Northeast Indian Enigmas

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Abstract:
The standard frame of security studies is to view Northeast India as a site of multiple “ethnic conflicts”. In trying to unravel these conflicts, the focus has remained on the fault lines between the state and its alleged contenders, the region’s multiple non-state actors. This special issue tries to look at the conflict scenario of Northeast India through a different set of lenses, in an effort to draw the focus away from the usual conflict histories, to direct attention towards the ideas that underpin the construction of Northeast India as a frontier zone, and its people as “others”, both internally divided and divided from the Indian mainstream. The “tribal” movements of Northeast India, and the patterns of conflict associated with them, are well researched. What this issue explores is how and why “tribal” political projects are created and pursued, and how to understand these projects, whether as strategies of resistance and survival, identity politics or rival projects of extraction and exploitation. What do we find when we look into the enigmatic frontier as a “zone of anomie”, a “sensitive space”, or a parapolitical scene that defies the taken-for-granted dichotomies between the state and non-state?
Northeast India is often viewed as a site of multiple “ethnic conflicts” between the state and its alleged contenders nonstate actors associated with the region’s many “tribal” movements. The deeper questions are seldom addressed, such as how and why tribal political projects are created and why these projects are so persistently pursued. Should they be understood as strategies of resistance or survival, or as identity politics, or as projects of extraction in competition with the state? Can we gain new insights by questioning the taken-for-granted dichotomy of state and non-state, or by looking into the shadows of the “parapolitical”\(^1\), “sensitive spaces”\(^2\), or the frontier as a “zone of anomie”\(^3\)? Should we reinvestigate the distinction between legitimate and illegitimate? This special issue revisits the conflict scenario of Northeast India, in an attempt to deconstruct what has often been portrayed as an enigmatic case of perpetual “ethnic conflict”.

“Tribals” and “conflict” have co-existed in the Northeast Indian region ever since Assam became a British colony. In the frontier areas, measures to “protect” inhabitants of the hills were enshrined in the Government of India Act, 1935, in its special provisions for Excluded Areas and Partially Excluded Areas. With the adoption of the Sixth Schedule of the Indian Constitution, allegedly offering autonomy as well as protection, the hill areas and its people continued to be “exceptional” in independent India. When India gained independence, failed negotiations on the incorporation of the Naga Hills into the Indian Union led the Naga National Council (NNC) to assert the sovereignty of Nagaland. In 1956, the NNC announced the establishment of a Naga Federal Government and Naga Federal Army. The Union Government of India responded by launching military operations in an effort to take direct control over the Naga Hills.\(^4\) To accomplish this mission, security forces were authorized to enter, search and arrest without a warrant, and fire on suspects “even to the causing of death” in the region’s “disturbed areas”, under the Armed Forces (Special Powers) Act –1958. The state of Nagaland was formed in 1963 in an attempt to reach a peaceful settlement of Naga demands for self-rule. However, militarization continued and violence escalated as armed groups and micro-nationalist movements consolidated their hold of regional politics. This was the birth of violent “tribal” politics.
The study of conflict in Northeast India has kept a persistent focus on the fault lines between the state and non-state actors, and the view of the region as a site of multiple “ethnic conflicts”. Most scholarly accounts of Northeast India’s conflict scenario thus set out with a note on the tremendous ethnic diversity of Northeast India, and the many different languages spoken by the region’s numerous tribes. With the rise of the Assamese language movement, language rights were also raised as an important ethno-political demand. Assamese nationalism was initially fostered within popular associations such as the Asom Sahitya Sabha (Assam Literary Society) and All Assam Students Union, essentially inspired by the ideologies of the Indian de-colonization struggle. Demands for an independent Assam followed, turning militant in the 1980s with the rise of the United Liberation Front of Assam (ULFA). Violence and militancy continued to spread among the region’s hill tribes as well. As noted by Prasenjit Biswas and Chandan Suklabaidya: “It seems that the selective struggle with the state, claim of national identity by an ethnic community and its politics of difference have to be filled with events of violence”.

