

**CONFLICT RESOLUTION IN NORTHEAST INDIA:
A COMPARATIVE STUDY OF THE PEACE ACCORDS OF
ASSAM AND MIZORAM**

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CONFLICT RESOLUTION IN NORTHEAST INDIA:
A COMPARATIVE STUDY OF THE PEACE ACCORDS OF
ASSAM AND MIZORAM

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Certificate

This is to certify the thesis entitled, “CONFLICT RESOLUTION IN NORTHEAST INDIA: A COMPARATIVE STUDY OF THE PEACE ACCORDS OF ASSAM AND MIZORAM” submitted by LALNUNDIKA HNAMTE for the award of the degree of DOCTOR OF PHILOSOPHY, is a research work, done under my supervision and guidance. The thesis, submitted by him has not formed the basis of the award to the scholar for any degree or any other similar title and it has not yet been submitted as a dissertation or thesis in any university. I also certify that the thesis represents objective study and independent work of the scholar.

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I, Lalnundika Hnamte, hereby declare that the subject matter of this thesis is the record of work done by me, that the contents of this thesis did not form basis of the award of any previous degree to me or to do the best of my knowledge to anybody else, and that the thesis has not been submitted by me for any research degree in any other University/Institute.

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LIST OF ABBREVIATIONS

AAGSP	: All Assam Gana Sangram Parishad
AAMSU	: All Assam Minority Students' Union
AASU	: All Assam Students' Union
ASS	: Assam Sahitya Sabha
ADC	: Autonomous District Council
AFSPA	: Armed Forces Special Powers Act
AGP	: Assam Gana Parishad
BCM	: Baptist Church of Mizoram
BLT	: Bodo Liberation Tigers
BTC	: Bodo Territorial Council
CAB 16	: Citizenship Amendment Bill, 2016
CAA	: Citizenship Amendment Act, 2019
CPC	: Christian Peace Committee
HPC	: Hmar People's Convention
HPC-D	: Hmar People's Convention- Democratic
IMDT	: The Illegal Migrants (Determination of Tribunals) Act, 1983
MDoNER	: Ministry of Development of North Eastern Region
MKHC	: Mizoram Kohhran Hruaitute Committee
MNA	: Mizo National Army
MNF	: Mizo National Front
MNFF	: Mizo National Famine Front
MoS	: Memorandum of Settlement

MULFA	: Muslim United Liberation Front of Assam
MZP	: Mizo Zirlai Pawl
NDFB	: National Democratic Front of Bodoland
NEC	: North Eastern Council
NLCPR	: Non-Lapsable Central Pool of Resources
NNC	: Naga National Council
NRC	: National Register of Citizens
PAMRA	: Peace Accord MNF Returnees' Association
PC (Party)	: People's Conference
PPVs	: Protected and Progressive Villages
ULFA	: United Liberation Front of Assam
YMA	: Young Mizo Association
ZKHC	: Zoram Kohhran Hruaitute Committee

CHAPTER 1

INTRODUCTION

The term, 'Northeast' today denotes not only a geographical space but has rather become a political terminology of 'periphery' characterized by difference and isolation; different from the mainstream Indians in terms of identity, language, tradition, religion and culture; and isolate in terms of connectivity from the Indian mainland. The region is wedged between Bangladesh, Bhutan, China, Myanmar and Tibet with about 96 per cent of its total borders being international border and is linked with the rest of India only by a narrow corridor of about 22 kms commonly referred to as the Chicken's Neck at Siliguri in West Bengal. Northeast India today comprises the seven sister states, Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura, and an adopted brother, Sikkim with its addition into the North Eastern Council (NEC) under the Ministry of Development of North Eastern Region (MDoNER) by the Parliament in 2002. The present Northeast India is almost synonymous with colonial Assam under the jurisdiction of the Chief Commissioner in 1874 which extended from Goalpara and Garo Hills in the West (present-day Assam) and Lakhimpur in the East (present-day Arunachal Pradesh) and comprised the whole of present-day Assam, Meghalaya, Nagaland and Arunachal Pradesh. The annexation of Lushai Hills (present-day Mizoram) took place only towards the close of the 19th century while Manipur, Tripura and Sikkim as princely states were never parts of colonial Assam.

The British attained control of the whole of the Brahmaputra Valley after the First-Anglo Burmese War with the signing of the Treaty of Yandaboo on February 24, 1826. As per the Government of India Act, 1853, the Governor-General in Council was entrusted with the power to make laws in territories administered by the East India Company. The administration of the East India Company, however, ended in 1858 when the British Parliament passed the Government of India Act, 1858 that transferred the government and the territories therein from the East India Company to the British Crown. The Indian Councils Act, 1861 continued to empower the Governor of each of the Presidencies in Council to make laws and regulations for

“peace and good government.”¹ Under the British policy of isolation, the Bengal Eastern Frontier Regulation, 1873, popularly known as Inner Line Regulation (ILR) was enacted under Regulation V of 1873 on August 27, 1873. According to the law, non-tribals were required to obtain a pass prior to their entry into specified tribal hill districts of Assam namely Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur (Garo Hills), Khasi and Jantia Hills, Naga Hills and Cachar. When the Chief Commissioner Province of Assam was created by reorganizing the geographical area of Bengal in 1874, the Inner Line Regulation continued to function in the above mentioned nine Hill districts. In April of the same year, Scheduled Districts Act (Act XIV) of 1874 was enforced in the hill districts where ILR was not yet extended and those areas (including the Lushai Hills) were also subsequently brought under the Inner Line Regulation afterwards. The Scheduled Districts signify those remote or backward tracts or provinces of British India where general Acts and Regulations were not in force.² The Lushai Hills later became part of the dominions of British Crown following the two Lushai Expeditions of the British namely the First Lushai Expedition of 1871-1872 and the Second Chin-Lushai Expedition of 1889-1890. The purpose of these operations was essentially to prevent tribal raids against both the colonial masters and their subjects.³ The North and South Lushai Hills were formally placed under the Chief Commissioner of Assam by the Governor-General in Council on September 6, 1895.⁴

The Government of India Act, 1919 was passed by the British Parliament on December 23, 1919 to embody the recommendations of the Montague-Chelmsford Reforms. The Act under Section 52A(2) empowered the Governor-General in Council to declare any territory of British India to be a backward tract. Accordingly, the Garo Hills District, Khasi and Jantia Hills District other than Shillong

¹ Vijay Hansaria, *Justice B.L. Hansaria's Sixth Schedule to the Constitution, Fourth Edition* (Gurgaon: Universal Law Publishing, 2016), 1-2.

² *Ibid.*, 3.

³ Sir Robert Reid. *The Lushai Hills* (Calcutta: Firma KLM Private Limited, 1942), 9.

⁴ A Proclamation by the Governor-General in Council, Foreign Department, No.1697-E, Simla, the 6th September, 1895. Also A Proclamation by the Governor-General in Council, Foreign Department, No.1698-E, Simla, the 6th September, 1895.

Municipality and Cantonment, Mikir Hills (in Nowgong and Sibsagar Districts), North Cachar Hills (in Cachar District), Naga Hills District, Lushai Hills District, Sadiya Frontier Tract, Balipara Frontier Tract, and Lakhimpur Frontier Tract were declared as Backward Tracts.⁵

The terminology of the 'Backward Tracts' was replaced with the 'Excluded Areas' and 'Partially Excluded Areas' by the Government of India Act, 1935 owing to their social, political and economic contrasts from mainstream Indians. As per Section 91(1) of the said Act, the Governor in Council promulgated the Government of India (Excluded and Partially Excluded Areas) Order, 1936 which declared North East Frontier Tracts (Sadiya, Balipara and Lakhimpur), the Naga Hills District, the Lushai Hills District and the North Cachar Hills Sub-Division of Cachar District as Excluded Areas while the Garo Hills District, the Mikir Hills in Nowgong and Sibsagar District and the Khasi and Jaintia Hills District other than Shillong Municipality and Cantonment were declared as Partially Excluded Areas. Excluded Areas signify the backward-most tribal areas which were under the special responsibility of the Governor of Assam and no Act of Indian or Assam Legislatures would come into effect without the prior direction of the Governor. These areas were also not represented in the provincial legislature.⁶ Districts which were categorized as Partially Excluded Area were under provincial government and they had representatives in the provincial legislature. However, the law enacted by provincial legislature could not be enforced in the Partially Excluded Area without the approval of the Governor. Moreover, the Governor could also use his discretionary power without consulting the provincial government in the partially excluded area.⁷ The intent of these Acts was to segregate the remote and backward hill tribals from the mainland and provide certain levels of immunity from the general Acts and Regulations and jurisdiction of ordinary courts.

⁵ Vijay Hansaria, *Op.Cit.*, 4.

⁶ David R. Syiemlieh (ed.) *On the Edge of Empire: Four British Plans for North East India, 1941-1947* (New Delhi: Sage Publications, 2014), 2.

⁷ Jangkhongam Doungel, *Lai Chieftainship and its Impact in Politics* (Delhi: Balaji Publications, 2015), 164-165.

Certain segregationist policies against the tribals were continued by independent India and were enshrined in the Constitution of India. The Sixth Schedule [Articles 244(2) and 275(1)] providing provisions for certain degree of legislative, executive, judicial and financial powers in the form of autonomous governments for Tribal Areas; the Bengal Eastern Frontier Regulation of 1873 requiring inner line permit for entry into areas specified with 'inner line'; reservation of seats for Scheduled Castes and Scheduled Tribes under Article 322; special exclusions under Article 243M and Article 243Z on Panchayati Raj under Part IX and Municipalities under Part IXA of the Constitution are suitable examples.

The Northeast region of colonial India was sparsely populated but rich in natural resources. The British economy thrived on Assam tea while other resources such as oil, opium, timber, rubber and others were also exploited. It was the British policy to encourage influx of labourers from other parts of India to sustain its economy in Northeast particularly in Assam. Also the colonial geography, the partition of the country at the time of independence and the massive infiltration of Bangladeshis into the region during the 1960s created the problem of foreigners in Northeast particularly Assam. The region also has porous borders as majority of its borders are international borders and is prone to influx of migrants and refugees and has remained the issue of tension.

The process of disintegration of Assam started with the independence of India in 1947 and the policy of accommodating the different hill tribes within Assam and integrating them into the Indian Union have been faced with resounding conflicts. It was the rise of new educated middle class who acquired political awareness through western education to disseminate politics of secessionism, regionalism and autonomy. The new educated middle class came to be aware of democratic principles that swept the world after the post-World War II; the relative economic and political deprivation of the tribals under the Indian Union; the need for improvement of their

socio-economic conditions and the protection of their identity.⁸ On the other hand, ideologies and sheer political opportunism create grounds for political movements. Against the Union Government's policy of national integration, ethnic nationalisms and sub-nationalisms proliferate in the Northeast in the post-independent years with the demands for autonomy and even secession from the Indian Union which often took a violent shape. It may be argued that conflicts in Northeast India are solely based on ethnic or identity politics over power and resources. This is true in the case of conflicts in any of the states in Northeast India. Both the Naga and the Mizo conflicts, spearheaded by A.Z. Phizo of the Naga National Council (NNC) and Laldenga of the Mizo National Front (MNF) respectively were grounded on ethnic considerations demanding independence from the Indian Union. Besides these secessionist insurgencies, the Assamese National Movement became manifest upon the issue of foreigners and their eviction from the State causing communal bloodshed. Spearheaded by the students' organization, the All Assam Students Union (AASU) and an umbrella outfit of different organizations, the All Assam Gana Sangram Parishad (AAGSP), the Assam Movement was a people's movement against foreign nationals in Assam. Despite the signing of the Assam Accord in 1985, the problem of foreigners in Assam is far from being solved as can be witnessed in recent turmoil following governance initiatives like National Register of Citizens (NRC) update in Assam, the Citizenship (Amendment) Act, 2019 in the Parliament and the constitution of the Committee on Implementation of Clause 6 of the Assam Accord in July 2019. Along the Assam Agitation on the problem of foreigners was the emergence of an armed nationalist group called the United Liberation Front of Asom (ULFA) that fought for an independent Assam or *Swadhin Asom*. There are groups such as the National Democratic Front of Bodoland (NDFB) and other insurgent groups with diverse demands, who felt that their interests were not represented in the Assam Accord of 1985. According to South Asian Terrorism Portal, there were as much as 16 proscribed terrorist/extremist groups, 45 active terrorist/insurgent groups, 44 inactive terrorist/insurgent groups and 13 in peace talks

⁸ Apurba Kumar Baruah. *Social Tensions in Assam: Middle Class Politics*, (Guwahati: Purbanchal Prakash, 1991), 43-44. See also R.N. Prasad, *Government and Politics in Mizoram 1947-1986* (New Delhi: Northern Book Centre, 1987), 74-76.

groups/conglomerates in Northeast India alone in 2018.⁹ Of these four proscribed terrorist/extremist groups, 11 active terrorist/insurgent groups, 22 inactive terrorist/insurgent groups and 13 in peace talks groups/conglomerates operates in Assam. To deal with insurgency in Northeast, the whole of Assam, Nagaland and Manipur (except Imphal Municipal Area) are under the Armed Forces Special Powers Act (AFSPA), 1958. While Mizoram which is regarded as the model of peace is not confronted by any proscribed terrorist/extremist group, it has one active terrorist/insurgent group and four inactive terrorist/insurgent groups.¹⁰ Considering the proliferation of violent conflicts, the region, therefore, has been viewed as a “theater of insurgency and counter-insurgency”.¹¹

While India attained its independence in 1947, contestations against the Indian State and claims of sovereign statuses emerged in the following years. The Government of India, as a measure of conflict resolution, has made several efforts to resolve violent conflicts in the region. The methods of the Indian State for conflict resolution in Northeast are varied ranging from legal frameworks, dialogues and military interventions. As measures of peace-making, negotiations were made and peace accords were signed by the Government of India with conflicting parties. Despite conclusions of conflict with the signing of peace accords with conflict parties who had undergone a phase of insurgency against the Government of India, the Indian experience of conflict resolution in Northeast India has been sustainable only with the case of Mizoram. Efforts for conflict resolution in Assam, Nagaland, Manipur, Meghalaya and Tripura have only ended as mere paper-works time and again.

This study deals with a comparative study of the Assam Accord of 1985 and the Mizo Accord of 1986. The Assam Accord was a tripartite Memorandum of Settlement (MoS) signed between the Government of India, the Government of

⁹ “India: Terrorist, Insurgent and Extremist Groups” *South Asian Terrorism Portal*, accessed on December 4, 2018; <http://www.satp.org>

¹⁰ “India: Terrorist, Insurgent and Extremist Groups” *South Asian Terrorism Portal*, accessed on December 4, 2018; <http://www.satp.org>

¹¹ Swarna Rajagopalan, *Peace Accords in Northeast India: Journey over Milestones*, (Washington D.C.: East-West Center, 2008), 1.

Assam and the alliance of All Assam Students Union (AASU) and All Assam Gana Sangram Parishad (AAGSP). It was an accord to end the Assam Agitation of 1979-1985 on the issue of the problem of foreigners in Assam that put the State in suspended animation and resulted in communal bloodshed in the State. The Mizo Accord, on the other hand, was a tripartite Memorandum of Settlement (MoS) between the Government of India, the Government of Mizoram and the Mizo National Front (MNF) to bring to an end the twenty-year-long Mizo National Movement for independence from the Indian Union with an armed struggle during 1966-1986.

1.1 Statement of the Problem

With the independence of India in 1947, the challenges of both national integration and post-independent nation-building have been extraordinarily complex primarily because of India's vast heterogeneity and diversity. Even before 1947, Muslim, Hindu and Sikh nationalisms represented by the Muslim League (1906), the All India Hindu Maha Sabha (1915) and the Akali Dal (1920) respectively, all with the idea of establishing separate or hegemonic nation-states were prevalent amidst the national struggle for freedom. With the withdrawal of the British in 1947, a sovereign Pakistan for the Muslims was eventually conceded. The rest of other nationalisms such as Sikh nationalism, Naga nationalism, Mizo nationalism and others were either forcibly or willingly integrated into the Union of India.

The federal arrangement of the country under the Constitution of India failed to provide durable peace especially in Northeast as the region is a highly heterogeneous one and a significant representation of India's vast diversity in language, ethnicity, tradition and religion. Conflicts are considered inevitable in a polyglot state and Northeast India, a region which is composed of complex multi-ethnic and diverse socio-cultural settings, the problems of integrating the region into the Indian Union fuelled by nationalism, illegal migration, xenophobia, fear of assimilation and relative economic deprivation have been the sources of violent

conflicts for more than six decades.¹² The region having porous borders is prone to illegal immigration from its neighbouring countries particularly Bangladesh and has been one of the major sources of tension till today. At the same time, the region is India's gateway to the Association of South-East Asian Nations (ASEAN) and therefore occupies an important strategic location in India's foreign policy. Since the mid-1990s, the region has become India's most globalized region under the banner of India's Look East Policy or what is today called the Act East Policy. With the development of connectivity and other infrastructure and the role of specialized agencies such as the North Eastern Council (NEC) and the Ministry of Development of North Eastern Region (MDoNER), the region has acknowledged its role in India's nation-building process. However, the region owing to its heterogeneous nature continues to host diverse interests and goals represented by several groups against the Indian state often causing violent conflicts.

The Indian State has faced a series of regional demands and movements for autonomy and secessionism from its federating units which are multifaceted in nature. This is more true in the case of Northeast India. The Assam Movement and the Mizo National Movement in the States of Assam and Mizoram respectively, among others, are good representation of this experience. To understand the conflict situation in Northeast, the case of Assam and Mizoram represent different types of conflicts though they are both a consequence of national movements which both took a violent turn, their causes and intents were totally different. A retrospective study of the Assam Movement and the Mizo National Movement will throw light on the root causes of conflict in these two States and how these conflicts are addressed by the Indian State. In other words, it seeks to explore the methods of conflict resolution employed by the Government of India in Northeast India through analysis of Assam and Mizoram.

