ceasefire regime has set the stage for an escalation of factional fighting and violent politics. Within this 'playing field', alliances are made, opponents fought and political stakes claimed by a wide range of stakeholders, including militants, politicians, civil society actors, and members of the security forces, law enforcement and intelligence agencies.

The terms of the ceasefire agreement between NSCN (IM) and the government have constituted a vital point on the agenda of negotiations over a political settlement to the 'Naga conflict'. Reviewing the first four years of negotiations between NSCN (IM) and the government since the initial ceasefire agreement of 1 August 1997, Sharma (2002: 95) maintains that the dominant issue in the talks was that of the boundaries of the ceasefire agreement. In the initial agreement, the geographical area of the ceasefire was undetermined. NSCN leaders subsequently told the press that the agreement was applicable in all Naga-inhabited areas, even outside the borders of Nagaland. While the emissary of the Prime Minister confirmed that the ceasefire had no geographical limitations, the Joint Secretary (Northeast) of the Ministry of Home Affairs later clarified that the ceasefire area was limited to the state of Nagaland (Sharma 2002: 91). At this stage civil society actors in Manipur who were already apprehensive about the ceasefire agreement started to rally against the extension of the ceasefire into Manipur, arguing that it paved the way for a 'Greater Nagaland' that would encompass Naga-inhabited hill areas in Manipur. Meanwhile, NSCN leaders

threatened to withdraw from the ceasefire agreement if the government failed to extend the ceasefire to all Naga areas.

In June 2001, representatives of NSCN (IM) and the government's interlocutor, former Home Secretary K. Padmanabhaiah, met in Bangkok to negotiate. The revised ceasefire agreement was entitled 'Indo-Naga Ceasefire Agreement Without Territorial Limits', indicating that the agreement was no longer limited to Nagaland State, but covered all areas where NSCN (IM) had a presence, including parts of Assam and Manipur. As soon as the news of the revised agreement reached Northeast India, massive protests broke out in Manipur's capital Imphal, demanding the immediate withdrawal of the ceasefire extension from Manipur. Rioters torched the Manipur State Assembly and other buildings, and a number of people were killed after security forces opened fire on the crowds. Why were the protesters so strongly opposed to the extension of a ceasefire agreement into Manipur? As explained by a local commentator:

It is not that they are against the good spirit of the agreement aimed at establishing an everlasting peace in the areas but it is very much against the hidden and insincere 'motive' of the Naga parties for forcibly annexing a large chunk of the 'age-old' territories of Manipur thereby reducing her to a very diminutive State to which the Government of India, it appeared, have given, most unfortunately, their due approval secretly. (Singh 2003)

Protesters in Imphal regarded a ceasefire encompassing the state of Manipur as a threat to the very sovereignty of their state.²¹ In light of the protests, the government was forced to withdraw from the Bangkok agreement and a new agreement was signed the following month, deleting the words ‘Without Territorial Limits’.

The stated goal of NSCN (IM) is a ‘Greater Nagaland’ (‘Nagalim’) encompassing all contiguous Naga-inhabited areas. When Muivah and Swu entered into negotiations with the government, their demand was nothing less than a fully sovereign state. Later they have been willing to discuss a ‘special federal relationship’ with India, which might entail separate armies with joint command, currency and foreign affairs maintained as subjects of the Union Government, and subjects such as health, education and transportation under the jurisdiction of the state of Nagaland.²² While sovereignty has thus been a topic of discussion, the demand for territorial unification of Naga-inhabited areas has effectively brought the talks to a deadlock.

Muivah and Swu have founded their claim to represent the Naga people on their championship of a unified ‘Nagalim’, and are therefore in no position to forfeit this demand. At the same time there is a strong public opposition against giving up territory to Nagaland in the neighboring states of Assam, Manipur and Arunachal Pradesh. According to Article Three

²¹ Author’s interview with K. Padmanabhaiah, interlocutor in the negotiations between NSCN (IM) and the government, Shillong, July 2007. See also Sharma (2002) for a detailed account of the controversies surrounding the 2001 Bangkok agreement.