According to the Indian government, the granting of statehood and autonomous district status is a means to devolve decision-making and maintain the “demographic uniqueness” of Northeast India, in effect providing ethnic “homelands” to certain groups. The Sixth Schedule now gives the district councils extensive powers of administration of justice as well as powers to establish primary schools, assess and collect land revenue and impose taxes, issue leases for prospecting for or extracting minerals, and make regulations for the control of money-lending and trading by non-tribals. However, with development schemes and public works weakly monitored and funds poorly accounted for, the powers of the district council and the funds that go with them have become stakes in violent “homeland politics”.

Non-state actors in India’s Northeast have consciously constructed their “armies” to both mirror and contest the state’s security forces, and have used the same approach to justify their use of violence. Importantly, India’s Ministry of Home Affairs has also treated insurgent armies as “exceptional” militaries in the course of negotiations over ceasefire agreements, thereby reinforcing their legitimacy. Armed groups who have entered into a ceasefire with the government have thus been allowed to build designated camps where militants have continued to train in uniform and perform annual “Raising Day” ceremonies and other functions. This has in
effect reproduced their legitimacy as security providers, even after allegedly ceasing operations. In its negotiation approach, the Ministry of Home Affairs has focused purely on political violence and protest directed against the government and its security forces, while local victims of armed violence have been left largely to their own devices.

Northeast Indian non-state actors compete with the Indian state over two basic dimensions of statehood, namely political representation and monopoly of violence. The “exceptional” is important to both dimensions. With regard to political representation, mechanisms to exclude and “protect” the hill areas date back to colonial times, and British provisions for Excluded and Partially Excluded Areas. Exclusive arrangements were in effect continued in independent India with the adoption of the Sixth Schedule of the constitution, establishing autonomous district councils with extensive local powers of legislation and justice, collection of revenue and taxes, and issuance of leases for mineral extraction. Further demands for ethnic homelands and tribal self-rule have been spurred by militarization coupled with concessions such as the founding of the state of Nagaland and the Mizo Accord.9

Rephrasing the question
Researchers of conflict continue to view Northeast India as a region where multiple non-state actors (militant groups or “Underground” movements) engage with the state in contestations over territory and sovereignty. However, this is by no means the only way to interpret the region’s conflict scenario. If we shift the focus from conflict actors to agency, the pattern that emerges is not one of opposition between state and non-state, but rather of multiple interactions and interconnections among diverse stakeholders. In questioning the dichotomy of state and non-state, the concept of “parapolitics”10 offers a useful approach.

As defined by Robert Cribb, the study of parapolitics is the study of “criminals behaving as sovereigns and sovereigns behaving as criminals in a systematic way”.11 There is probably no better way of describing the politics of Northeast India, with its lucrative shadow economies and flourishing transnational networks, implicating both state and non-state actors, securitized by multiple (and often competing) intelligence agencies, hosting a diverse range of gun-wielding “security” forces.12 The logics of militants and state agents are equally consistent with Carl Schmitt’s famous dictum, “sovereign is he who decides on the exception”.13 “Sovereignty”,
whether in the form of an independent country or a separate state within the Union, has thus become the demand of a wide range of “tribal” actors. Militants justify their perpetration of organized violence as “armed resistance”.

In Northeast India, the state of exception has become permanent and lawful, ever since the passing into law of the Armed Forces (Special Powers) Act–1958 (AFSPA), which empowers even a non-commissioned army officer to open fire on a civilian, and kill him or her with impunity. While emergency rule is thereby regularized, AFSPA relies on the marking off of a territory as “disturbed”, in effect creating the very conditions for “bare life” and militarization, all in the name of security. AFSPA provides immunity to security forces involved in arbitrary searches and detention, custodial torture, rape, and extrajudicial killings known as “fake encounters”. It is against this backdrop of legalized crime that state agents and non-state actors compete for the role of security providers and as legitimate holder(s) of the monopoly of violence.