Peace accords form one of the principal measures of the Government of India for the resolution of conflicts. In India's post-independent nation-building and

¹² V. Venkata Rao and Niru Hazarika. *A Century of Government and Politics in North East India: Vol.I. Assam (1874-1980)* (New Delhi: S. Chand & Company Ltd., 1983), 237.

integration process, a series of peace accords have been signed to address conflict situations in the region such as the *Naga-Akbar Hydari Accord* of 1947 (a.k.a. the *Nine-Point Agreement*), the *Shillong Accord* of 1975, the *Assam Accord* of 1985, the *Mizo Accord* of 1986, *Memorandum of Understanding with the Tripura National Volunteers* in 1988 etc. The Assam Accord of 1985 and the Mizo Accord of 1986 are selected for this study.

Mizoram is often regarded as a “model of peace” and an exemplary case of conflict resolution owing to the sustainable peace which followed the signing of the *Mizo Accord of 1986*. The Accord stands out to be the most successful conflict resolution measure undertaken by the Government of India with any insurgent group as no armed insurgence against the Indian State have recurred from the State. Ironically, the *Mizo Accord*, effecting Article 371-G in the Constitution of India may be termed not only as a replica but also a weaker version of the *Naga Accord* effecting Article 371-A for special provisions to Nagaland. The Assam Accord too is a detailed and comprehensive agreement. However, all the other accords except the *Mizo Accord* fail to ensure sustainable peace. This raises the question of the significance or redundancy of signing peace accords in resolving conflicts and whether peace accords actually serve as an end to conflict. This may even bring forth the contention that if peace accords are not endpoints, then the Peace Accord of 1986 may not be an endpoint in the case of Mizoram too. It has been repeatedly claimed by important heads of the Government and the academia that peace is sustainable in Mizoram due to the protruding role of the civil society organizations such as the church; a cultural organization, the Young Mizo Association (YMA), students’ bodies, the Mizo Zirlai Pawl (MZP) and the Mizo Students’ Union (MSU). However, studies on the role of the civil society for the sustenance of peace particularly after the post-accord years are lacking. This study seeks to fill this research gap. As for the Assam Accord of 1985 which was signed for the solution of the problem of foreigners in Assam, the core of this problem has remained an unresolved episode till today. From sections that refuse to acknowledge the Assam Accord to those that question the Assamese identity itself, measures for the implementation of the

provisions of the Accord such as the recent update of National Register of Citizens (NRC) and the amendment of the Citizenship Act, 1955 have been confronted.

This study addresses the root causes of conflict upon which the peace accords of Assam and Mizoram were signed. The study seeks to explain why and how conflict resolution works for Mizoram and not for Assam after the signing of peace accords by making a comparative analysis of not only the provisions of the peace accords and their implementation but also the post-accord discords, the sources of conflicts and how the accords addressed them, the peace-building measures undertaken by the Government of India as well as the role of indigenous/insider-partial actors in the pre-accord era and the post-accord era in the making and sustenance of peace.

1.2 Review of Literature

(i) Conflict Resolution

Though theories on conflicts and their resolution occupies a dominant position of the notable enlightenment philosophers of the 17th and 18th centuries such as **Thomas Hobbes (1651)**, **John Locke (1689)** and **Jean Jacques Rousseau (1762)** through their philosophies of the state of nature and the subsequent social contract for establishment of government, conflict resolution as a field of study is a young discipline. It is said to have started only after the World War II, particularly during the 1950s and the 1960s when the Cold War was at its peak.

Katz (1965) classified the typologies of the sources of conflicts into three: economic conflict which concerns the struggle for scarce resources, value conflict which involves the incompatibilities of ideologies, beliefs and principles and power conflict which involves the struggle for power. One of the pioneers of conflict resolution studies, **Johan Galtung (1969)** propounded a very prominent model of conflict, violence and peace. His triangular model on conflict is characterized by Contradiction (C), Attitude (A) and Behaviour (B). Contradiction implies the incompatibilities or differences of goals and interests; attitude implies the emotions and beliefs; and behaviour implies the actions of conflicting parties. For the

manifestation of conflict, all the three components must be present without which the conflict will be latent. Galtung's triangular model on violence comprises structural violence, cultural violence and direct violence. To cite an example, violence is direct when children are killed; it is structural when children die due to poverty; and cultural when the system blinds us or justifies the death of children. To Galtung, structural violence can be ended by addressing the contradiction of goals, cultural violence by changing attitudes and direct violence by changing the behaviour. Lastly, his triangular model on peace comprises of peacekeeping, peacemaking and peacebuilding. Here, peacekeeping seeks to deter and counter behaviour of direct violence by deploying security forces in areas of conflict; peacemaking deals with the attitudes of parties as it seeks to make agreed frameworks through negotiations and accord signing; and peacebuilding involves the consolidation of security environment by strengthening political institutions and promoting social and economic development.

The United Nations *Agenda for Peace* proposed by the sixth Secretary-General of the United Nations, **Boutros-Ghali (1992)** which suggests the interconnected methods of conflict resolution namely preventive diplomacy, peacemaking, peace-keeping and peacebuilding highly draws its ideas from Galtung's triangular model on peace. **Doyle (2007)** also articulated a three-phase process in internal conflict resolution: peace-making, peace-building and peace-enforcement. It is evident that the three phase process proposed by Doyle also draws its ideas from Johan Galtung's triangular method on peace. Though the term 'peace-enforcement' was used unlike Galtung's or the UN Agenda for peace, it is synonymous with peacekeeping.

Donohue and Kolt (1992) differentiated latent and manifest conflicts. The former is dormant or hidden while the latter occurs in reality between conflicting parties. They also differentiated between destructive conflict and constructive conflict. To them, constructive conflicts are interest centered, manifest, inquisitive, flexible and committed to both parties accomplishing their goals. Conflicts are, on the other hand, destructive when they are needs centered, face saving, revengeful,

concentrated on narrowly defined goals and short-cut problem solving. Politics as a study of human behaviour gives centrality to the attitudes and behaviour of political actors. In assessing conflict resolution measures, these differentiations of the types of conflict provide insight.

Lund (1996) former Director of the Jennings Randolph fellowship program at the United States Institute of Peace suggests five factors that were present in resolution of conflicts through peaceful means but were absent in those conflicts that resulted in the use of armed force. These five factors are: third-party timing where third-party actors apply pressures on conflict parties for peaceful settlement of disputes before the use of armed forces; multi-faceted action where third-parties employ not one but a variety of actions; support from major players where global and regional powers or neighboring states support preventive diplomacy rather than taking sides; moderate leadership where leaders display moderation in their expressed views, actions and policies; and state autonomy where a state in dispute is autonomous from its counterpart and possesses institutional and legal frameworks for negotiations and agreements.

Lederach (2003) distinguishes between conflict resolution, conflict management and conflict transformation. To him, conflict is normal in human relationships and creates potential for constructive change processes which increases justice and reduces violence. Conflict is viewed as a motor of change and these changes are viewed in four broad categories: personal, relational, structural and cultural. Thus, conflict is regarded as an opportunity, a gift. He argues conflict transformation as the most preferable and highest level of resolving conflicts.

Richmond (2014) pointed that peace treaties or peace accords were used commonly to end wars and stabilize regions of conflicts. The Kadesh Treaty (around 1274 BC) between the Hittite and Egyptian Empires which was one of the first recorded peace treaties, Pax Nicephori of 803 AD between the Roman Emperor Charlemagne and the Byzantine Empire, the Treaty of Perpetual Peace (1502) between England and Scotland, the Treaty of Westphalia (1648) that brought an end to the cycle of wars in Europe, the Treaty of Paris (1783) that ended the American

Revolutionary War giving independence to the USA from Britain, the Treaty of Versailles (1919) signed after the World War I, the UN Charter (1945) after the World War II, to name a few, are peace agreements signed to end violent conflicts. He emphasized that peace treaties have influenced the study of human history as much as wars or succession of kings and elected leaders.

(ii) Conflicts in Northeast

There are ample literatures pertaining to politics in Northeast India. These materials deal with the issues of nationalism, sub-nationalism, ethnicity, identity, immigration, economic deprivation, insurgency and several other issues addressing both Northeast region as a whole and with individual states. Literature dealing exclusively on peace accords in Assam and Mizoram are however limited.

Any academic review on Assamese nationalism and Assam movement would be incomplete without the series of debates on the nature, content and rationale of the Assam movement that rocked the *Economic and Political Weekly (EPW)* when the Assam Movement surfaced in 1979-1980. It started with the article entitled, "Great Nationalism, Little Nationalism and Problem of Integration: A Tentative View" by **Amalendu Guha (1979)**. The article that is divided into two parts dealt with the growth of nationalism in India in general and of the specifics of nationalism and conflict in Northeast India. To Guha, a capitalist class base is necessary for the emergence of nationalism. It was the British colonialism that provided the base for nationalism at an all-India level and at Northeast in a regional level which he termed as great nationalism and little nationalism respectively. The nationalisms were spearheaded by new middle classes, oriented to capitalism; great nationalism was a conflict between foreign capitalists and local capitalists; little nationalism, on the other hand, was directed by regional capitalists against pan-Indian capitalists due to fear of competition.

Hiren Gohain (1980) in "Cudgel of Chauvinism" referred to the Assam movement as chauvinism of the ruling class against the Bengali and the Left parties such as the CPI (M). In identifying the causes of foreigner problem in Assam, he

pointed that the British colonisers officially encouraged immigration. He also stressed that to increase Muslim voters in the region, the Muslim League encouraged Muslim voters during the forties. Even the Congress tried to increase Muslim population to check the Leftists. In their shortage of both economic resources and cultural strength for integrating the non-Assamese into Assamese society, Gohain argued that, the Assamese ruling elite turned to chauvinism to dominate the non-Assamese.

Baruah (1980) countered Gohain on his identification of Assam movement as chauvinism. He contended that the Assam movement is not just a middle class movement but a civil society in rebellion spearheaded by students and involving socio-cultural and literary bodies in Assam. To Baruah, the nationality question of Assam is real and a tangled one, primarily due to the influx of foreigners. This is practically true as till today the problem of identifying who the Assamese are has been the main cause of non-implementation of Clause 6 of the Assam Accord which seeks to provide constitutional safeguards to the Assamese.

Guha (1980) responded with “Little Nationalism turned Chauvinist: Assam’s Anti-Foreigners Upsurge 1979-1980” and became the central focus of the intellectual debate on Assam movement. He argued the allegation that the Assamese society is in a danger of assimilation by non-Assamese migrants is a myth than a reality justifying the rate of Muslim population over the decades. He contended that the upper class of the Assamese society, who controlled both the media and public opinion, used the students, who became the core of the movement, to create a fear psychosis and incite a movement.

Rao and Hazarika (1983) in *A Century of Government and Politics in North East India* stressed the immense ethnic differences in Northeast and identify the sources of conflicts in Assam which include issue of official language, illegal immigration, Sylhet issue, the Inner Line system and establishment of a University. They also describe the role of national political parties, regional parties and interest groups in the formation of government and politics in Assam.

Weiner (1983) reported the political events and demographic backdrop that brought about the anti-foreigners massacre at Gohpur and Nellie in Assam. He described the relationship between the Assamese, the indigenous tribal and the Bengali migrants of both Hindu and Muslim descent of post-independent India. He maintained that the Congress Government at the Centre in imposing elections to both the State Legislative Assembly and the by-elections to the Lok Sabha were responsible for polarizing Assam on ethnic and religious grounds.

Murty (1983) in *Assam: The Difficult Years* accounted the key events of the Assam Movement from 1979 till January 1983. The book was based on public record presented in details in chronological order. It provides useful account of the important activities and the negotiation processes. Murty, however, did not bring out larger questions nor did he analyze the context of events and issues. As stated earlier, the account ended in January 1983 which was more than two years short of the signing of the Assam Accord in 1985.

Prasad (1987) made a study of the development of government and politics in Mizoram from India's independence in 1947 till Mizoram became a State in 1987. He provided a brief account of the advent of British administration, the emergence of political consciousness among the Mizos, creation of autonomous bodies, the MNF insurgency, the rise of regional parties and the formation of Government. As stated before, Mizoram is considered as a model of peace and an exemplary case of successful conflict resolution. There are those who maintained that peace in Mizoram is a consequence of the role of the civil society.

Apurba Kumar Baruah (1991) in *Social Tensions in Assam: Middle Class Politics* traced the origin of conflict in Assam and maintained that the rise of educated middle class developed into an anti-Bengali consciousness. He maintained that the immigrant Bengalis dominated not only the economic life but also the social, cultural and political life in Assam which he referred to as 'internal colonization'. He addressed the sources of conflicts in Assam as the immigration of the Bengalis into the State, imposition of Bengali as the official language and medium of instruction in

the State, domination of professions by Bengalis over Assamese, and relative deprivation.

Datta (1992) presents the emergence of secessionist movements in Northeast India. He emphasized that the main grievances of the tribals in Northeast India are the exploitation of tribal culture by non-tribals and deprivation of their cultural and traditional heritage enthused by foreign nationals issue in Assam. He made note of the rise of regional consciousness against the dominance of Assam, the role of the Government of India and the consequent creation of separate states.

Chaube's (1994) *Hill Politics of Northeast India* is one of the most widely referred literatures on Northeast politics. He traced the political evolution of Northeast dealing with each of the eight States. The book deals particularly with the politics of structuring and restructuring the governmental framework of the region in the post-colonial India. He delves into the Naga politics and the genesis of hill politics in Assam which resulted to the subsequent reorganization of Northeast.

Strangers of the Mist by **Hazarika (1994)** is a widely read book which narrates the stories of conflict and peace in Northeast India. He argued that the Bangladesh syndrome, the Malthusian nightmare of overpopulation with limited natural resources is coming to India and that India could not afford the additional number of immigrants from Bangladesh. He argued that the reasons for influx into the Northeast are its richness of soil, coupled by abundant rains, humidity and rivers and the abundance of empty lands and meager population. He then narrates stories of the independent movements of Nagaland, Assam and Mizoram. He also argued that the step-motherly attitude of the Central Government in Delhi as responsible for the prolonged and proliferation of conflicts in Northeast. As a sequel, **Hazarika (2018)** after examining old and new struggles in Northeast, recent social and economic developments see the Northeast people accepting while not assimilated to Indian culture become *Strangers No More* and become the New Indians.

Phukon's (1996) *Politics of Regionalism in Northeast India* dealt with the emergence and development of "Assamese nationalism" in the region. He described

the issues of heavy influx of people into Assam since the British period, the fear and anxiety of the Assamese of being dominated culturally and politically by outside groups and the subsequent emergence of the *Asom Gana Parishad* and its activities. He argued that the British, during the colonial period, encouraged tension and took full advantage of the existing difference between the hills and the plains in order to exploit this region.

Baruah (1999) in *India against Itself: Assam and the Politics of Nationality* provided the history of conflicts in Assam and argued that the colonial geography of the British was the source of modern Assam's problems such as immigration, sub-nationalism, contested identity and the breakup of Assam. Examining the diverse expressions of Assamese nationalism from the Assam Movement of 1979-1985 on the problem of foreigners to struggle independent *Swadhin Asom*, he argued that the Indian way of solving the Assam problem has not provided any comprehensive commitments and that the federal but actually centralized government structure are reasons for elongated conflicts.

Misra (2000) in *The Periphery Strikes Back: Challenges to the Nation-State in Assam and Nagaland*, like the name of the book indicates, the debate centered around the federating units of Northeast India throwing up new challenges to the Central Government. He first argued the terminology of Northeast as an illusive construct where the different states of the region are often mistakenly steamrolled without considering their socio-economic diversities. He then elucidated the historical roots of Naga Struggle for independent *Naga Lim* focusing the role of the Naga National Council (NNC) during the independence of India when the political future of the Nagas was determined. He then addressed the quest for *Swadhin Asom* led by a militant organization which he argued to be more relevant than other conflicts in Northeast because the Assamese unlike others shared a common socio-religious bond with mainland India and had also involved in different stages of the country's freedom struggle.

Bhushan (2004) in *Terrorism and Separation in North-East India* argued that Christianity is responsible for separatism and terrorism in the Northeast region of

India which accommodates around 44% of the total Christian population of India. He emphasized that the education and culture imparted by the Church is detached from Indian culture and that these States are producing a population which feels happy in disregarding and dishonouring the rest of India. Such a hostile and negative approach to Christianity and the Christians, may be tested from the Mizo experience, a Mizo community which presents itself as a Christian state and the most peaceful state in the whole of Northeast after its 20 years of insurgency by assessing the role of the churches during and after the disturbed condition in Mizoram.

Baruah (2005) in *Durable Disorder: Understanding the Politics of Northeast India* analyzed the causes of the durable and persistent disorder in Northeast India. He argued that the federal design given under the Constitution of India and the redesign of the region's government structure such as autonomy under the Sixth Schedule and the creation of the North Eastern Council (NEC), which he called *Cosmetic Federalism* is not truly representative of the Northeastern States. The book delves into the historical roots and development of the Naga national movement which is the oldest of its kind in the region, and also the United Liberation Front of Assam (ULFA). Baruah argued for reorientation of India's policy towards the region through economic integration of Northeast with its neighbouring Southeast Asia by taking advantage of the Look East Policy. He argued that this could bring about peace, prosperity and stability in the region.

Roy (2005) deliberated that the national movements in India are strategies and tactics which the conflicting nations or the 'nations from below' resort to in their so-called decolonization movements. He argued that these nations adopt a similar path of colonization and subjugation of other minor nations like their erstwhile rulers. To cite an example, India that was once a colony of the British empire followed this model by colonizing its federating units called states.

N.S. Singh (2006) maintained that policies of creating smaller states and district councils on ethnic lines with "liberal central funding" and signing of accords have led to further demands for reorganization on ethnic lines. He stressed that such policies are unsound and ineffective for national integration and balanced

development in the region. **N.K. Das (2009)** argues that identity politics which stands for the preservation of culture and language, often perceived as narcissist self-awareness', and their demand for autonomy are inevitable in a healthy civil society. He argues that such aspirations should rather be seen as prerequisites for distributive justice which no nation can neglect.