²² Author’s interview with K. Padmanabhaiah, interlocutor in the negotiations between NSCN (IM) and the government, Shillong, July 2007. See also Muivah talks of ‘Special Federal Relationship’ with India. *The Hindu*, 29 April 2005 (<http://www.hindu.com/2005/04/29/stories/2005042904201200.htm>). As has been noted, the current framework for a ‘special federal relationship’ bears a striking resemblance to a proposal presented by a prominent member of NNC, R. Suisa, during the negotiations with the Indira Gandhi government (see Shimray 2007). Phizo completely rejected the proposal at the time, and it was later denounced by Muivah as well.

of the Indian Constitution, state borders can only be redrawn by parliamentary agreement after consultation with states. At present none of the states bordering Nagaland would agree to cede territory to Nagaland. Armed actors in Assam and Manipur also oppose the demand for a 'Greater Nagaland'. In Manipur a number of armed groups, all claiming to fight for a Kuki homeland, contest the NSCN demand for a unified 'Nagalim'. In Assam, Dima Haram Daogah (DHD) claims as 'Dimaraji' a territory overlapping 'Nagalim' encompassing a pre-colonial Dimasa kingdom. Their arguments are similarly based on a unique history as the original indigenous inhabitants of the region.²³

The two NSCN factions have a long history of in-fighting over 'taxation rights' and territorial control in 'Greater Nagaland'. After the controversy over the territorial limits of the ceasefire, NSCN (IM) has expanded its activities in the states neighboring Nagaland. With the signing of the initial ceasefire agreement NSCN (IM) was allowed to establish its headquarters (Camp Hebron) near the border between Nagaland and Assam, which has provided the group with an excellent base for engaging in cross-border operations outside the territorial limits of the ceasefire agreement and the jurisdiction of Nagaland state. Both NSCN factions have established a strong network of allied groups by providing training, base facilities and weapons to allies. In return for NSCN support, allied groups are required to provide shares of their 'revenues' from extortion and illegal taxation, and carry out operations on behalf of their benefactors. While the state of Nagaland has returned to a 'precarious equilibrium' (Means 1971), violence is thus set to continue in the areas claimed as 'Nagalim' outside the state and ceasefire boundaries.

A recent addition to the Indian conflict management and security framework is the National Investigation Agency (NIA), established in 2009 to investigate and prosecute 'acts of

²³ Author's interview with leaders of Dima Haram Daogah (DHD), Guwahati, January 2008.

terrorism'.²⁴ The agency's first case was to investigate alleged collusion between militants and local authorities in Assam's North Cachar Hills. NIA has since pursued the illicit arms trade and transnational networks of militant organizations in Northeast India, leading to the arrest of several key figures including Anthony Shimray, chief of arms procurement for NSCN (IM) and Rajkumar Meghen, chairman of the United National Liberation Front (UNLF). Recent NIA investigations have uncovered evidence of arms procurement from China, confirmed the presence of ULFA's Commander-in-Chief Paresh Baruah in China's Yunnan Province, and disclosed a 2009 agreement between NSCN (IM) and Chinese intelligence on 'military cooperation' (see Datta 2011). These revelations have alarmed the Indian defense and security establishment, generating new debates on the government's conflict management strategy in the Northeast.

Conclusions

Despite recent efforts to reunite Naga militant groups, a political settlement with the potential to end violence seems no more feasible today than during previous negotiations. I return here to the questions posed in the beginning of this paper, to describe how the current ceasefire regime has contributed to this situation, and how it has impacted on conflict dynamics in Northeast India.