Civil society organizations continue to call for a repeal of AFSPA, challenging the Act numerous times in Indian courts, and repeatedly protesting against it. The UN Human Rights Committee has also questioned the act’s justification. Those who argue for repeal, see the Act as unconstitutional and a threat to human rights. In their view, the region’s “disturbed areas” are set legally apart from the rest of India, which only deepens socio-political divides. As Ananya Vajpeyi points out, “after being applied for half a century and with an ever-expanding scope, [AFSPA] has only confirmed the rupture between what is and what is not India”.

The state of exception is intrinsically anomalous. Giorgio Agamben locates the state of exception neither within nor outside the law, but in a “zone of anomie”, a threshold, or a zone of indifference, where “inside and outside do not exclude each other but rather blur with one another”. This is in contrast to views of the exception as either existing within the law, as when derogation-like clauses permit the state to suspend the protection of basic human rights in the face of a threat to “the life of the nation”, or the view of the state of exception as extrajuridical (i.e. prior to or other than law).

As described by Charles Tilly, war making and state making are “quintessential protection rackets with the advantage of legitimacy”. The “security problem” in Northeast India has given rise to heavy militarization, and vice versa. In many communities, militarization
has only deepened the distrust in the role of the government and its security forces as “protectors” or “providers of security”. This obviously opens up a space for non-state actors to compete with state security forces in offering security or protection to the local community, while non-state groups also pose a threat to their “enemies”, or anybody who fails to support their “cause”.

The National Socialist Council of Nagaland/Nagalim (NSCN) was founded in 1980, and split into two factions in 1988, with the formation of NSCN (K) and NSCN (IM). Both factions have provided training, weapons and organizational assistance to numerous smaller armed groups, contributing to the proliferation of militancy and the creation of a “deterritorialized warzone”\(^{20}\) in the hills of Northeast India. As with the Naga Federal Army, militant groups have constructed their own “armies”, resembling the Indian military and even mirroring the security forces carefully. Moreover, both the armed groups and the security establishment emphasize the distinction between political organizations and their “armies”. A “chairman” or “president” is the head of the organization, while a “commander-in-chief” leads the “army”, in charge of “commanders” leading “battalions” and other troop divisions.

During the 1990s, the Indian government started to combine counterinsurgency operations with a strategy of negotiations and ceasefire agreements with the region’s armed groups. Starting with NSCN (IM) in 1997, ceasefires have been signed regularly with NSCN (K) since 2001, followed by numerous smaller armed groups.\(^{21}\) The ground rules or code of conduct of a ceasefire or “Suspension of Operations” 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”.\(^{22}\) When an armed group entered into a ceasefire agreement with the government, the group was allowed to build “designated camps”. These were laid out and functioned just like the camps of the Indian military, complete with guard’s posts armed with machine guns and sandbags for protection. In the camps, cadres would routinely go through drills, target practice and other military training.

While the Indian government proclaimed its peacemaking efforts in Northeast India as a success, \textit{bandhs} and curfews, riots, communal violence, kidnapping and extortion continued. In some areas, people had to pay “tax” to multiple armed groups. Whereas militants emulated the
state and its security forces, Indian armed forces also copied their non-state counterparts. Security forces tormented villagers with extrajudicial killings, deaths in custody and torching of villages by units of special commando forces, state police and paramilitaries. The collection of “taxes”, mainly from entrepreneurs, villagers (“house tax”) and civil servants was a vital source of income for any armed group. Rather than putting an end to the extortion “business”, ceasefires made it easier to run them, due to a near complete failure of law enforcement agencies to protect victims.