Samir Kumar Das (2007) in *Conflict and Peace in India's Northeast: The Role of Civil Society* studied the role of civil society in managing conflict and securing peace with reference to Assam, Mizoram and Nagaland. He mentioned two peace processes: official and unofficial and stressed that unofficial peace processes are no less effective. He held that the conventional conflict resolution frameworks have not been successful as expected and that "out-of-the-box solutions" needs to be employed. However, he maintained that the participation of the churches, the biggest civil society in Mizoram was minimal and limited to appeals against hostile groups to desist from armed campaigns.

Patnaik, ed. (2008) in *Peace and Development in Mizoram: Role of the State and Civil Society* focused on the post-accord developments in Mizoram and the interrelationship between peace and development through studies of the role of the State and the civil society. He stressed that the civil society in Mizoram has been responsible for sustaining peace in the post-accord phase.

Rajagopalan (2008) *Peace Accords in Northeast India: Journey over Milestones* made a study of 13 peace accords signed from 1949 to 2005 in Northeast India to examine the efficacy and utility of peace accords in resolving conflicts in the region and to make recommendations and increase understanding of conflict resolution and peace-making. He pointed out four specific reasons as to why peace accords are followed by conflicts rather than peace. First, important stakeholders are left out in the peace process, either accidentally or deliberately. Second, signatory parties split forming other armed organizations. Third, an accord may address the interest of one group at the cost of another group. Lastly, accords have demonstration effect He emphasized that Mizo peace has been sustainable because the general public in Mizoram supports an end to conflict and that there is a close working

relationship between the State Government and the Mizo civil society. The study is limited to a brief account of the peace accords signed by the Government of India with conflict parties in Northeast from 1949 to 2005 while an in-depth analysis is lacking. It also focuses primarily on peace accords which is only a part of peace-making. Peace-building and peace-enforcement aspects of conflict resolution are also left out.

Amarjeet Singh (2008), in his case study on tribal autonomy in Assam, stressed that community conflicts over land and territoriality continue to turn Northeast India into an area of unending conflict and crises. He maintained that the creation of new states and territorially defined autonomous councils for the different tribes of the region is not the solution as the notion of creating exclusive homeland is only bound to create more conflict. He, therefore, proposed a non-territorial autonomy based on the model of the Sami Parliament (*Samediggi*) of Norway.

Satapathy (2004) hailed Mizoram as a role model for conflict resolution not just in India's troubled Northeast but also for other parts of the world. He examines the role of insider-partial mediators in Mizoram in mediating and negotiating peace. These insider-partial mediators are identified as leaders of social organizations such as the church, students and cultural organizations. He maintained that against the *outsider-neutral* model, the *internal-partial* mediator possesses internality and partiality and has trusted relationship with the conflict party. However, Satapathy did not make a comprehensive study about the role of these organizations. This study seeks to fill these gaps.

Zamawia (2007) was awarded Mizo Academy of Letters' Book of the Year, 2007 for his work, *Zofate Zinkawngah Zalenna Met a Mit Tur a Ni Lo* (The Torch of Freedom Must Not Lose Flame in the Journey of the Zo People). The book written in Mizo language provides a detailed account of the Mizo national movement for independence – sources, developments and outcomes. He was the first Defence Minister of the underground MNF and the first peace delegate of the MNF along with Lalnunmawia, Vice President of the MNF. The book is written from diaries

including his', as well as interviews with former insurgents, church leaders and political leaders.

Goswami (2009) addresses the factors responsible for conflict resolution in Mizoram based on three-phase process of conflict resolution: peace-making, peace-building and peace-enforcement. She concluded the reasons for sustainable peace in Mizoram as: meeting the core demands of the Mizo National Front (MNF), compromise through granting of statehood, political will at the federal level, role of local pressure groups, civil society and indigenous mediators, strong and inclusive pan-Mizo identity formation etc.

Bhaumik (2009) in *Troubled Periphery: Crisis on India's North East* argued how ethnicity, ideology, religion, land, language and leadership sowed the seeds of perpetual crisis in the region since independence. By probing into the major insurgencies in the region, protest movements, internal displacements and other crisis, he questioned the process of conflict resolution which narrowly focuses on a particular insurgent group leaving out the aspirations of smaller nationalities and suggested the need for revival of civil society in conflict zones.

Mizoram Marches Towards Freedom is a collection of essays written by **Laldenga**, the Founder President of Mizo National Front that spearheaded the Mizo National Movement for independence and published by his wife Lalbiakdiki (2011). The ideas of Laldenga on Mizoram and its people, and philosophies that guided the Mizo National Movement are lucidly revealed in these essays. To Laldenga, the Mizos are distinct in terms of language, culture and religion, and have nothing in common with the mainland Indians. He expressed that the Mizos are discriminated, poorly treated and forced to swallow Hindu ways. Laldenga personified Mizo as a man who lives unhappily in the house of India. He expressed Mizo as a separate and distinct nation from that of India, Burma and Pakistan. These form the basic foundations of Mizo nationalism and the demand for freedom from Indian domination.

Chawngsailova (2012) in *Mizoram: During 20 Dark Years* made a study of the MNF Movement – its genesis, impact, role of non-governmental organizations (particularly the churches and students organizations), the Accord of 1985 and the relations of MNF with other political parties in Mizoram. A Mizo himself, Chawngsailova made the study not only through secondary sources but also through interviews with key stakeholders. He accounted the numerous human rights violations meted out to the people of Mizoram by the Indian army during the implementation of counter-insurgency measures. He reveals several compulsive factors that led to peaceful settlement including the rigorous counter-attack of the Indian security forces, the grouping of villages, limited foreign aid, the birth of Bangladesh which was their main hideout, the church's intervention and other internal issues within the MNF.

Pradhan (2014), former Secretary for Ministry of Home Affairs, who worked closely with both Indira Gandhi and Rajiv Gandhi during their ministry, was the chief architect in the signing of three important peace accords namely the Punjab Accord of 1985, the Assam Accord of 1985 and the Mizo Accord of 1986. His autobiography, *My Years with Rajiv and Sonia* briefly accounted the peace processes and his experience in dealing with the leaders of these movements.

Zoramthanga (2016) in *Mizo Hnam Movement History: A History of Mizo Nationalism Movement* accounted the roots of Mizo nationalism, how Mizoram came to be a part of India at the time of India's independence, the birth of the MNF and its role in the Mizoram struggle for independence and the subsequent peace process. The work provides a historical account written from his personal diary and recollection of memories. During the insurgent years, as the author expressed, keeping a diary was unsafe and that he risked to have one only after 1975 as peace talks started. Majority of the chapters account the peace process. As stated before, it also focused on the sources of Mizo nationalism, the role of MNF, the preparation for Mizoram independence, the accounts of armed conflict, and the MNF's links with China, East Pakistan (Bangladesh) and Pakistan.

Gogoi (2016) in *Turnaround: Leading Assam from the Front* wrote his experience as the Chief Minister of Assam for three consecutive terms from 2001 to 2016. He recounted the joy and hope that followed the signing of Assam Accord in 1985 and the formation of a political party by the leaders of the agitation after the momentous six-year long Assam Agitation led by the All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP). He argued that the first phase of the AGP rule from 1985-1990 was characterized by insurgency and counter-insurgency at its peak and the economy of the state at a standstill. He considered the second phase of AGP rule from 1995 to 2001 was the ugliest era “marked by fear among the innocent and violence of the corrupt”. Gogoi described how the Congress government makes a turnaround from Assam’s dark years symbolized by insurgency and economic doldrums to economic growth with revenue surplus and from “pockets of peace in an insurgency-dominated state” to “pockets of insurgency in a peaceful state”.

The MNF General Headquarters (2017) published a *Documentary of Mizoram War of Independence: 1966 to 1986*. It is a collection of 211 essays divided into five parts on the genesis of Mizo National Movement, the incidents of armed conflict in different parts, administration of underground government, the sufferings of the people and the peace process. There is also a sixth part listing the MNA Army Long Roll. Majority of the essays are written from first hand experiences and give invaluable insights to the younger generations. At the same time, many of these essays are written only after a long period of the insurgency based on memories and may be subject to some measure of inaccuracies.

Despite the plentiful studies on Northeast politics, comparative studies are meager. Much of the earlier studies on the Northeast are dealt in isolation, that is, study of individual states. Comparative study on states is expected to throw light on the parallels as well as variations of conflicts and their resolutions in Northeast. Majority of the studies on conflicts in Northeast also dealt with the pre-accord conflicts while post-accord peacebuilding measures have not been studied adequately. Comparative studies of conflicts and conflict resolution measures in the

states of Assam and Mizoram is also expected to help identify what works and what does not work in the Indian methods of conflict resolution. Even though the Mizo Accord of 1986 has often been hailed as a model accord and Mizoram as a model of peace in Indian experience of conflict resolution, few research have been taken up to answer to answer this claim. Literature pertaining to government and politics in Mizoram are somewhat limited to the retrospective study of the British annexation and the formation of Mizoram.

1.3 Objectives

This study tries to answer why and how conflict resolution measures work for Mizoram but not for Assam with the signing of peace accords by making an in-depth comparative study of:

- 1) The causes and nature of conflict in the States of Assam and Mizoram upon which the peace accords were signed.
- 2) The peacemaking processes in Assam and Mizoram.
- 3) The achievements/implementation of the Assam Accord, 1985 and the Mizo Accord, 1986;
- 4) The discords or the post-accord challenges facing Assam and Mizoram; and
- 5) To identify markers for future research.

1.4 Research Questions

- 1) What are the fundamental bases of the Assam Movement and the Mizo National Movement?
- 2) Do the provisions of the peace accords address the core demands of the conflict parties? How are they addressed?
- 3) What are the discords related to the peace accords of Assam and Mizoram?
- 4) Why is peace sustainable for Mizoram and not for Assam?

1.5 Hypotheses

As conjectural statements that provide the basis for further investigation, the following hypotheses are proposed:

- 1) **National movements in the Northeast are a colonial effect;** a legacy of the British colonial administration.
- 2) **Peace Accords are attained only with compromised solutions.** The core demands of conflict parties are moderated through successive conflict resolution measures.
- 3) **Non-implementation of peace accord results in recurrence of conflicts.** Peace accords are only the starting points for peace that needs to be institutionalized but the Government has repeatedly dishonoured the provisions of peace accords.
- 4) **The presence of a moderating agency in the form of civil society organization makes peace durable** in Mizoram which is absent in Assam.

1.6 Methodology

The study is a causal research which seeks to establish relations between the causes and effects of conflict and its resolution in Northeast- specifically Assam and Mizoram. The causal relationship between variables such as colonialism and nationalism, implementation of peace agreement and sustenance of peace are studied.

The study employs qualitative method through descriptive analysis of both primary data and secondary data. Primary data includes formal and informal interviews, governmental acts, regulations and legislations, organizational documents and records, speeches and autobiographies. Secondary data, on the other hand, includes existing literature from published and unpublished books, journals, magazines, newspapers, online sources etc.

Purposive sampling method is used for conducting formal interviews whereas convenience sampling is also used for conducting informal interview. Persons interviewed include key stakeholders such as leaders of national movements,

signatories of peace accords, government heads, political party leaders and third party mediators. Other persons interviewed include members of national movements, prominent citizens, leaders of civil society organizations and academicians.

This study is analytical rather than merely narrative and tries to deliberate the larger questions as well as the contexts of the subject under study. Historical analysis is employed for explaining the sources and nature of conflicts in Assam and Mizoram. Documents and records in State archives and organizational archives are assessed. This includes Assam State Archives, Mizoram State Archives, and church archives of two major denominational churches in Mizoram namely the Mizoram Presbyterian Church in Aizawl and the Baptist Church of Mizoram in Lunglei.

A clause-by-clause assessment of the provisions of both the Assam Accord and Mizo Accord are made through analysis of reports of governmental departments, newspapers and published books. The costs and nature of implementation and the ongoing process of implementation are accounted.

1.7 Limitations of the Study

Conflict resolution is a complex process especially in India's troubled Northeast. The scope of this study is limited to the peace accords of two Northeastern states of Assam and Mizoram namely the Assam Accord, 1985 and the Mizo Accord, 1986 respectively. In studying the peace accords of Assam and Mizoram, this study does not seek nor is it possible to include the multifarious conflicts present in these States. The ongoing and more than four decades old armed struggle of the ULFA for establishing *Swadhin Asom* or independent Assam, as well as other militant nationalisms, which have distinct goals and direction are also isolated from this study though their connections whatever there may be were discussed in sections. The primary focus are on 'the problem of foreigners' in Assam and 'the disturbed condition' in Mizoram as mentioned in the Assam Accord, 1985 and the Mizo Accord, 1986 respectively.

The study of peace accords, however, requires a focus not only on the peacemaking aspect of conflict resolution but also on the peacekeeping and

peacebuilding aspects as well. The study of peace accords which falls under peacemaking is only one aspect of the whole conflict resolution process which also includes peacekeeping and peacebuilding. Peacemaking involves assertion of rights, negotiation, compromise and consensus between parties in conflict. It also involves the intervention of third-parties as mediators between conflicting parties for the resolution of violent conflicts. At times, the conflict resolution processes take place under secrecy or very little transparency conditions. It is, therefore, challenging to make a comprehensive analysis of the peace process. Implementation of peace accords in letter and spirit corresponds to peacebuilding. This is crucial for durable peace. The study also deals with the implementation of the peace accords of Assam and Mizoram. The implementation process, however, is an ongoing project as can be seen in recent developments such as the update of National Register of Citizens (NRC) in Assam, the constitution of the Committee for Implementation of Clause 6 of the Assam Accord to define ‘Assamese’, the Citizenship Amendment Act, 2019 and others.

In short, this study investigates the roots of the conflicts upon which the Assam Accord, 1985 and the Mizo Accord, 1986 were signed, how the peace accords were signed, the role of government as well as non-governmental institutions and what achievements have been made under the accords as well as the post-accord discords.

1.8 Organization of the Study

This study, *Conflict Resolution in Northeast India: A Comparative Study of the Peace Accords of Assam and Mizoram* begins with an introduction of the study in the first chapter stating the problem of the research, objectives, research questions, hypotheses. It also makes a brief review of existing literature or earlier studies done on the subject. The second chapter, “Conflict and Peace: Theories and Practices” looks into the theoretical underpinnings of the study. It discusses important concepts in peace and conflict studies through further analysis of existing literature in the subject. It identifies the elements of conflict, distinguishes the stages of conflicts and approaches for conflict resolution. It also discusses the roots of conflicts in India’s

Northeast and the practices of the Indian State towards conflict resolution. The third chapter, “Conflict Analysis in Assam and Mizoram: Sources and Manifestations” gives a retrospective account of the roots and characters of conflict in both Assam and Mizoram- the problem of foreigners influx and the disturbed condition caused by independence movement respectively. The fourth chapter, “The Paths to Peace: Peacemaking in Assam and Mizoram” discusses the peace processes – it deals with the role of government and non-government actors and their points of negotiations. The fifth chapter, “The Assam Accord and its Discords” makes an analysis of the provisions of the Assam Accord, its implementations and its offshoots. A clause-by-clause assessment of the implementation of the Assam Accord is made. The following chapter, “The Mizo Accord and its Discords” too analyzes the Mizo Accord, its implementations over the years and the post-accord problems and challenges. Finally, the last chapter concludes the study summarizing the key findings and justifies the hypotheses. It also identifies markers for future research in the subject.

CHAPTER 2

CONFLICT AND PEACE: THEORIES AND PRACTICES

“In the struggle of organism with organism, of man with man, of men with women, of generation with generation, of class with class, of nation with nation, of idea with idea, of creed with creed, the warring opposites are the warp and woof of the loom of life, working at cross purposes to produce the unseen unity and hidden concord of the whole. ‘From things that differ comes the fairest attunement’... any lover will understand.”

- Will Durant¹

The quote of Durant cited above represents that conflict is central and inevitable in all relationships, human or non-human and in the process of production of all effects. Johan Galtung, founder of the discipline of Peace and Conflict Studies also regards conflict as an integral part of society’s ongoing evolution and development and should not be regarded as an isolated event that can be resolved or managed. He added that “conflict should not be understood solely as an inherently negative and destructive occurrence, but rather as a potentially positive and productive force for change if harnessed constructively.”²

2.1 A Critique on Conflict

To understand better the concept of conflict, an attempt is here made to trace and explain the origin of its term. By looking at the late Middle English term, ‘conflict’ originated from the Latin word *confligere*. *Confligere* is a verb where *con* means together and *fligere* means to strike. *Confligere*, thus, means to strike together in which the action is performed by more than one actors. In Latin, the term

¹ Will Durant on the philosophy of Heracleitus, *The Life of Greece* quoted in R.J. Rummel. *Understanding Conflict and War. Volume 2: The Conflict Helix* (New York, London, Sydney, Toronto: Sage Publications, 1976), 235.

² Johan Galtung, quoted in CSVR and ZLHR. *What Lies Beyond? Delving Below the Surface of the Conflict* (Centre for the Study of Violence and Reconciliation; Zimbabwe Lawyers for Human Rights, 2013), 12.

conflictus means a contest. In any contest, there is a competition at least between two actors. From the definitions of the terms of its origin, conflict may be broadly defined as a struggle. It also signifies that there is contact between two or more than two opposing units. This struggle arises out of incompatibility which is not necessarily violent in nature. However, conflicts are inevitable because of differences in nature, interests, means and ends.

Coser defined conflict as “a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralize, injure or eliminate their rivals”.³ Donohue and Kolt defined “Conflict as a situation in which interdependent people express (manifest or latent) differences in satisfying their individual needs and interests, and they experience interference from each other in accomplishing these goals”.⁴ Wallenstein defined conflict as “a social situation in which a minimum of two actors (parties) strive to acquire at the same moment in time an available set of scarce resources.”⁵ The point to note here is that conflict is a political and social affair where interdependent parties interact against each other. The resources are indivisible and thus there are struggle for scarce resources.