Firstly, a review of the conflict history shows that ceasefires may disrupt the internal cohesion of armed actors, depending on the political context and process leading up to the signing of an agreement, as well as the terms and implementation of the agreement. Factors such as the inclusion or exclusion of key stakeholders in negotiations may also fuel rivalry and fragmentation of armed actors, while a ceasefire agreement may serve as a focal point

²⁴ The National Investigation Agency Act was passed on 17 December 2008.

rather than a direct cause of disagreement. The exclusion of NNC leader A.Z. Phizo from the 1960s' negotiations set the stage for serious competition within the Naga militant movement. As followers of Phizo challenged the negotiations by overtly violating the terms of the ceasefire agreement, the ceasefire itself became a scene of contestation and rivalry between key actors. Renewed infighting within NNC occurred after the signing of the second ceasefire, the Shillong Accord in 1975. At this point, Phizo refused the agreement entirely, sidelining those who had signed it and completely blocking negotiations, contributing to a further fragmentation and weakening of NNC. The contentious question of entering a dialogue with the government was again a vital issue in the factional divide within NSCN in the late 1980s. Since the 1990s, when the government started to pursue its 'ceasefire and negotiations' policy, several smaller armed groups operating in neighboring areas have similarly split into 'pro-talks' and 'anti-talks' factions with the signing of a ceasefire, causing a further proliferation of militant actors.

Secondly, in contemporary Northeast India ceasefire agreements contribute significantly to the way armed groups operate, depending on the terms and conditions of agreements, how they are monitored, and how (and whether) violations are sanctioned. While the terms of a 'Suspension of Operations' agreement imposes restrictions such as limiting an armed group to stay in designated camps and keeping weapons under 'double lock', a ceasefire also offers protection from attacks by security forces and a license to engage openly in political rallying. Moreover, due to poor monitoring of ceasefire ground rules and deficient law enforcement, armed groups in ceasefire are in effect able to carry out lucrative criminal activities with impunity, further increasing the scope of their operations and their ability to recruit.

Finally, and following from the former points, ceasefires play an important role in conflict dynamics in a broader sense. The signing of an indefinite ceasefire between NSCN

(IM) and the Indian government has important implications for the prospect of reaching a political settlement to the conflict. Despite carrying on with the ‘peace process’, the negotiating parties show no signs of changing their positions or considering alternative proposals. With little incentive to reach a settlement, the key goal of both parties seems to be to perpetuate negotiations. A seat at the negotiating table obviously empowers the actors who are invited to negotiate peace at the expense of those who are excluded. As illustrated by the present case, when the terms of ceasefire agreements are generous and monitoring is poor, ceasefires may also empower signatory groups versus contenders and other stakeholders, including non-violent civil society actors. As armed groups in ceasefire are empowered in relation to competing groups, this may fuel further hostilities among rivaling militant actors. In addition, the license offered to militants entering a ceasefire makes it easier for them to forge alliances with other ‘overground’ actors and stakeholders, including politicians, civil servants and law enforcement agencies. This creates conditions for systematic collusion between legitimate political elites and militant actors.

The Indian government has attempted to manage conflict in Northeast India by offering ceasefire agreements to ever smaller and more fragmented militant groups, reserving negotiations for more powerful armed actors, and consistently excluding non-violent civil society actors from dialogues. With this approach, the government has effectively legitimized armed actors as ‘providers of peace’ and custodians of their constituency’s political aspirations. The strategy of ‘ceasefires and negotiations’ has allowed leaders of armed groups to maintain relevance as key political actors, giving militancy a solid foundation in the mainstream of Northeast Indian politics. The current use of ceasefires in Northeast India can thus be seen as a framework that sustains and creates conditions for violent politics, rather than a step on the path to peace.

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Biographical statement

ÅSHILD KOLÅS, b. 1961, Dr.Polit. (University of Oslo, 2005); Researcher, PRIO (1997-); Programme Leader, PRIO Conflict Resolution and Peacebuilding Programme (2005-); anthropological research on Tibetan ethnicity, Indian conflict management, militancy in Northeast India. Most recent book: *Tourism and Tibetan Culture in Transition. A Place Called Shangrila* (Routledge, 2008).