In addition to extortion, trafficking in drugs and weapons has been an important source of funding for armed groups in Northeast India. The major overland routes between Myanmar and India run across the border into Nagaland and Manipur. Armed groups have been actively involved in the smuggling, and maintain bases only a few kilometers away from the Myanmar border. Collusion between traffickers, the military, armed groups and government officials is frequent, on both sides of the border. Members of the security forces have also been involved in drugs trafficking, as witnessed by drug seizures from several Indian Army and CRPF transports. There has been widespread collusion between druglords, armed groups, and government agents. Armed groups have demanded routine payments of illegal “taxes” from private enterprises and government departments, while vehicles on all major routes have been subject to payment of “toll tax” when transiting between territories controlled by different armed groups. The underground economy is run by a complex collaboration of criminal networks, involving not only militants, but also administrators, politicians and security forces.

Research on borders and peripheries of statehood has made frequent use of Agamben’s “state of exception”. For some scholars, Agamben reduces the political to the biopolitical, life to bare life, and sovereignty to absolute authority, or brute power in which the agency of the subject is no longer an issue. Rather, Elizabeth Dunn and Jason Cons propose studying “sensitive spaces” that are notable for “the multiple forms of power that abound, compete and overlap there and the forms of anxiety that they provoke for both those who are governed and those who seek to govern”. Whether we prefer the term “sensitive space”, or “zone of anomic”, Northeast India has been a site of multiple political enigmas since the inception of the post-colonial Indian nation state. Warranted by the objectives of “development” and “democracy” in a region of myriad socio-cultural identities, Indian efforts to govern – or strengthen and extend the
instrumentalities of the Indian state – have all been questioned by what is commonly and
imprecisely known as “ethno-nationalism”.

In this issue, we take a step away from the ethno-political frame of analysis, in a
theoretical move inspired by Giorgio Agamben’s concepts of “exception”, “bare life”, and “zone
of anomie”, as well as Elizabeth Dunn and Jason Cons’ notion of “sensitive spaces”. As
described by Dunn and Cons, sensitive spaces: “resist incorporation into unified systems of
sovereign rule and legibility within standard bureaucratic practices. Yet the anxieties that mark
these spaces as sensitive also generate projects that, on the one hand, incorporate them into
broader debates and, on the other, dictate new logics of intervention within them”. 28

Keeping the focus on agency, I would add that the new “projects” and “logics” must be
discerned from investigating how inhabitants of the region engage with institutions of extraction,
fight injustice, create political projects, and employ their own strategies of resistance and
survival. This brings us back to the questions raised at the beginning of this paper: How and why
do people create and pursue “tribal” political projects? How can we explain “tribal” strategies of
resistance and survival, identity politics and engagement in projects of extraction?

In “Return of the Frontier” (this issue), Taz Barua investigates the Inner Line, designed in
British India to distinguish two separate systems of administration, one for the peripheral
“frontier” or hill areas, and another for the plains areas of colonial Northeast India. Constructing
the frontiers as areas of strife and conflict from which the valley or “non-frontiers” always
needed to be secured, the British created the Inner Line as an instrument of policing. This has not
only continued into the present, but transgressed the colonial administrative structure into the
post-colonial era. Contemporary movements demanding an Inner Line in three states of
Northeast India have returned to the idea of a Line that divides the territory and “secures” the
frontier areas from intrusion. With this, political movements for tribal rights evoke the peculiar
characteristics of the frontier, attempting to lend themselves an exterior identity distinct from the
identity of the mainstream or non-frontier “Indian”.

In “Prisoners of Peace, Samir Kumar Das describes what took place in August 2016,
when Irom Sharmila Chanu broke her 16-year long fast demanding the repeal of the Armed
Forces (Special Powers) Act–1958 (AFSPA). Irom Sharmila’s fast gave her recognition as the
“Iron Lady” and “the Face of Manipur”, and her determination became emblematic of the
“collective moral outrage” against the Act. But why, as this paper asks, did Sharmila have to take the difficult decision to break her fast, even when there was no sign of AFSPA being repealed. As described here, Sharmila realized that her prolonged fast had become subject to a variety of technologies of governance; firstly, by calling for the complete sacrifice of her private life, secondly, by turning her fast into a public spectacle rendering it both “unsuccessful” and necessary – significantly both at the same time, and finally, by inculcating in her and in many of us the intense desire of pursuing peace through the established political institutions, particularly electoral institutions.