Donohue and Kolt differentiate between constructive and destructive conflict. Constructive conflicts are interests centered, manifest, capable of strengthening interdependence, focused on flexible means of solving dispute, and committed to both parties accomplishing their goals. On the other hand, destructive conflicts are needs centered, focused on personalities and not behaviors, involved in power preservation and face saving, aimed at compromising interdependence, concentrated on narrowly defined goals and short-cut problem solving, and frequented by extended, uncontrolled escalation or avoidance cycles.⁶ As Galtung puts it, conflict is an integral part of society’s on-going evolution and development. Rather than being a

³ Lewis A. Coser, *The Functions of Social Conflict* (New York: Free Press, 1956), 8.

⁴ William A. Donohue and Robert Kolt. *Managing Interpersonal Conflict* (California, London, New Delhi: Sage Publications, 1992), 4.

⁵ Peter Wallenstein, *Understanding Conflict Resolution: War, Peace and the Global System* (London, Thousand Oaks, New Delhi: Sage Publications, 2002), 16.

⁶ William A. Donohue and Robert Kolt, *Op.Cit.*, 9-10.

negative and destructive occurrence, it can be a positive and productive force if harnessed constructively.⁷

On the basis of contending parties, conflict may be differentiated into international anarchical conflict, centre-state conflicts, inter-state conflicts and intra-state conflicts. By international anarchical conflict, it means the conflict that exists between sovereign states in the absence of an international government. Centre-state conflicts take place as a result of discord between the central government and a state government or group of state governments. Inter-state conflicts are conflicts that occur between two or more states. Intra-state conflicts take place within the state where communities clash with one another.

Rummel asserted the correlativity of conflict and power. He stated, “Conflict is a balancing of vectors of power”⁸ and defined conflict as “a balancing of powers among interests, capabilities, and wills.”⁹ In international relations theory, the concept of balance of power maintains that one state or an alliance of states increases its capabilities to match or balance the capabilities of its opponents and vice versa. In the process of balance of power, the increase of one’s capabilities creates suspicion to the opposing side which causes more friction between conflicting parties. Having explained conflict as a process of balance of power, what then is power? Russell defined power “as the production of intended effects.”¹⁰ To him, A has more power than B if the former achieves more intended effects than the latter. ‘Intended effects’ represents the realization of goals. Kuhn also defined power as “the ability to satisfy one’s wants through the control of preferences of/or opportunities.”¹¹

The universe is inhabited by vectors, forces and organisms. Each unit is characterized by different traits and attributes. An unit by nature, in isolation, is not

⁷ Johan Galtung, quoted in CSVR and ZLHR. *Op.Cit.*, 12.

⁸ R.J. Rummel (1976), *Op.Cit.*, 238.

⁹ R.J. Rummel. *Understanding Conflict and War. Volume 5: The Just Peace* (London: Sage Publications, 1981), 30.

¹⁰ Bertrand Russell, *Power: A New Social Analysis* (London: Allen & Unwin, 1938/2004), 23.

¹¹ Thomas S. Kuhn, *The Structure of Scientific Revolutions* (University of Chicago Press, 1963), 317

conflictual but when it comes into contact with an opposing unit, there is a conflict. Communication or contact plays a critical role without which the incompatibilities remain latent. Therefore, conflict takes place within a relationship. The relationship is established in Hegel's theory of dialectic as a process of struggle between thesis and anti-thesis which results in the formation of a synthesis. This explains the causal relationship between the effect and the cause (or in other words causes and conditions). The dialectical process as also reproduced by Marx represents a two-party relationship. However, according to J.L. Mackie's theory of INUS Conditions, "for almost every effect, there could be multiple causes at work."¹² The term INUS stands for and means that a cause is an *Insufficient* but *Non-redundant* part of an *Unnecessary* but *Sufficient* condition (using the first letter each of the italicized words).¹³ This indicates that a single factor is insufficient to produce an effect alone; but is non-redundant that it is one of the essential factors to produce an effect; the condition itself is unnecessary because some other conditions may also produce the effect; but when the conditions act together as a whole, they are sufficient to produce the effect. For example: A house is on fire and a short circuit is said to have caused the fire. Considering the short circuit as the condition in terms of INUS Conditions, the short circuit alone is insufficient to cause the fire (other conditions such as presence of oxygen, inflammable materials etc. are required). However, it is non-redundant because the short circuit serves as one of the causes of the fire. It is unnecessary because a condition other than short circuit may also cause the fire such as a misplaced cigarette. This approach indicates the imperative of holding a comprehensive and inclusive outlook while analyzing and assessing an issue or an incident. The following discussion will highlight different theories and approaches of conflict.

¹² Stephen Mumford and Rani Lill Anjum, *Causation: A Very Short Introduction* (United States of America: Oxford University Press, 2013), 42-43.

¹³ INUS-condition is a theory in philosophy propounded by J.L. Mackie in 1974 that explains the relationship between causes and effects. Here, causes are perceived as INUS-conditions where each cause is 'an insufficient but non-redundant [necessary] part of an unnecessary but sufficient condition'. (see Milja Kurki, *Causation in International Relations: Reclaiming Causal Analysis*. New York: Cambridge University Press, 2008, p.55)

Karl Marx is regarded as the *Father of Conflict Theory*. Conflict is central to all Marxian analysis. To Marxists, conflict is deeply rooted in the economic system which is characterized by unequal distribution of the mode of production. The Marxian class approach looks at conflict as a result of class division caused by the economic system where the society is perpetually divided into those who own the modes of production and those who do not, namely the *bourgeoisie* (capitalists) and the *proletariat* (working class) respectively. The class society which is driven by profit motive led to the exploitation of the working class by the capitalists. Marxists view class struggle inevitable for progressive change where the working class would overthrow the capitalist for establishment of dictatorship of the proletariat. This would lead to a classless society and establishment of communism with the withering away of the state.

Prior to Marx, social contract theorists such as Hobbes, Locke and Rousseau proposed the origin of modern government as a result of social agreement necessitated by social conflict or inconveniences. Hobbes in particular had a pessimistic view about human nature and hinted that in the state of nature which he explains as a world where there was no government, man's life is solitary, poor, nasty, brutish and short. The pursuit for one's self interest often results in the offense of others which is why the society is in the state of conflict. In such a state, the vulnerable will be overpowered by the powerful in their struggle for scarce resources such as land, food, status, power and so on. When the society is in a state of chaos, insecurity and fear becomes a symptom. Therefore, a machinery to ensure security in the society becomes a necessity. This led to the existence of the government which is a machinery of the state whose basic function is to deter social conflict and protect its citizens from harm. The government is made by a social contract, or in Rousseau's term, *general will* which is essentially an agreement of the people. The people by mutual consent submit to the authority of the government which they create to protect them and the government, in turn, would protect them from harm – both external and internal.

The elitist approach looks at conflict as a result of competing elites. It held the view that political power is always exercised by a privileged minority: an elite. Elite refers to a minority section in the society in whose hands power, wealth or privilege is concentrated.¹⁴ Classical elite theorists such as Vilfredo Pareto and Gaetano Mosca held that the struggle for power among the elites led to a condition called *circulation of elites*. But unlike the Marxists, elite theorists did not wish to abolish the social division between the rulers and the ruled.

Pluralism holds that power is widely and evenly dispersed in a society. As power is shared in society, lines of conflict are manifold and thus politics is the continuous bargaining of power between the government and civil society or between competing groups. Madison stressed that society is characterized by a multiplicity of interests and groups, and argued that unless each group possess a political voice, stability and order would be impossible. He, therefore, proposed a system of divided government based on the separation of powers, bicameralism and federalism that offered a variety of access points to competing groups. This is referred to as 'Madisonian democracy'.¹⁵ Dahl in *Who Governs? Democracy and Power in an American City* conducted a study of New Haven in Connecticut. He found that New Haven was once an elitist city but over time, it gave way to pluralism, such that different groups were active in different policy areas. Even within a policy area, there are conflicting and competing groups and it was these organized interests that drove the policy process. Dahl's theory rests on five key assumptions: First, people know their interests. Second, people collectively organize to advance their interests. Third, equal access to political institutions exists across groups. Fourth, the government represents those interests. Lastly, the outcome of the government policy reflects the inputs of interests.¹⁶ In India too, many types of groups- cultural, students, business, trade unions and so on exist and exert their influence upon the government.

¹⁴ Andrew Heywood, *Politics, Fourth Ed.* (New York: Palgrave Foundations, 2013), 101-102.

¹⁵ James Madison, see Andrew Heywood, *Op.Cit.* (2013), 100.

¹⁶ Robert Dahl, *Who Governs? Democracy and Power in an American City* (New Haven and London: Yale University Press, 1974)

The nationalist approach looks at nationality as a cause of conflict where competing interests of nations result in ethnic and national conflicts. Huntington (1993) in *The Clash of Civilizations* argued that “conflicts of the future will occur along the cultural fault lines separating civilizations.”¹⁷ As to why civilizations will clash, he explained that civilizations are differentiated from one another by language, culture, tradition and religion who held diverse views and interests. Also the world is becoming a smaller place due to increased communication.¹⁸ In homogenous states, nationalism act as a unifying factor but in heterogeneous ones, it divides the society on communal lines. Thus, the proximity for contact of conflicting national interests under globalization prompted social and political conflicts.

Conflicts in Northeast may also be observed from different approaches. However, the nationalist approach assumes dominant position against other approaches in the study of conflicts in Northeast. It is a conventional wisdom to comprehend that violent conflicts in Northeast are shaped and produced by nationalism and sub-nationalism. In fact, there is a clear causal relationship between conflicts and nationalisms in the process of promoting and protecting national interests and nationality itself. However, looking at the innate causes of these conflicts, nationalism alone is not sufficient to produce violent conflicts as can be argued in the presence of many nationalities where violent conflict is practically absent. There are conditions that trigger conflicts such as economic backwardness, relative deprivation, threat of assimilation and so on. Against Marx’s theory of the proletariat revolution which is based on economic determinism, literally all conflicts in Northeast, be it the Naga, the Assamese, the Bodo, the Mizo or others have a nationalist foundation. The multifarious tensions of the region such as relative deprivation, economic backwardness, illegal immigration, step-motherly treatment, regionalism, demands for autonomy and others have provided the INUS Conditions for national movements.

¹⁷ Samuel P. Huntington, “The Clash of Civilizations?” *Foreign Affairs*, Vol. 72, No. 3 (Summer, 1993): 22-49, 25

¹⁸ *Ibid.*, 25.

2.2 Elements of Conflict

From the discussion on the nature and characteristics of conflicts, three essential elements or components may be identified for the occurrence of conflict. These elements are crucial to the occurrence of any conflict and in the absence of any of these essential elements, a condition is not potent enough to become a conflict.

Actors: There are rivals (*rivus* in Latin) who struggle for scarce resource because there is no sufficiency for both. This is true in realist perspective. A conflict cannot exist in isolation but requires the interaction between two or more actors or participants. According to Schelling, conflicts “are bargaining situations in which the ability of one participant to achieve his ends is dependent to an important degree on the choices or decisions that the other participant will make.”¹⁹ When there are multiple actors, there may be cooperation between two or more groups who act against another group or groups. The balance of power in international politics during the late 19th and 20th century supports this point.

Incompatibility: Barash and Webel (2002) use the Latin term, *inamicus* which means non-friendly.²⁰ Inamicus or non-friendliness occupies the root of conflict. In their struggle for scarce resources, two or more actors may have unfriendly incompatibilities in their means to achieve their common ends. Deutsch (1973) held that conflict takes place whenever incompatible activities occur. One party is interfering, disrupting, obstructing, or in some other way making another party’s actions less effective.²¹ As long as two or more actors learn to share scarce resources under friendly environment, conflict will not arise. Also, an incompatibility alone may be dormant and may not manifest as physical conflict without the next component which is contact.

¹⁹ Thomas C. Schelling, *The Strategy of Conflict* (Cambridge: Harvard University Press, 1960), 5.

²⁰ David P. Barash and Charles P. Webel, *Peace and Conflict Studies* (Thousand Oaks, London, New Delhi: SAGE Publications, 2002), 25-26

²¹ Morton Deutsch, *The Resolution of Conflict: Constructive and Destructive Processes* (London: Yale University Press, 1973), 10

Contact: Galtung wrote that conflict “is a dynamic process in which structure, attitudes and behaviours are constantly changing and influencing one another.”²² In the absence of contact of incompatibilities of the actors, the conflict remains latent. The actors may not even be aware of their incompatibilities. But when opposites came into contact, it produces effect. Just as a positive and negative charge produce a spark, the conflict becomes manifest with the contact of incompatibilities; the greater the difference, the greater will be the spark produced. In the case of Assam, the bye-elections to Mangaldoi constituency provided the contact where indigenous Assamese identified the alarming increase of foreign nationals. In the case of Mizoram, the devastating Mautam Famine generated the lack of trust of the Mizo nationalists towards the Indian Government due to the latter’s inaction and apathy on the Mizo condition then.

A combination of actors, incompatibility and contact thus creates conflict. They are like INUS Conditions where each element is crucial for the occurrence of conflict but not sufficient enough to cause the conflict alone.

2.3 Stages of Conflict

Lund identifies five stages of conflict on the basis of intensity and intervention methods or tools. They are war, crisis, unstable peace, stable “cold” peace and durable “warm” peace. Firstly, wars are characterized by sustained fighting and counter-fighting between organized armed forces, breakdown of civil society, disintegration of central government, emergency rule or abolition of rule of law. It has brutal effects on the population such as deterioration of public health, decrease in life expectancy, mass displacement and dependence on imported foods. Secondly, crises are tense confrontation between armed forces with threats but with low-level fights. Yet they have high potency of the outbreak of war. They are often characterized by regime repression, insurgency and systematic violation of human rights. There is low level of communication. Third, unstable peace has three sub-

²² Johan Galtung, quoted in Oliver Ramsbotham, Tom Woodhouse and Hugh Miall, *Contemporary Conflict Resolution: The Prevention, Management and Transformation of Deadly Conflicts* (Cambridge: Polity Press, 2005), 10.

levels namely near crisis which involves sporadic low-violent acts and inflammatory rhetoric; low-level conflict which involves erosion of political legitimacy of national government and acceptance of sectarian politics; and unstable peace which involves suspicion among parties, systematic frustration, increasing social and political cleavages along sectarian lines. Under stable “cold” peace, value or goal differences exist but with no actual violent conflicts. They are rather addressed through established and non-violent channels. Political protests and violence against property and national symbols may also occur. The cold war between US and Soviet Union after the World War II is a suitable example. In durable “warm” peace, ‘positive peace’ prevails based on shared goals, economic interdependence and sense of community. The basic needs of the population are also met.²³ The concept of positive peace is elucidated in 2.7 later in this chapter. While the stages of conflict proposed by Lund derive from his analysis of international politics, it also applies to domestic politics. Moreover, there may be overlapping of characteristics between these stages.

Donohue and Kolt categorizes levels of conflict and tension into no conflict, latent conflict, problems to solve, dispute, help, fight/flight and intractable respectively.²⁴ ‘No conflict’ or the absence of conflict does not necessarily mean peace. A person or a group may not be at peace even when conflicts are practically absent. Latent conflicts are hidden but animosity against the opponent such as hatred, contempt and other forms of antagonism may be present. When conflict starts to manifest, problems to solve arise. This needs quick attention which otherwise would escalate violent conflict. Under intractable conditions, conflict parties see their side as the right one and their cause as the just one. As discussed earlier, a value in isolation is no conflict but when it interacts with an opposing value, conflict has arisen. In the initial stages, a conflict may be latent either because the interests are not manifested visibly or they are manifested moderately.

Looking at the conflicts of both Assam and Mizoram, they started with a national awakening. This awakening was initiated by the problem of massive influx

²³ Michael S. Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington DC: United States Institute of Peace Press, 1996), 148-151.

²⁴ William A. Donohue and Robert Kolt, *Op.Cit.*, 12-17.

of foreigners and the decapitated economic condition caused by Mautam famine respectively. This was followed by a non-violent assertion of rights and interests by parties against the central or state governments. When the stated rights and interests are not addressed appropriately by the government, the conflict parties resort to negative sanctions through violent protest and insurrection.

2.4 Approaches to Conflict: Conflict Management, Conflict Resolution, Conflict Transformation and the Gandhian Approach

An approach, in the study of politics, refers to “a perspective or vantage point from which a subject matter is treated or looked at”.²⁵ In peace and conflict studies, different concepts are used to address conflict. This section seeks to explain the differences between these approaches namely conflict management, conflict resolution and conflict transformation and will try to make clear why the term conflict resolution is used in this study. Each of these terminologies may be distinguished from one another depending on the methods employed to address conflicts.

Conflict resolution is defined as “a situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other’s continued existence as parties and cease all violent action against each other.”²⁶ As will come clear in the discussion below, peace accords which is the central theme of this study, acquire the characteristics of conflict resolution rather than its counterparts, conflict management and conflict transformation.

Firstly, conflict management primarily focuses on freezing or de-escalation of conflicts. It does not go to the extent of solving the conflicting interests of conflicting parties. For example, the Israel-Hamas Ceasefire of 2008 was essentially to stop attacks and counter-attacks in the form of air strikes and rocket attacks between Israel and Hamas in Gaza while the source of tension was not addressed. On the other hand, conflict resolution focuses on formal agreements where the conflicting

²⁵ Hoveyda Abbas and Ranajay Kumar, *Political Theory* (Delhi: Pearson, 2012), 4.

²⁶ Peter Wallenstein, *Op.Cit.*, 9.

parties recognize their incompatibilities and arrive at solutions for peace. The Government of India has signed several peace accords or Memorandum of Settlements (MOS) in its post-independent state-building and integrationist project. The *Naga-Akbar Hydari Accord* of 1947, the Assam Accord of 1985, Mizo Accord of 1986 and other peace accords are suitable examples. The accords provide provisions for solution of the sources of tensions which may be foreigners' problem, relative deprivation, autonomy demands and others. Meanwhile, conflict transformation recognizes conflict as an opportunity for constructive change processes and focuses on adaptive responses to human conflict for reducing violence and increasing justice.²⁷ Lederach points out a brief comparison between conflict resolution and conflict transformation. Firstly, conflict resolution addresses on how to end something not desired while conflict transformation addresses on how to end something not desired and build something desired. Thus, conflict transformation is one step ahead of conflict resolution as it offers a prescriptive solution. Secondly, on their focus, conflict resolution is content-centered while conflict transformation is relationship-centered. Thirdly, on their purpose, the former seeks to achieve an agreement and solve the problem creating the crisis; while the latter tries to promote constructive change processes. Fourthly, on their time frame, the former offers short-term relief that is driven by crisis; the latter is characterized by mid- to long-range relief and is crisis-responsive rather than crisis-driven. Lastly, on their view on conflict, the former has a negative view on conflict and envisions the need to de-escalate whereas the latter has a positive view on conflict and acknowledge it as a necessary process to constructive change.²⁸

To sum it up the differences between the three approaches to conflict, it may be said that conflict management deals with control measures such as cease fire agreements or de-escalation measures; conflict resolution deals with peace accords or agreements where the issues of conflicts are addressed to arrive at solutions to

²⁷ John Paul Lederach, *The Little Book of Conflict Transformation* (Intercourse: Good Books, 2003), 22

²⁸ *Ibid.*, 33

problems; while conflict transformation deals with constructive change processes by establishing good relations and the strengthening of social and political structures.

The Gandhian approach to peace and conflict resolution assumes a significant position to countries all over the world especially to India. Honoured as the Father of the Nation after leading the national struggle for independence and in successfully mobilizing the thousands of Indian masses through his principles of peaceful and non-violent methods, Gandhi and the principles he championed continue to be revered till today and his followers bear the name, Gandhians.

Gandhians held optimistic view on human nature. They rejected the pessimistic view on human nature and argued that men are not born with violence and hatred but rather with love, respect and understanding. It is only when man becomes materialistic that violence arise: materialism bears greed, greed bears selfishness, and selfishness leads to exploitation. Exploitation leads to two forms of violence: violence against nature through excessive use of natural resources and violence against humanity through overuse of resources leaving others to poverty.²⁹

Gandhi adopted *satyagraha* and *ahimsa* during the Indian independence movement and earlier in South Africa. Satyagraha means “relentless search for truth and a determination to reach truth.”³⁰ The followers of Satyagraha are referred to as *Satyagrahis*. In the words of Gandhi, “The Satyagrahis object is to convert, not to coerce, the wrong doer.”³¹ As a resistance against evil, Satyagraha implies insistence on truth so as to bring about political and social reform in a non-violent manner by changing the attitude and actions of the evil doer rather than by physically defeating him. He said, “The essence of non-violence technique is that it seeks to liquidate antagonisms but not antagonists themselves.”³² The Gandhian approach proposes satyagraha as a way of life and not merely as a tool of conflict resolution. This means living the life of truth, non-violence, justice, *swadeshi* or self-reliant local economy.

²⁹ Arun Gandhi, “The Relevance of Gandhi Today,” *International Webinar* organized by the Department of Political Science, Mizoram University (August 21, 2020).

³⁰ Mahatma Gandhi, *Young India* (March 19, 1925), 95

³¹ Mahatma Gandhi, *Harijan* (March 25, 1939)

³² Mahatma Gandhi, *Harijan* (April 29, 1939)

Arun Gandhi, a Gandhian socio-political activist and fifth grandson of Mahatma Gandhi held that non-violence is not merely a tool for conflict resolution, it is a way of life. People have adopted non-violence without actually understanding its meaning by adopting it as a tool of conflict resolution and that does not help.³³

2.5 Taxonomy of Conflict Resolution Methods and the Indian State

Politics is often defined as a process of conflict and consensus. In realist perspective, politics is the struggle for power and of scarce resources. It is in this struggle for power and scarce resources that conflict and its resolution take place. Conflicts are managed and resolved through a variety of methods. The taxonomy of methods for conflict resolution may be broadly divided into traditional and modern methods on the basis of their time-periods; and military and non-military methods on the basis of their use of and focus on armed forces.

The traditional method of conflict resolution was through conventional wars. At least till the World War II, international conflicts were resolved through conventional wars with the actual use of armed forces with the object of defeating the opponent in a zero-sum game. There was little respect on the sovereignty of states. In their struggle for power, nations and states conquer and colonize one another. On the other hand, the modern method of conflict resolution offers an alternative course for the peaceful settlement of conflicts characterized by diplomatic measures through negotiations and talks, economic sanctions and other diplomatic measures. However, it would be wrong to say that there were no negotiations, talks and diplomacy between conflicting parties in the traditional past as much as there are forms of war used in modern conflict resolution. Much of modern conflict resolution draws its ideas from Johan Galtung's triangular model of peace: peacemaking, peacekeeping and peacebuilding.

Secondly, there are military and non-military methods on the basis of their concern on armed forces. Military methods are those methods that involve the use of

³³ Arun Gandhi, "The Relevance of Gandhi Today," *International Webinar* organized by the Department of Political Science, Mizoram University (August 21, 2020).

armed forces or focus on military. The military methods do not essentially indicate the use of violence and war against the opponent though they occupy a central position traditionally. In modern times, arms control regimes, demilitarized zones, deterrence policies, peacekeeping etc. also form parts of military methods for conflict resolution without the actual use of violence and wars. The non-military methods include conflict resolution without the use of armed forces through the use of diplomatic measures and governance initiatives. The non-military methods may either be coercive or non-coercive. Examples of coercive diplomatic measures include diplomatic sanctions (such as dismemberment in multilateral organizations), economic sanctions and moral sanctions. Non-coercive diplomatic measures include international appeals, bilateral negotiations, third-party mediation, conciliation, track-two diplomacies etc. Besides diplomatic measures, governance initiatives and policies for the promotion of economic, social and political development form another method. It deals with the peacebuilding aspect of conflict resolution. Examples include economic reforms, cultural safeguards, economic integration, economic trade (such as border trade), human rights suits, development aid, autonomy, federation, consociation etc.³⁴

Boutros Boutros-Ghali (1992), the then UN Secretary-General published *An Agenda for Peace* in June 1992 which described the role of the United Nations for international peace and security. The agenda suggested interconnected methods of conflict resolution for the maintenance of peace and security in the post-cold war context. The methods of conflict resolution are preventive diplomacy, peacemaking and peace-keeping. Preventive diplomacy is a precautionary action to prevent the occurrence of disputes between parties, to prevent existing disputes from escalating into violent conflicts and to limit the spread of conflicts when they occur. Peacemaking is an action to bring conflicting parties to an agreement through such peaceful means endorsed in Chapter VI of the Charter of the United Nations. The said chapter contains the Pacific Settlement of Disputes. *Peace-keeping* refers to the deployment of a United Nations presence in the areas of conflict, with the consent of

³⁴ Michael S. Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington DC: United States Institute of Peace Press, 1996), 203-205.

all the parties concerned. The presence of UN essentially means deployment of military forces and/or police. It also added a related concept called Post-conflict Peace-building which refers to an action to identify and support structures which will tend to strengthen and solidify peace in order to avoid the recurrence of conflict.³⁵

In the context of conflict resolution in India, the Ministry of Home Affairs is the nodal ministry of the Government of India that is responsible for the maintenance of internal security and centre-state relations whereas foreign relation is shouldered by the Ministry of External Affairs. Despite extensive division of powers between the Union and the States, and the power of the latter over public order and police, Article 355 of the Constitution of India empowers the Union Government to protect the States against external aggression and internal rebellion. For diminution of violent conflicts in Northeast India, the Government has adopted several strategies which may also be categorized on the basis of Galtung's triangular model of conflict resolution. The Government's efforts for accelerated infrastructural development, stress on employment, good governance and decentralization, building friendly-relations with neighbouring countries, may fall under the peacebuilding initiatives. The Government's openness to meet and discuss legitimate grievances of the people and the resolve not to tolerate violence falls under peacemaking strategies. Peacekeeping strategies include the Central Government's assistance to the State Governments in combating militancy through deployment of units of Central Police Forces and Army, it implements schemes of reimbursement of security-related expenditure to the States seriously affected by insurgency and modernization of State Police Forces. There are legal frameworks such as the Unlawful Activities (Prevention) Act, 1967 and the Armed Forces (Special Powers) Act, 1958.

The Defence of India Act, 1915 was one of the oldest laws and was enacted during the British rule in response to the nationalist and revolutionary activities during the struggle for independence. It gave extensive and emergency powers to the Executive for preventive detention, imprisonment without trial, suppression of basic

³⁵ An Agenda for Peace: Preventive Diplomacy, Peacemaking, and Peace-keeping: Report of the Secretary-General Pursuant to the Statement Adopted by the Summit Meeting of the Security Council on 31 January 1992.

freedom of speech, expression and movement. After Indian independence, the principles of the Defence of India Act were retained through enactment of Preventive Detention Act, 1950 and the Constitution of India itself. The division of powers between the Union and the States under the Seventh Schedule *inter alia* listed defence, armed forces, preventive detention, war and peace under the List I- Union List while public order, police, prisons, *inter alia* are put under List II- State List. List III- Concurrent List which is shared between the Union and the States also contains preventive detention regarding security of a State, criminal law and criminal procedure. The Emergency Provisions in Part XVIII (Articles 352-260) of the Constitution of India contains provisions for the declaration of three types of emergencies by the President of India namely National Emergency (Article 352), Emergency in case of failure of constitutional machinery in States (Article 356) and Financial Emergency (Article 360). During the Emergency period of 1971-1977, the Maintenance of Internal Security Act (MISA), 1971 which provided for preventive detention of individuals, search and seizure without warrant was passed. The controversial act was scrapped after the Emergency.

The enforcement of the Armed Forces Special Powers Act (AFSPA), 1958 is another tool for preventive detention and comparable to peace-keeping of the UN Agenda for Peace on the ground that it seeks to deploy armed forces in conflict region. In fact, AFSPA is much older than the UN Agenda for Peace dating back to the British colonial administration when it was promulgated to suppress the Quit India Movement of 1942. Accordingly, an area may be declared as 'disturbed area' and deploy armed forces in conflict area to restore normalcy. Section 4 of the said act gives special powers to army officers in disturbed area to shoot (to the extent of killing) any individual who violates law/or is suspected to violate law including assembly of five or more people, carrying of weapons etc. The only pre-condition is that the officer has to give a warning before opening fire. It also involves arrest without a warrant, searches without consent and preventive detention. The controversial act was originally passed in 1958 as a counter-insurgency measure in the Naga Hills but eventually extended to all seven sister states. Presently, the AFSPA is in effect in the entire states of Assam, Nagaland and Manipur (except

Imphal Municipal Area).³⁶ There is partial imposition of AFSPA in Arunachal Pradesh covering three districts of Tirap, Changlang and Longding, and four police stations in other districts bordering the State of Assam namely Namsai and Mahadevpur in Namsai District, Roing in Lower Dibang Valley and Sunpura in Lohit District.³⁷ AFSPA is lifted from the entire State of Meghalaya due to improved conditions since April 1, 2018.³⁸ As per the Armed Forces (Jammu and Kashmir) Special Powers Act, 1990, AFSPA is also in force in Jammu and Kashmir since July 6, 1990.³⁹

Looking at the experience of the Mizos, the Indian State also employs a strategy of grouping of villages under the Defence of India Rules, 1962 and the Assam Maintenance of Public Order Act, 1963. This method seeks to alienate the insurgents from the village: their home, food, medication and others. Four phases of grouping of villages were enforced in Mizoram during the disturbed period namely Protected and Progressive Villages (PPVs), New Grouping Centre, Voluntary Grouping Centre and Extended Loop Areas which were preceded by the burning down of villages. Movement of people was also strictly prohibited.⁴⁰ The different types of village groupings are elaborated in the next chapter. Under the Unlawful Activities (Prevention) Act, 1967, major militant groups are declared as unlawful associations.

The peacebuilding aspect of India's conflict resolution, which is the most favourable method, involves social, political and economic development in areas of conflict. Measures such as reorganization of states through the Northeastern Areas (Reorganization) Act of 1971, autonomy given through Sixth Schedule in the

³⁶ Pushpita Das, "The History of Armed Forces Special Powers Act," in Vivek Chadha (ed), *Armed Forces Special Powers Act: The Debate* (New Delhi: Lancer's Books, 2013), 11.

³⁷ "Govt. extends 'disturbed area' tag for 3 districts, 4 police stations in Arunachal Pradesh under AFSPA," *The Hindu* (October 2, 2020)

³⁸ Vijaita Singh, "AFSPA revoked in Meghalaya, parts of Arunachal Pradesh," *The Hindu* (April 23, 2018)

³⁹ Pushpita Das, *Op.Cit.*, 11.

⁴⁰ Sajal Nag, "A Gigantic Panopticon: Counter-Insurgency and Modes of Disciplining and Punishment in Northeast India," *Mahanirban Calcutta Research Group* (2012);

www.mcrg.ac.in

Constitution of India [Articles 244 (2) and 275 (1)], creation of the North Eastern Council, the Ministry of Development of North Eastern Region (MDoNER), Non-Lapsable Central Pool of Resources (NLCPR) for the Northeast etc. are peacebuilding measures. “Building and strengthening of political institutions and transfer of power therein creates a sense of ownership and a sense of trust towards the Government of India.”⁴¹

Government-level talks and negotiations with conflicting groups form the prime method to almost every social conflict. This entails the peacemaking method of conflict resolution adopted by the Indian State. The purpose is to compromise, reach an agreement and restore normalcy. In contradiction, indifference towards conflict parties is another method of conflict resolution adopted by the Indian Government. Government often refuses to negotiate with insurgents and terrorists and sometimes also with non-violent political demands. Indifference is a method to push the counterpart to lose hope and abandon its demands. “We do not negotiate with terrorists” and “Surrender your arms and we will talk within the framework of the Constitution” have become slogans of the Indian State to pressure anti-state demands. As Fernandes and Borgohain (2017) put it, “Most movements in the Northeast began with peaceful demands but turned violent when the State did not pay attention to them.”⁴² This conflict resolution method also sometimes cause negative rebounds and has become the source of violent conflicts. The Mizo National Movement from 1966-1986 and the Assam Movement of 1979-1985 were originally intended to be non-violent movements. Even the Naga struggle for independence started with a non-violent movement. It was the negligent and slow response of the Indian government towards social and political demands which led to the escalation of non-violent protests into violent struggles.

⁴¹ Lalnundika Hnamte, “Components of Peacebuilding: Conflict Resolution through Political, Social and Economic Development with Reference to Northeast India,” *Mizoram University Journal of Humanities & Social Sciences*, Vol III, Issue 1, June 2017: 40-48.

⁴² Walter Fernandes and Bhaswati Borgohain, *Journals of Dispute: Media Coverage of Conflicts in the Northeast* (Guwahati: North Eastern Social Research Centre, 2017), 47.

Conflict resolution methods and tools are not necessarily non-violent as seen from the above discussion. While non-violent tactics such as preventive diplomacy, peacemaking and peacebuilding are desirable, it also encompasses the use of armed forces.

2.6 Causes and Nature of Conflict with Special Reference to Northeast

One of the pioneers of conflict studies, Daniel Katz (1965) created a typology that distinguishes the causes or sources of conflict into three main types: economic conflict, value conflict and power conflict.⁴³ Economic conflict involves the competition for scarce resources such as land, river waters, oil and so on. Value conflict involves the incompatibility of principles, ideologies, faith, beliefs and so on. Power conflict involves the struggle for power. Citing example from the Cold War after the World War II, it was a value conflict between world superpowers embracing opposing ideologies of liberal capitalism and socialist communism. It was power conflict in that both the United States and the Soviet Union representing liberal democracy and socialist communism respectively tried to overpower each other. It was economic as evident in their struggle for control of world's resources such as oil particularly in the Middle East. These typologies are also relatable to the conflicts in Northeast India. Besides these, a more comprehensive analysis on the causes and nature of conflict with special reference to Northeast is attempted.

There is a deep causal relationship between conflict and **nationalism**. As Huntington (1993) wrote in *The Clash of Civilizations*, "The most important conflicts of the future will occur along the cultural fault lines separating these civilizations from one another".⁴⁴ Nations around the world have been fighting for the preservation and development of their national identity. When a nation is subjected

⁴³ Daniel Katz, "Nationalism and strategies of international conflict resolution," in H.C. Kelman (ed.), *International Behavior: A Social Psychological Analysis*. (New York: Holt, Rinehart & Winston, 1965), 356-390.

⁴⁴ Samuel P. Huntington, "The Clash of Civilizations?" *Foreign Affairs*, Vol. 72, No. 3 (Summer, 1993): 22-49, 25.

to foreign occupation or oppression- social, economic and political, it fought for self-determination from the oppressor. Conflicts in India are of no exception. The Indian independence movement itself is a struggle for liberation against the British occupation or western exploitation. However, the independence of India was received with mixed reactions as India is a state of many nationalities and sub-nationalities. The Independence of India in 1947 resulted in the creation of two sovereign states- a secular India and a Muslim state Pakistan. The partition of British India into newly independent India and Pakistan provided solution only for the Hindu and Muslim nationalities. Even before and during the independence, there were also Naga nationalism, Tamil nationalism, Sikh nationalism, Mizo nationalism and so on. These nationalisms are grounded on language, religion, ethnicity or other factors. Mizo nationalism propagated by Laldenga, founder President of the MNF held that, “[Mizo] is asked to swallow and follow Indian ways of life with Hindu culture and code of social living and alien (Indian) language imposed upon him. To add to this unbearable pain of his body and soul, he is a lonely Christian, in the vast sea of fanatic Hindus, where abominable practices of caste system are strictly adhered to.”⁴⁵ B.R. Ambedkar, known as the Father of the Indian Constitution and a champion of Dalit rights, sharply criticized the Congress government for doing little to uplift the lower castes of independent India. He held that the independence of India had no change for them: it was “the same old tyranny, the same old oppression, the same old discrimination”.⁴⁶ These indicate that religion, caste and tribe occupy a significant factor in the rise of nationalism and sub-nationalism in India’s post-independent nation-building.