Across India, demands for separate territories or special arrangements for minority groups are justified by the need to protect minority rights. Such demands are a commonality in the states of Northeast India, where the Indian state-building process and the pursuit of “democracy” and “modernity” are interlinked with a sense of alienation and deprivation among ethnic minorities. In “The Majoritarian Way to Democracy” (this issue), Anshuman Behera describes how ethnic identity and minority status in the Bodo Territorial Autonomous District (BTAD) have become vital components of a political discourse that is used to mobilize collectively against deprivation, lack of representation, exploitation and similar “minority” grievances. However, as this article illustrates, resistance against majority dominance and demands for exclusive territorial arrangements by minority groups are not necessarily a fight against majority rule. Rather, minority groups often aspire to become a majority within an exclusive territoriality of their own.

In their contribution to this issue, Anwesha Dutta and Bert Suykens take a political economy approach to study the conflict in the Bodo Territorial Autonomous District (BTAD), Assam, with a focus on patronage networks and politics on the margins. Their study attempts to comprehend the continuing economic and political exchanges behind the scenes of the Bodoland conflict. For decades, Bodo-inhabited areas have been the stage of recurrent contestations across ethno-communal lines. On the surface, inter-ethnic animosity is overt. Nevertheless, economic exchange, especially in the “hidden” illicit (or shadow) economy continues unabated and is often at its peak during violent conflict. Using the political economy framework of institutions of extraction and accumulation, it is clear that such institutions are not necessarily based on coercion, but can as well be characterized by collaboration and negotiations: among rebel
groups, state actors, local elites and villagers. Timber is plentiful in the forests of BTAD, and its illicit smuggling and trade is widespread. The shadow economy in timber operates through imposition of illegal taxes and continuing negotiations among various stakeholders. Also important are the processes through which the local villager is integrated into the shadow economy. The literature on the political economy of violence and illicit extraction focuses mainly on the actors, such as warlords, local elites, war entrepreneurs and rebel leaders. Dutta and Suykens shift the focus to behind-the-scenes activities of extraction, participation and accumulation.

As Bhupen Sarmah (this issue) explains, one of the major challenges facing Indian nationalists at the dawn of India’s independence was the political integration of the “Northeast” with India, now envisaged as a nation state. Some parts of the colonial frontier, such as the Naga Hills, had already witnessed a parallel nationalist discourse with the imagination of sovereignty before India’s independence. With independence, the nation state logic rose to prominence, especially in the wake of the Partition between India and Pakistan. The postcolonial history of the troubled periphery began with the binary relationship between the Indian nation state (the mainstream) and the Northeast. The dichotomy between the hills and the valley, constructed earlier by the colonial logic, acquired new meaning within the new context of nation state ideology. Against this backdrop, both political projects and development schemes adopted by the Indian state to integrate the region into the mainstream were bound to create conflict, simultaneously attempting to unify while reinforcing both the “otherness” of the Northeast, and its diversity, as well as the logic of homogeneity in which the Northeast has continued as the enigmatic “Other”.

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Notes
12 Kolås, “What’s up with the territorial council?”.
13 Carl Schmitt, Political Theology: Four Chapters on the Concept of Sovereignty (Chicago, IL: University Of Chicago Press, 1922/2006).


21 Kolás, “Naga Militancy and Violent Politics in the Shadow of Ceasefire”.


27 Dunn and Cons, “Aleatory Sovereignty and the Rule of Sensitive Spaces”.