Another cause of the persistent conflict in Northeast is **historical**, deeply rooted in the legacy of British colonialism. The problem of foreigners in Northeast today had its roots in the British policy of influx of outsiders to sustain the British economy. Goswami accounted the social and economic transformation of Assam and argued that the British in order to sustain their tea, coal, oil and other industries as

⁴⁵ Laldenga, *Mizoram Marches towards Freedom* (Aizawl: Lalbiakdiki, 2011), 17-18.

⁴⁶ Ramachandra Guha, *India After Gandhi: The History of the Largest Democracy* (London: Picador, 2008), 136-137.

well as for the construction of communication systems such as roads, railways and waterways imported immigrant labour.⁴⁷ The colonial geography was also demarcated with no linguistic and cultural considerations. The colonial policies of segregating Northeast from the mainland India such as the Bengal Eastern Frontier Regulation, 1873 that draws an ‘inner line’ separating the tribals from the plainsmen; the Backward Tracts specified in the Government of India Act, 1919; Excluded Areas and Partially Excluded Areas specified in the Government of India Act, 1935 that excluded backward and tribal areas from normal administration not only play a significant role in the preservation and promotion of national identities but also developed an anti-Indian sentiment. The ultimatum of the Naga National Council (hereafter NNC) submitted to Prime Minister Nehru on October 24, 1952 declared that, “There is not a single thing that the Indians and the Nagas share in common... The moment we see Indians, a gloomy feeling of darkness creeps into our mind.”⁴⁸ The Nagas and other hill tribals such as the Mizos enjoyed parallel status during the colonial rule. However, the colonial masters preserved the national identities of these tribes but left them at the hands of whom they protected from. Thus the movements for secessions are deeply rooted in the British colonial policies.

Special achievements and special provisions for a particular group of people encourage political aspirations of other groups of people which often trigger conflict. This may be called *Demonstration Effect*. To justify this, the Naga’s struggle for independence and its attainment of a full-fledged statehood created a demonstration effect to other nationalities in the region. In post-independent India, the Naga struggle came to be the first contestation against the Indian state for establishment of sovereign Nagaland. The struggle was spearheaded by the NNC under the leadership of AZ Phizo. The NNC announced its “Declaration of Independence” in 1951 and successfully boycotted the general elections of 1952. Consequent upon this, the Indian State carved out from Assam a separate state for Nagaland in 1963. The autobiography of Rev. Zairema, a church leader and one of the pioneers of peace in

⁴⁷ Priyam Goswami, *The History of Assam: From Yandabo to Partition, 1826-1947* (Kolkata: Orient Blackswan, 2012), 167, 173, 177.

⁴⁸ Letter to the Prime Minister of India by the Naga National Council dated October 24, 1952, quoted in Ramachandra Guha, *Op.Cit.*, 270.

Mizoram accounted the demonstration effect of Nagaland on Mizo National Movement.⁴⁹ This will be discussed in the next chapter. Another case is the increasing demands for autonomy provided under the Sixth Schedule to the Constitution of India. The Hmar in Mizoram demanded District Council autonomy under the Sixth Schedule on the ground that other tribes in Mizoram namely the Lai, the Mara and the Chakma were granted autonomous district councils (hereafter ADCs) for the promotion and protection of their language, culture, traditions and so on. Similarly, the Lai, the Mara and the Chakma ADCs in Mizoram repeatedly demanded greater autonomy in line with the Bodo Territorial Council (BTC) of Assam. All these imply that political awards to certain group of people have opened the *pandora's box* and create a demonstration effect for other groups of people to fight for their interests.

The *Malthusian Nightmare* of overpopulation against limited natural resources provided another cause for conflicts in Northeast. Thomas Malthus (1798) in his *Essay on Population* held a pessimistic view that the growth rate of human population greatly exceeds the growth rate of means of human subsistence (particularly food supply). He said, "Population, when unchecked, increases in a geometrical ratio. Subsistence increases only in an arithmetical ratio."⁵⁰ The large scale influx of immigrants in Northeast has already been discussed before. With the passage of time, the immigrants multiplied and shared scarce resources with the sons of the soil. With the emergence of educated middle class, the immigrants were perceived as a threat to the sons of the soil who would assimilate them. Ethnic survival thus becomes a major cause of conflict particularly when a particular group of people are at the fear of assimilation by a larger or dominant ethnic group. This led to the emergence of many nationalisms or subnationalisms. To Humphreys (2005), conflict is explained as an interaction between greed and grievances where one is disadvantaged by another group in terms of access to scarce resources due to

⁴⁹ Rev. Zairema, *I Ni Min Pek Hi*

⁵⁰ Thomas Malthus, *An Essay on the Principle of Population* (London: Printed for J. Johnson, in St. Paul's Church-Yard, 1798), 4.

political marginalization.⁵¹ Thus, **overpopulation and struggle for resources** are the major causes of conflicts in Northeast. This argument fits perfectly to the case of the foreigner problem and the ensuing Assam Agitation of 1979-1985.

The role of the Indian State itself is responsible for the occurrence of conflicts in Northeast. Scholars like Misra (2000)⁵² and Bhaumik (2009)⁵³ used the terminology, ‘periphery’ for Northeast. The concept of core and periphery relationship was first developed by sociologist, Immanuel Wallerstein in his *World Systems Theory*. It is an approach to the world economic system which provides a structuralist explanation of global inequality represented by a three tiered capitalist hierarchical pyramid of the core countries, the semi-periphery countries and the periphery countries. Similarly, the Northeast as India’s periphery indicates that there is the core that exploits the periphery for its interests. Baruah (2005) also used the term, ‘Cosmetic Federalism’ to indicate the imbalance in power-sharing between the Centre and the States which led to what he calls *Durable Disorder*.⁵⁴ It is constitutionally true that the power-sharing between the Union Government and its constituent states is tilted much in favour of the Union. The division of powers under the Seventh Schedule provided 99 subjects to the Union Government under the Union List; while the State is provided with 66 subjects under the State List; sharing of powers under the Concurrent List contains 47 subjects but the Union Government has overriding powers. Article 355 of the Constitution also empowers the Union Government to protect the States from external and internal aggression and internal disturbance and to ensure that the Government of the States is carried on in accordance with the provisions of the Constitution. One of the main slogans of the Mizo National Movement was that the Mizos had been disappointed at the step-motherly treatment of the Indian State.

⁵¹ Humphreys (2005) *quoted in* Walter Fernandes and Bhaswati Borgohain, *Journals of Dispute: Media Coverage of Conflicts in the Northeast* (Guwahati: North Eastern Social Research Centre, 2017), 51

⁵² Udayon Misra, *The Periphery Strikes Back*

⁵³ Subir Bhaumik, *Troubled Periphery: Crisis of India’s North East* (New Delhi: Sage Publications, 2009)

⁵⁴ Sanjib Baruah, *Durable Disorder: Understanding the Politics of Northeast India*. (New Delhi: Oxford University Press, 2005), 46.

Violent conflicts, as discussed in the previous chapter, are differentiated into three types by Johan Galtung: direct violence, structural violence and physical violence. Direct violence occurs under condition where there is violence between two or more opposing parties. The incidents of ambushes, killings and fake encounters between the Indian army and an insurgent organization; the mass slaughter at Nellie in Assam called the Nellie Massacre of 1983, the MNF's Operation Jericho of 1966 are all examples of violent conflicts. Structural violence is when people die because of the system or the structure. Here there is no direct confrontation between opposing parties but the socio, political and economic environment has created a condition of discord. When poverty causes diseases; when hunger causes death, violence is structural. Lastly, cultural violence is when we are overcome by the system, following it and justifying it.

Conflicts in Northeast are manifested in different forms ranging from autonomy movements, insurgent insurrection, secessionist movements, anti-foreigner movements, statehood demands, all of which are geared towards political, economic and social developments. This indicates that the region has been subjected to political deprivation, economic backwardness and social unrest. Conflicts in the states of Assam and Mizoram, like other Northeastern states are more political than economic, firmly rooted on the issue of ethnic nationalism. Though there is a causal relationship between national movements and economic deprivation, economic safeguards alone do not suffice unless due recognition are given to a particular ethnic group.

Bhaumik wrote that Northeast is more prone to insurgencies than any other parts of the country in post-independent India and "...recourse to armed struggle has often been the first, rather than the last, option of a recalcitrant tribe or a larger ethnic group."⁵⁵ He categorized six broad typologies of insurgencies in Northeast: secessionist insurgencies driven by the desire for independence from the Indian Union; autonomist insurgencies that seek increased autonomous powers; co-opted insurgencies that have been successfully negotiated by the Indian State; trans-regional insurgencies that found allies in mainland India; ethnic insurgencies that

⁵⁵ Subir Bhaumik, *Op.Cit.*, 89.

fought for a particular tribe or ethnic group; and satellites insurgencies that operate under larger insurgent groups.⁵⁶ Most of the insurgencies in Northeast India are secessionist insurgencies such as the Naga struggle for independence spearheaded by the NNC in Nagaland, the Mizo national movement for independence spearheaded by the MNF, the Assam struggle for independence spearheaded by the United Liberation Front of Asom (ULFA) and most of the insurgent organizations in Manipur such as Kangleipak Communist Party (KCP), People's Liberation Army (PLA), United National Liberation Front (UNLF) and others. The Naga national movement for independence spearheaded by the NNC exerted its influence in the Naga-dominated areas of Manipur, Assam, Arunachal Pradesh and Myanmar. After the Shillong Accord of 1975 signed between the NNC and the Government of India, NNC leaders namely Isak Chishi Swu, Thuingaleng Muivah and S.S. Khaplang, who disapproved the peace agreement started a new faction, the National Socialist Council of Nagaland (NSCN). The NSCN split into two factions, NSCN (Isak-Muivah) and NSCN (Khaplang) due to internal differences which further witnessed split into four factions, NSCN (IM), NSCN (K), NSCN (Unification) and NSCN (Reformation). Likewise, the Mizo national movement for independence of Mizoram exerted its influence in the Zo ethnic tribe dominated areas of Manipur, Assam, Tripura, Bangladesh and Myanmar. The influence and role of the NNC and the MNF in the territories inhabited by their respective ethnic groups indicate that ethnic considerations occupy a critical position in insurgency movements in Northeast India.⁵⁷ Besides secessionist insurgencies, there are reformist insurgencies that did not demand for secession from the Indian Union but for political reforms such as greater autonomy, special provisions for minorities etc. These include the Bodo Liberation Tigers (BLT) in Assam, Muslim United Liberation of Assam (MULFA) that demands separate state comprising five Muslim majority districts of Assam, the Hmar People's Convention in Mizoram.

⁵⁶ *Ibid.*, 89.

⁵⁷ Peer Ali Ahmed, *Terrorism and Terrorist Groups of North East India* (Guwahati: EBH Publishers, 2010), 167-171.

Conflict becomes manifest not only in the form of insurgency but also as a people's movement. This was the case of the Assam Movement of 1979-1985 which was an agitation against the problem of foreigners in Assam spearheaded by the All Assam Students Union (AASU). Whether the students were instruments of the ruling middle class or not, the Assam Movement surely was a people's movement. Even though the leaders of the United Liberation Front of Assam (ULFA) were members of the AASU that time, as the movement gained momentum, the ULFA had a more radical goal of attaining *Swadhin Asom* or an independent Assam. Since conflict in Assam became fragmented, the case of ULFA remained in the sidelines while the AASU-led movement got the attention of the Indian Government.

2.7 Peace and Peace Accords

In any discourse on conflict resolution, the concept of peace cannot be overlooked because it provides the end for conflict resolution. Conflict resolution is only the means to attain peace and not an end in itself. What then is peace? As a very loaded word like 'love', it is often easier to know when there is the absence of peace rather than defining it. For instance, under war or violent conditions, we can definitely say that there is the absence of peace or no peace. Despite its ambiguity, a careful definition of the concept that reveals the essence and characteristics of peace needs to be emphasized. One may suggest that the absence of war or any form of violent conflict is peace. But according to scholars of the discipline, the mere absence of war is not peace. Johan Galtung and other scholars have distinguished between 'negative' peace and 'positive' peace. The former simply denotes the 'absence of war' and other forms of violent conflicts.⁵⁸ To justify this point, under structural violence, as discussed earlier, no conventional wars or other forms of violence may occur, but the system has caused sufferings in the state in the form of capitalist exploitation or regimented governance. In cultural violence too, people have been so used to social injustices like increasing gap between the rich and the poor that they have not only accepted such culture but also it has become a part of

⁵⁸ Charles Webel and Johan Galtung (eds.), *Handbook of Peace and Conflict Studies* (London & New York: Routledge, 2007), 6 *see also* Barash and Webel, *Peace and Conflict Studies* (Thousand Oaks, London, New Delhi: Sage Publications, 2002), 6

their lives. Thus, negative peace does not mean peace in the real sense. The latter, on the other hand, represents the simultaneous presence of many desirable states of mind and society, such as harmony, justice, well-being, equity, etc. Positive peace is a consequence of dialectic. This is based on balance of powers (interests, capabilities, will).⁵⁹ In other words, latent conflict is not peace; being characterized by incompatibilities and hatred, the peace there is fragile and could become manifest any time. Only when conflict manifests and desirable conditions are met between conflicting parties, a higher order can be attained. This results in peace.

A retrospective view of India suggests that ‘peace and good government’ are vital slogans since the colonial period. The Indian Councils Act of 1861 had empowered the Governors of each of the Presidencies in Council to make laws and regulations for ‘peace and good government’. Lord Halsbury defined the terms, peace and good government as “utmost discretion of enactment for attainment of the objects pointed to.” Ram Kripal versus State of Bihar (1969) also supported this description. In fact, peace and good government are causally related to one another. As will be explained later, failed states and failed governments lack the capacity to moderate extremities. A good government may be defined as one that possesses the basic characteristics of good governance. The United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) specifies the eight characteristics of good governance namely participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law.⁶⁰ It is a *governing idea* that a government or a state bearing the characteristics of good governance will have peace accordingly.⁶¹

⁵⁹ R.J. Rummel (1981), *Op.Cit.*, 20.

⁶⁰ “What is Good Governance?” UNESCAP; available from: www.unescap.org/sites/default/files/good-governance.pdf

⁶¹ Moore and Gerstein distinguished *governing ideas* and *minority conceptions* in their study of alcohol policies in the US. Governing ideas are those ideas that have widespread and lasting appeal to the society due to their compatibility and acceptance with social or individual views and interests. Minority conceptions, on the other hand, are those ideas that have significant intellectual appeal and have often been held by experts but have no mass appeal. See, Mark H. Moore and Dean R. Gerstein, eds. *Alcohol and Public Policy: Beyond the Shadow of Prohibition* (Washington DC: National Academy Press, 1981), 6-8.

It is important to emphasize the role of peace accords in the process of conflict resolution in India. As formal agreements between conflicting parties that seek to address the issues of conflict and establish peace, they serve as one of the most important methods of conflict resolution used by the Government of India's since 1947 either in Northeast or in mainland India. The Naga struggle for independence was the first challenge of the Indian state in its post-independent state-building. The Naga National Council (NNC), an armed nationalist organization under the leadership of A.Z. Phizo directly rejected the Indian Constitution and demanded sovereign status. As measure of conflict resolution, peace accords namely the Nine Point Agreement a.k.a. the Naga-Akbar Hydari Accord, 1947; the Sixteen Point Agreement, 1960 and the Shillong Accord, 1975 were signed by the Government of India with the NNC, the Naga People's Convention (NPC) and representatives of Naga underground groups respectively. The Assam Accord of 1985 was an agreement to end the problem of foreigners that rocked the State of Assam during 1979-1985. The Mizo Accord was an agreement to end the national struggle for independence of Mizoram carried out by the MNF. The Bodo Accord of 1993 was an attempt to settle the Bodo quest for autonomy from the state of Assam.

Peace accords provide frameworks for peace which further needs to be realized by implementing the provisions of the accord. Implementation of peace accords in letter and spirit is critical for durable peace. Behind the letter, the spirit of the accord which embraces the real essence of formal agreements needs to be acknowledged. The failure to implement the accords in letter and spirit often results in the recurrence of conflicts. Thus, peace accords do not provide endpoints to violent conflicts but are rather starting points to peace and therefore should not be considered as an end in itself.

2.8 Conclusion

Confronting the conflict becomes a dilemma as crucial decisions have to be made such as: Should the conflict be confronted? When should the conflict be confronted? And most importantly, how should the conflict be confronted?

As discussed in this chapter, it is found that conflict is inevitable in all societies. The elements resulting in the occurrence of conflicts are identified and explained, they are actors, their interests and contact of incompatible interests. Since society is characterized by multiplicity of interests and groups, as pluralism holds, conflict and competition either between groups or between one or more groups and the government is certain anyway. A society however homogenous it may seem will be characterized by some form heterogeneity: cultural, economic, political or other making conflicts inevitable as all societies possess some form of heterogeneity. Conflict is also a crucial part of progressive change as theorized in the dialectics of Hegel and Marx. All societies have undergone progressive change as a result of conflict between opposing forces. If so, does it mean that conflict need not be addressed but rather be left alone? Conflicts can be destructive if left alone or if not dealt with appropriately. Intervention provides the basis for balance. It should be addressed in such a manner as to result in progressive change and not just the deterrence or absence of war. The problem with many conflict resolution measures lie in the fact that interventions are appropriated to end violence but fail to focus on constructive and progressive change. Mere de-escalation of violence or even defeating the enemy makes peace fragile and leaves behind open doors for recurrence of violent conflicts.

Michael S. Lund, former Director of Jennings Randolph Fellowship at the United States Institute of Peace wrote, "Peaceful outcomes are more likely when the leaders of the parties to the dispute are moderate in their words, actions and policies, making conciliatory gestures, and seek bilateral or multilateral negotiations and bargaining to resolve the issue in dispute."⁶² Drawing from this and the theory of origin of the state from the social contract theorists, a theory of moderation is proposed where the primary function of the government is to moderate extremities. The moderation of the extreme interests of an individual or group is essential in any conflict resolution and in all human relations. A government fails when it fails to moderate extremities. Failed states and failed governments are branded so because

⁶² Michael S. Lund, *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy* (Washington DC: United States Institute of Peace Press, 1996), 100.

they fail to moderate extremities such as religious fundamentalism, ethnic nationalism, regionalism and others. The purpose of the government is originally based on the security aspect. The developmental aspect of the government is only a recent phenomenon. However, the latter aspect surpasses the former in modern political systems. Originally, the government is the machinery of the state which is formed as a means to moderate the extreme ends of man. Therefore, the government is a moderating agency.

Nationalism in Northeast India is also very much rooted in the absence of moderation of these extremities. Looking at the genesis of conflicts in both Assam and Mizoram, violent conflicts should have been avoided as the movements started with non-violent political and economic demands. The Assam movement was a movement to detect and deport immigrants, particularly Bengalis because they were allegedly increasing at unnatural rates and had dominated the Assamese economically and culturally. The Mizo movement found its origin in the discontentment against the Government of Assam which did not take sufficient measures to tackle the economic hardships of the Mizo people during the Mautam Famine. Indifference and negligence of the Indian State is responsible for the outbreak of violent conflicts in both Assam and Mizoram.

CHAPTER 3

CONFLICT ANALYSIS IN ASSAM AND MIZORAM: SOURCES AND MANIFESTATIONS

“The Northeast is one of our lesser developed regions. Its resource – physical and human – must be better utilized. The people are impatient for development and we can understand this.”¹

- Indira Gandhi (December 22, 1980)

A brief look at the current events of Northeast India over a week tells one that conflicts are endemic in the region. With the emergence of centrifugal forces with the demand for protection of identities, autonomy and even sovereign homelands, the integration of the States in the North Eastern Region has been one of the most complex challenges in India’s post-independent nation-building project. The process of disintegration from the state of Assam which once accommodates almost the whole of present Northeast took place one by one with the rise of ethno-national movements fueled by economic deprivation, alienation and sometimes ideology. A retrospective study of the genesis of conflicts in both Assam and Mizoram, their sources and manifestations are thus deliberated in this chapter for better understanding of the peace accords signed by the Indian government with these States.

Conflict in Assam represents perhaps the most complex ethno-nationalist conflicts in Northeast India. The multifaceted nature of conflict in Assam makes it a very complex one. It is multifaceted in the sense that there are different forms of conflicts carried out by different agents in the State. It is neither feasible nor practical to make an in-depth study of each of these conflicts as it will open up a Pandora’s box unlocking a plethora of related issues. To justify this point, according to South Asian Terrorism Portal as in December 2018, there are as much as 31

¹ Selected Thoughts of Indira Gandhi: A Book of Quotes (Delhi: Mittal Publications, 1985), 224.

terrorist/insurgent groups in Assam representing different community groups or ideology. Of these, four are labeled as ‘Proscribed Terrorist / Extremist Groups’, 11 are ‘Active Terrorist / Insurgent Groups’, 22 are ‘Inactive Terrorist/Insurgent Groups’ and 13 are ‘In Peace Talks/Ceasefire Groups/Conglomerates.’² While the persistent insurgency of the United Liberation Front of Assam (ULFA) started alongside the Assam Agitation in 1979 spearheaded by the All Assam Students’ Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP), these two movements were distinct in character and objects and the former was not addressed in the Assam Accord of 1985. The central focus of this study, in regard to the case of Assam, lies on the Assam Movement of 1979-1985 upon which the Assam Accord of 1985 was signed. Insurgent activities such as ULFA are treated as post-accord discords and will be dealt with in the subsequent chapters.

In the case of Mizoram, the Mizo Accord that was signed a year after the Assam Accord was to end the 20 years long Mizo struggle for independence spearheaded by the Mizo National Front (MNF). This assumes the central focus of study pertaining to conflict in Mizoram. After the coming overground of the MNF and its entry into mainstream politics with the signing of the historic Mizo Accord in 1986, the state has been relatively peaceful in comparison to its sister states. The number of insurgent/terrorist organizations as in December 2018 is also relatively low with SATP recording only one active insurgent group namely the Hmar National Army while there are four inactive groups such as the Hmar People’s Convention (HPC), the Hmar People’s Convention- Democratic (HPC-D), the Bru National Liberation Front (BNLF) and the Bru National Army (BNA), all of whom representing ethnic minority tribes in Mizoram namely the Hmars and the Brus. These groups may not also be considered as state-based organizations as their primary area of operation is outside Mizoram.³

² “India- Terrorist, Insurgent and Extremist Groups,” *South Asia Terrorism Portal (SATP)*, accessed on December 4, 2018; <https://www.satp.org/terrorist-groups/india>

³ *Ibid.*

3.1 The Problem of Foreigners in Assam

The source of conflict upon which the Assam Accord was signed was the Assam Movement of 1979-1985 which was an agitation against the unchecked influx of foreign nationals from Bangladesh and to a lesser extent Nepal into the State of Assam. The previous chapter discusses the transformation of Assam and in specific the causes of demographic change of Assam under the British colonial rule. The Assam Accord mentioned this as the ‘problem of foreigners in Assam’. The Assam Movement is not inclusive of all conflicts in the State as it exclusively deals with the foreigners’ issue spearheaded by the AAGSP and the AASU. A Memorandum of Understanding (popularly known as the Assam Accord) was signed between the AASU and AAGSP on one side and the Government of India on the other to address the conflict situation that arises out of the problem of foreigners in Assam. The first paragraph of the Assam Accord asserts that Government has tried to find satisfactory solution to the problem of foreigners in Assam. Therefore, an understanding to the problem of foreigners in Assam is critical to comprehend the provisions of the Assam Accord. For this, an attempt will be made to explain the question of nationality in Assam which forms the basis of the Assam Movement.

The economic transformation of Assam during the colonial period caused a major demographic change in the region which was to determine Assam’s fate incessantly. Historian Priyam Goswami accounted that when the British occupied Assam with the signing of the Treaty of Yandabo in February 24, 1826, its administrative structure and economy were in shambles and the region was in a depopulated state. Due to scarcity of labour, the British colonizers encouraged large scale immigration to sustain the colonial industries – not only the tea industry but also coal, oil, timber and other industries as well as the construction of railways and roadways require manpower.⁴ The colonial economic policies and its gradual exploitation of resources such as tea, oil, etc. and their subsequent monopoly over trade demanded and prompted the influx of large number of immigrants into Assam.

⁴ Priyam Goswami, *The History of Assam: From Yandabo to Partition, 1826-1947* (Kolkata: Orient Blackswan, 2012), 156-192.

As labour was imperative to sustain the colonial interests, the British, in fact, encouraged migration of people into Assam. This process of importation of large-scale migrant workers from outside the state was to create the nationality question into a controversial debate throughout the colonial period and beyond.

The immigration problem in Assam was reflected in the Government report during that time as seen in the Census Report of Assam, 1931 written by C.S. Mullan, ICS, Census Superintendent of Assam:

“Probably the most important event in the province during the last twenty five years - an event, moreover, which seems lively to alter permanently the whole future of Assam and to destroy more surely than did the Burmese invaders of 1829, the whole structure of Assamese culture and civilization - has been the invasion of a vast horde of land hungry Bengali immigrants; mostly Muslims, from the districts of Eastern Bengal sometime before 1911 and the census report of that is the first report which makes mention of the advancing host. But, as we now know, the Bengali, immigrants censused for the first time on their char islands of Goalpara in 1921 were merely the advance guard - or rather the scouts - of a huge army following closely at their heels. By 1921 the first army corps had passed into Assam and had practically conquered the district of Goalpara... Where there is waste land thither flock the Mymensinghians. In fact, the way in which they have seized upon the vacant areas in the Assam valley seems almost uncanny. Without fuss, without tumult, without undue trouble to the district revenue staffs, a population which must amount to over half a million has transplanted itself from Bengal into the Assam Valley during the last twenty-five years. It looks like a marvel of administrative organization on the part of Government but it is nothing of the sort; the only thing I can compare it to is the mass movement of large body of ants... it is sad but by no means

improbable that in another thirty years Sibsagar district will be the only part of Assam in which an Assamese will find himself at home".⁵

The influx of foreign nationals continues even in the post-independent period largely due to the partition of British India into Hindu-majority secular and Muslim states and the Bangladeshi war of liberation. Misra pointed that this issue of settling refugees was the "first major difference of opinion between Assam and the Centre".⁶ In the aftermath of the Partition, out of about twenty lakh refugees from East Pakistan, Assam sheltered over three lakhs refugees. When the then Chief Minister of Assam, Gopinath Bordoloi expressed the State Government's unwillingness to shelter refugees without limit, Prime Minister Nehru in a letter in 1949 threatened the State of cutting the Centre's financial aid to Assam.⁷ Thus, the apathetic attitude of the Government of India towards the immigration crisis in Assam in the aftermath of Independence was responsible for the continued demographic change in Assam which caused a xenophobic attitude among the indigenous people that they are in the danger of assimilation and that their language and culture needs to be protected.

The push and pull factors for the continuing influx of Bangladeshi nationals into India were accounted in the Supreme Court of India in 2005. "The important 'Push Factors' on the Bangladesh side include: i) steep and continuous increase in population; ii) sharp deterioration in land-man ratio; and iii) low rates of economic growth particularly poor performance in agriculture. The 'Pull Factors' on the Indian side include: a) ethnic proximity and kinship enabling easy shelter to the immigrants; b) porous and easily negotiable border with Bangladesh; c) better economic

⁵ "Report on Illegal Migration into Assam", Submitted to the President of India, by the Governor of Assam (November 8, 1998)

⁶ Udayon Misra, *The Periphery Strikes Back: Challenges to the Nation-State in Assam and Nagaland* (Shimla: Indian Institute of Advanced Study, 2000), 121.

⁷ *Ibid.*, 121-122

opportunities; d) interested religious and political elements encouraging immigration”.⁸

Back in 1961, the Under Secretary to the Government of India, Ministry of Home Affairs in a letter dated March 22, 1961 to the Chief Secretary to the Government of Assam alerted that there has been serious security problem in Assam as the Central Intelligence Bureau have reported the continuing infiltration of Pakistani nationals into Assam at a fairly high rate.⁹ The increase of population in the state of Assam from the Census of India over the years as well as increase in electorates indicates the abnormal rate of growth of population in the State which can only be explained in terms of influx of foreign nationals particularly from Bangladesh and Nepal.

Table 3.1: Comparison of percentage of increase of population per decade for Assam against India

Year	Population of Assam	% increase in Assam	% increase India
1951	80,28,856	-	-
1961	1,08,37,329	34.98	21.64
1971	1,46,25,152	34.95	24.80

Source: Letter to Prime Minister of India by AASU (January 18, 1980)¹⁰

The then Chief Election Commissioner of India, S.L. Shakhdar’s observation during the Conference of the Electoral Officers held at Ootcamund from 24-26 September, 1978 was often cited by the AASU to demonstrate the worrisome case of Assam::

⁸ Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court, (12 July, 2005)

⁹ Copy of Express Letter No.1/7/61-F.III dated the March 22, 1961 from the Under Secretary to the Govt. of India, Ministry of Home Affairs, New Delhi to the Chief Secretary to the Govt. of Assam, Home Department, Miscellaneous Branch, Shillong (Secret Immediate)

¹⁰ Letter to the Prime Minister of India by AASU on the subject, “The problem of presence of foreign nationals in Assam and the continued influx of foreigners into Assam from Bangladesh and Nepal” dated Guwahati, January 18, 1980. (see Appendix)

“I would like to refer to the alarming situation in some states, especially in the North Eastern region, wherefrom reports are coming regarding large-scale inclusion of foreign nationals in the electoral rolls. In one case, the population in 1971 census recorded an increase as high as 34.98% over 1961 census figures and this figure was attributed to the influx of a large number of persons from foreign countries. The influx has become a regular feature. I think it may not be wrong assessment to make that on the basis of increase of 34.98% between two census, the increase would likely to be recorded in the 1991 census would be more than 100% over 1961 census. In other words, a stage would be reached when that state may have to reckon with the foreign nationals who may be in all probability constitute a sizeable percentage if not the majority of population in the state.”¹¹

Besides the Indian side Censuses, the Report on the Illegal Migration into Assam submitted to the President of India by the Governor of Assam in 1998 provides an interesting account of the decline of Hindu population in Bangladesh. The Census of Bangladesh records that there is a decadal reduction of 39 lakhs Hindus in Bangladesh during 1971-1981 and another 36 lakhs during 1981-1989. So in a period of two decades, a total number of 75 lakh Hindus went missing from Bangladesh. Also out of 7.5 lakh Bihari Muslim refugees in Bangladesh in 1971, there were only 2 lakhs in 1998. The total population of Bangladesh also experienced a decline from 7.5 crores in 1970 to 7.14 crores in 1974. The decline of population in Bangladesh during the said period can only be explained by large scale migration into Assam and other states.¹²

¹¹ Letter to the Prime Minister of India by AASU on the subject, “The problem of presence of foreign nationals in Assam and the continued influx of foreigners into Assam from Bangladesh and Nepal” dated Guwahati, January 18, 1980. [See also Monirul Hussain, *The Assam Movement: A Sociological Study, Thesis* (New Delhi: Centre for the Study of Social Systems, Jawaharlal Nehru University, 1989), 173]

¹² Report on the Illegal Migration into Assam submitted to the President of India by the Governor of Assam (8 November, 1998)

Language constitutes one of the bases for ethnic identity and Northeast, being one of the most polyglot states in the country, has become a cauldron of conflicts arising out of ethnic nationalism. Ethnic diversity in the region is both a colonial and pre-colonial condition but it was clearly the colonial rule through its demarcation of boundary and import of outsiders that created the nationality conundrum. Due to this, it had experienced disintegration and political reorganization where parts of Assam such as Nagaland, Meghalaya, Mizoram and Arunachal Pradesh became separate states. Though colonial Assam was almost synonymous with whole of Northeast India, Assam today is only one of the eight Northeastern states. It comprises the Brahmaputra Valley, the Barak Valley and the hills surrounding these two valleys such as Karbi-Anglong Hills, Cachar Hills, Rabha Hills and so on. Of the different languages/dialects used in the State, Assamese, Bodo, Garo, Karbi, Manipuri, Mising, and Rabha are considered “indigenous” languages while Bengali, Hindi, Nepali, Oriya and Santhali are considered “non-indigenous”. Of the indigenous languages/dialects, the speakers of Bodo, Mising, Karbi, Garo and Rabha are considered as ‘tribal’.¹³ The number of people speaking different dialects in Assam as per the Census of 1991 is given below. However, speakers of each dialect/language did not mean that they belong to such ethnicity. For instance, Assamese speakers constitute not only ethnic Assamese but also a large number of tribals as well as immigrants. Likewise, the Bodo community is much larger than the number of Bodo speakers. Also, Assam’s tea labourers do not necessarily represent Santhali speakers but a vast majority of this community speaks Assamese today.¹⁴ So, language is disqualified to define nationality in the context of Assam.

Table 3.2: Languages spoken as mother tongue in Assam, comparison of 1991 and 2011 Census records

¹³ Sanjib Baruah, *India Against Itself: Assam and the Politics of Nationality* (New Delhi: Oxford University Press, 1999), 18.

¹⁴ *Ibid.*, 18-19.

Census	1991		2011	
	No. of speakers (mother tongue)	% of total population	No. of speakers (mother tongue)	% of total population
Assamese	1,29,58,088	57.8	1,50,95,797	48.3
Bengali	48,56,532	21.7	90,24,324	28.9
Bodo	11,84,569	5.3	14,16,125	4.5
Hindi	10,35,474	4.6	21,01,435	6.7
Nepali	4,32,519	1.9	5,96,210	1.9
Mishing/Miri	3,81,562	1.7	6,19,197	1.9
Karbi/Mikir	3,55,032	1.6	5,11,732	1.6
Oriya/Odiya	1,40,782	0.6	2,18,552	0.7
Santhali	1,35,905	0.6	1,05,544	0.3
Manipuri	1,26,987	0.6	1,68,133	0.5
Garos	1,14,779	0.5	1,72,520	0.5
Rabha	1,12,424	0.5	1,01,752	0.3
Others	5,79,669	2.6	10,74,255	3.4
Total population	2,24,14,322	100	31,205,576	100

Source: Census of India, Assam, 1991 and 2011¹⁵

The bi-decade comparison of languages spoken as mother tongue in Assam indicates the sharp decline of Assamese speakers and increase of Bengali speakers. Other include Bishnupuriya, Khasi, Kuki, Kurukh, Lalung, Munda, Mundari and Tripuri to name a few.

Religion may appear to be basis for the determination of national identity. The division between Assamese and non-Assamese, nationals and foreigners on the basis of religion is evident from the Assam Movement and afterwards where the Muslims of Bengali descent has been labeled as immigrant communities. However, it

¹⁵ Census of India, 2011, "Population by Mother Tongue" Office of the Registrar General & Census Commissioner, Ministry of Home Affairs, Government of India;
<https://censusindia.gov.in/2011census/migration.html>

should be noted that a large part of Muslims of Bengali descent have more or less become assimilated to Assamese – they speak and write Assamese. They are commonly referred to as Neo-Assamese. Nonetheless, Hindus of Bengali descent are also part of the immigrant community. During the colonial rule, the requirement of administrative skills and particularly English language prompted the entry of Bengalis who were colonized and educated first by the colonizers to staff positions in the colonial administration. In fact, Bengali language was the court language and medium of instruction for more than three decades from 1837 to 1873. Many of the tea labour communities in Assam such as Santhals, Mundas, Gonds, Khonds, Kharias and others were imported from neighbouring states like Bihar and Odisha by the British to sustain their tea factories.¹⁶

Table 3.3: Religious Composition of Assam, 2011.

Religion	Population	Percentage
Hindu	19,180,759	61.47 %
Muslim	10,679,345	34.22 %
Christian	1,165,867	3.74 %
Buddhist	54,993	0.18 %
Not Available	50,873	0.16 %
Other Religion	27,118	0.09 %
Jain	25,949	0.08 %
Sikh	20,672	0.07 %

Source: Census of India, Assam, 2011.

Sanjib Baruah (1999) identified the immigrant communities in Assam which include Muslims of Bengali descent; the tea labour communities such as Santhals, Gonds, Khonds, Mundas, Oraons, Kharias, Kisang and Nagesias – most of whom were from present-day Bihar, Jharkhand and Odisha; Hindu Bengalis particularly

¹⁶ Sanjib Baruah, *Op.Cit.*, 55-59.

from East Bengal; the Marwaris – a commercial class from Rajasthan; and the Nepalis.¹⁷

The discussion above shows that the question of who the ‘Assamese’ constitutes is an unresolved debate. Of recent, for implementation of Clause 6 of the Assam Accord that provides for constitutional, legislative and administrative safeguards for the protection, preservation and promotion of the cultural, social, linguistic identity and heritage of the Assamese people, a High-level Committee has been established to define and determine who constitutes the Assamese. This will be deliberated further in the sixth chapter. Nonetheless, while it may not be practical to determine who the Assamese constitute at this stage, the determination of foreigners was first determined by the National Register of Citizens of 1951 and later the Assam Accord of 1985 by determining a base date and year.

3.2 The Assam Movement

It should be noted that ethnic conflicts existed in Assam even before the problem of foreign nationals came to the fore. This was manifested in the movement to make Assamese as the official language of Assam known as the Language Movement. Rao and Hazarika found language politics as one of the sources of tensions in Assam and the cause of formation of new states. They identified two slogans of the 19th century which provide the bases of language politics: ‘one language one state’ and ‘one state one language’. Though there is a close similitude between the two slogans, the former indicate that people having distinct language should have separate state whereas the latter indicate that a state should have one preferred language for official use.¹⁸ The Language Movement was different from the Assam Movement that the former was a movement to make Assamese as the official language of Assam and ended with the enactment of the Official Language Act in October 1960. The Assam Movement, on the other hand, is a movement that seeks to solve the problem of foreigners in Assam and is an ongoing issue with

¹⁷ *Ibid.*, 52-64.

¹⁸ V. Venkata Rao and Niru Hazarika, *A Century of Government and Politics in North East India: Vol.I. Assam (1874-1980)* (New Delhi: S. Chand & Company Ltd., 1983), 237.

challenges of resolving the problem of foreigners following the signing of the Assam Accord of 1985.

The Assam Movement was a popular movement during the period 1979-1985 against the illegal immigrants living in Assam who can wipe out the true identity of Assam and its indigenous people. Spearheaded by the AASU and the AAGSP, its slogan was 'To save India tomorrow, save Assam today!' The movement leaders protested against the unchecked influx of foreigners in Assam with the three Ds of demands: Detect, Delete and Deport. It is marked as the most draconian movement that has taken place in contemporary Assam. President's rule was imposed three times in Assam during this period. This movement was the pinnacle of dissidence by the civil society of Assam against the enfranchisement of illegal immigrants particularly from Bangladesh. This anti-foreigner movement is also known as the Assam Agitation or *Asom Andolon* and ended with the signing of the Assam Accord in 1985.

It is widely accepted that the immediate cause for the Assam Agitation was the discrepancies in electoral rolls. In 1978, re-election was to be held in the Mangaldoi Lok Sabha Constituency to fill the vacant seat due to the sudden and untimely death of Hiralal Patwari, Member of Parliament. It was while preparing for this election that the extraordinary growth in the number of voters was discovered, in which the illegal immigrants of Bangladesh or erstwhile East Pakistan was reckoned to be the cause.¹⁹

The AASU was formed by a few student leaders of Guwahati University backed by a section of professors providing guidance and motivation.²⁰ The AASU immediately took the matter into their hands under the leadership of Prafulla Kumar Mahanta. The Executive Committee meeting of the AASU held during August 25-27, 1979 at Kanoi College, Dibrugarh led to the emergence of what was to be AASU's ally throughout the Assam Movement, the All Assam Gana Sangram

¹⁹ Makiko Kimura, *The Nellie Massacre of 1983: Agency of Rioters* (New Delhi: SAGE Publications, 2013), 8-9.

²⁰ RD Pradhan, *My Years with Rajiv and Sonia* (New Delhi: Hay House India, 2014), 64.

Parishad (hereafter AAGSP).²¹ The AAGSP which was formed to be an apex body of the Assam Movement was a conglomeration of different organizations in Assam encompassing students' organizations, political parties, youth associations, professional associations, women's organizations, trade unions and employees associations, cultural and literary associations and other prominent academicians and members of civil society. These include the AASU, the Asom Jatiyatabadi Yuba Chatra Parishad (AJYCP), the All Assam Tribal Students' Union, the Purbanchaliya Loka Parishad (PLP), Assam Jatiyatabadi Dal (AJD)-Nagen Hazarika Faction, the Progressive Plain Tribal Council (PPTC), the All Assam Tribal Women Association, Asom Yuba Samaj, the Young Lawyers' Forum, Assam Sahitya Sabha (ASS), Karbi Parishad, Plain Tribes Council of Assam (Brahma faction), and All Assam Tribal Sangha among others.²² The ASS, a literary organization in Assam and one of the largest civil society organizations in Northeast was instrumental in mobilizing the masses especially during the first two years of the agitation through its numerous branches all over Assam which amounts to more than 500 branches. At the same time the Sabha played a moderating role and its membership in the AAGSP was a relief for the Government. Its twin policies of both leading the agitation and remaining in the good books of the Government led to sour relations with its partners.²³ Nevertheless, the Assam Movement was a well-represented and well-planned civil society movement for the detection, deletion and deportation of foreign nationals from Assam. The formation of the AAGSP was instrumental in mobilizing the masses for participation in the Assam Movement as it represents different sections of the community.

As Hussain (1989) puts it, the initial stage of the Assam Movement targeted not only foreigners but also all outsider Indians living in the State of Assam who

²¹ Sangeeta Barooah Pisharoty, 41-42.

²² Dipak Kumar Sarma, *Factional Politics in Assam: A Study on the Asom Gana Parishad, Thesis* (Ph.D. Thesis, Department of Humanities and Social Science, Indian Institute of Technology, Guwahati, 2017), 68-71. See also, Sangeeta Barooah Pisharoty, 41-42.

²³ Udayon Misra, *India's North-East: Identity Movements, State, and Civil Society* (New Delhi: Oxford University Press, 2014), 340.

were labeled as the *bahiragata*.²⁴ The *bahiragata* concept was replaced by the *videshi* or foreigners after the movement leaders realized that restriction of entry and deportation of outsider Indians was impractical within the Indian constitutional framework.²⁵ The agitation leaders demanded boycott of the polls until the foreigners were detected and deleted from the electoral rolls and also demanded that the election be postponed and the effective sealing of the Indo-Bangladesh border. This marked the start of the six-year-long movement spearheaded by the AASU and the AAGSP. Though the detection and displacement of the illegal immigrants was the primary cause of the movement, the ‘grievance’ paradigm played an equally crucial role in motivating the agitators.²⁶ In the preparation process for the election, the CEC asked the Chief Electoral Officer of Assam to include all names of the earlier voter list in the draft electoral roll. AASU warned the political parties not to participate in the election unless the electoral rolls were revised and the names of the illegal immigrants were removed.²⁷ Das (2015) posited that this movement was an agitation of the native Assamese against the foreigners, citizens against the non-citizens who were seen as a threat for the sustenance of Assam’s real identity. The native Assamese speakers were supported throughout the Brahmaputra Valley by the tribes like Bodo, Tiwa, Mising, Rabha, etc. All these people, irrespective of their affiliations responded to the call, united and actively participated in the movement to expel the illegal immigrants.²⁸ Bhaumik (2009) also accounted that “the Bodos, the Karbis, the Dimasas and the Rabhas all joined the Assam movement to expel ‘foreigners’ and ‘infiltrators’.”²⁹ However, it should be noted that the decision of the

²⁴ Bahiragata or as Monirul Hussain use, *Bohiragato* is an Assamese word for outsider.

²⁵ Monirul Hussain, *The Assam Movement: A Sociological Study, Thesis* (New Delhi: Centre for the Study of Social Systems, Jawaharlal Nehru University, 1989), 466.

²⁶ Uddipta Ranjan Boruah and South Asia Monitor, “30 Years of Assam Accord: An Era of Historic Failure- Analysis.” *Eurasia Review* (July 31, 2015) accessed on April 4, 2017, <http://www.eurasiareview.com/31072015-30-years-of-assam-accord-an-era-of-historic-failure-analysis/>

²⁷ “Assam Movement”, *Aai Assami*, accessed on April 9, 2017, <https://aaiassami.wordpress.com/2016/10/16/assam-movement/>

²⁸ Bitasta Das, *Unravelling Ethnic Tensions: Colonialism, Post-Colonialism and the Question of Identity in Assam*. (Ph.D. Thesis, Manipal University, 2015), 52

²⁹ Subir Bhaumik, *Troubled Periphery: Crisis of India’s North East* (New Delhi: SAGE Publications India Pvt Ltd, 2009), 34.

Central Government to impose elections for both the State Legislative Assembly and the by-elections to the Lok Sabha on February 14, 17 and 20, 1983 polarized Assam. Weiner (1983) accounted that while the Assamese and some indigenous tribal groups such as the Lalungs who vehemently opposed the influx of foreigners boycotted the elections, on the other hand, Bengali Hindus and Muslims as well as the Plains Tribal Council of Assam (PTCA) who dissented “the Assamization policy of the State Government” supported the elections.³⁰

The AASU however evaded from using the term ‘Assamese’ as it seeks to represent the *bona fide* citizens of Assam and instead use ‘the people of Assam’ in its Memorandum to the Prime Minister dated February 2, 1980. Bhaumik (2009) recounted that the AASU enjoyed so much authority and prominence during the six years long agitation that political parties in Assam were almost redundant.³¹ The AASU boycotted the elections until satisfactory solution to the problem of foreigners is addressed.³²

The Memorandum submitted to the Prime Minister of India by AASU dated February 2, 1980 addressed the alarming increase of the influx of foreign nationals in Assam from neighbouring countries particularly Bangladesh and Nepal. Commenting on the decadal increase of population of Assam as per the Census of India, 1971 which stands at 34.95% against the national figure of 24.80% (one of the highest in the world), it surmised that influx of foreign nationals is the only explanation for this extremely high rate of population growth. For the same year, the growth rate in Karbi Anglong and Cachar Districts were considered ‘frightening’ with 68.29% and 40% respectively. The AASU in its Memorandum made specific demands such as detection and deportation of foreign nationals from the country; removal of names of foreign nationals from the concerned electoral roll before the conduct of any election in Assam; prevention of inclusion of foreign nationals’ names in the electoral rolls in the future through an adequate and strong election machinery; full protection of

³⁰ Myron Weiner, “The Political Demography of Assam’s Anti-Immigrant Movement,” *Population and Development Review*, Vol.9, No.2: 279-292 (Jun, 1983), 280.

³¹ Subir Bhaumik, *Op.Cit.*, 224.

³² *Ibid.*, 224.

India's borders with the neighbouring countries; issuance of identity cards with affixed photographs for Indian voters residing in Assam; provision of constitutional safeguards to the people of Northeast; granting power to Government of Assam to reject any candidates issued by district authorities of West Bengal and Tripura; withdrawal of authority to grant citizenship certificate of State Government so that foreigners detected and deported from Assam do not return with citizenship certificates issued by other States. They also proposed the update of the National Register of Citizens (NRC) of 1951.³³

Even before the Memorandum, "The problem of presence of foreign nationals in Assam and the continued influx of foreigners into Assam from Bangladesh and Nepal" was addressed to the Prime Minister of India on January 18, 1980 by AASU citing the problems and desired proposals for solution to the problem while inviting the Prime Minister to discuss the problem in detail through personal visit to Assam. It was in this letter that the Chief Election Commissioner of India, S.L. Shakhdar's famous comment on the abnormal increase of population in Assam was first quoted. In the letter the AASU demanded thorough revision of electoral roll of every constituency and removal of foreign nationals from the voters list.

On November 27, 1979, the agitation leaders called for the closure of all educational institutions and central government offices. In the first week of December the same year, mass picketing was conducted in front of all polling offices where candidate nominations were to be filed, blocking the entrance of the seeking candidates and disallowing them to file the candidate nomination papers in the Brahmaputra Valley. December 10 was the last date for the submission of the nomination papers and declared a state-wide bandh. There was a proclamation of curfews by the Government in different parts of the state including Guwahati.³⁴ The Assam Government also declared closure of all educational institutions from December 8, 1979 to January 11, 1980. At the end of the deadline date for filing

³³ Memorandum to the Prime Minister of India submitted by All Assam Students' Union on February 2, 1980 (see Appendix)

³⁴ "Assam Movement," *Aai Assami, Op.Cit.*

nominations, no nominations were filed in 10 of the 14 Lok Sabha constituencies in Assam. President's Rule was eventually imposed in Assam on December 12, 1979.³⁵

3.3 The AASU-ULFA Nexus

The United Liberation Front of Asom (ULFA) is an armed organization that has shaken the politics of Assam through its struggle for independent Assam or *Swadhin Asom* based on scientific socialism. The quest for an independent Assam arose even before the Independence but waned off when the threat for Assam and Assamese identity temporarily ended when the Muslim majority Sylhet voted for Pakistan in a referendum.³⁶ ULFA was established in April 7, 1979 by six Assamese youths, Bhimakanta Buragohain, Rajiv Rajkonwar *alias* Arabinda Rajkhowa, Golap Baruah *alias* Anup Chetia, Samiran Gogoi *alias* Pradip Gogoi, Bhadreswar Gohain and Paresh Baruah at the Rang Ghar in Sibsagar. Several of the founding members belonged to the Asom Jatiyatabadi Yuva Chatra Parishad (AJYCP) and had close links with AASU.³⁷ There are others who accounted that there were some twenty youths (Pisharoty 2019) while others accounted seven (Mahanta 2013) during the foundation of the ULFA. Arabinda Rajkhowa was its first chairman and was assigned to frame the constitution of ULFA while keeping “unity, revolution and liberation” as the motto of the organization.³⁸ The ULFA's quest for *Swadhin Asom* is a revival of the pre-independence Assamese nationalism.

Though ULFA was formed even before the Assam Agitation, it was innate until the Assam Agitation started in 1979. The prolonged condition of the Assam Movement also prompted its support from the Assamese middle class and the rural masses.³⁹ Bhaumik held that ULFA initially acted as a partner supporting the leaders of the Assam Movement for the detection, deletion and deportation of foreigners of Assam. It was in the late 1980s that the organization distanced itself from the anti-

³⁵ Sangeeta Barooah Pisharoty, *Op.Cit.*, 43-44.

³⁶ Uddipan Dutta,

³⁷ Udayon Misra, *Op.Cit.*, 145-146

³⁸ Nani Gopal Mahanta, *Confronting the State: ULFA's Quest for Sovereignty* (New Delhi: Sage Publications, 2013), 58.

³⁹ Subir Bhaumik, *Op.Cit.*, 119.

foreigners movement towards the armed struggle for independent Assam.⁴⁰ Mahanta raised some of the unique characteristics of ULFA. Firstly, it avoids the popular rhetoric of the Assamese people and rather speaks about the people of Assam. Secondly, it has representation from all communities, unlike other caste-Hindu or tribal organizations. Thirdly, it seeks to broaden the Assamese nationality through inclusion of immigrants from Bangladesh into the framework of the people of Assam. Lastly, under the idea of colonialism, it has a strong anti-India, anti-Delhi stand.⁴¹ Srikanth wrote, “By provoking national and ethnic identities, the Assam agitation has prepared the ground for the rise of militancy in Assam. The dreaded ULFA, which dared to challenge India's sovereignty over Assam, was only an offshoot of the Assam agitation. The birth of ULFA showed the way for other ethnic groups to float their own militant outfits to realize their demands.”⁴²

Table 3.4: Violent incidents during Assam Movement

Year	Number of Blasts	Number of Deaths
1979	4	0
1980	47	8
1981	81	5
1982	39	27
1983	259	55
1984	41	6
Total	471	101

Source: Special Branch, Assam Police

Paresh Baruah, the Commander-in-Chief of the ULFA, in an interview with *The Week* disclosed the links between the ULFA and the Assam Gana Parishad (AGP) leaders, student leaders of the AASU who turned politicians with the signing

⁴⁰ Samir Kumar Das, *Governing India's Northeast: Essays on Insurgency, Development and the Culture of Peace* (New Delhi, Heidelberg, New York, Dordrecht, London: Springer, 2013), 4.

⁴¹ Nani Gopal Mahanta, *Op.Cit.*, xvii.

⁴² H. Srikanth, “Militancy and Identity Politics in Assam,” *Economic and Political Weekly*, Vol. 35, No. 47 (Nov. 18-24, 2000): 4117-4122.

of the Assam Accord in 1985. He revealed that the ULFA used to receive help from the AGP leaders during the period of 1985-1990. “[T]he current leaders of AGP could be against us, but once upon a time they were our friends and also talked about revolution. But with the stroke of chance they became ministers and we came to the jungles.”⁴³

The AASU-AGP-ULFA nexus is also expressed by other scholars as shown in the quotations that follow:

*“The AASU, AGP and ULFA, indeed, were siblings and belonged to the same constituency, sharing the state of mind of a society under siege.”*⁴⁴

*“There is always the danger of simplifying in arriving at such conclusions without trying to understand the inner workings of organizations such as ULFA. The fact, however, is often overlooked that right from its inception, the ULFA maintained close links with the AASU and the AGP, occasional differences notwithstanding, and during the first few years most of the ULFA recruits were drawn from the ranks of the AASU.”*⁴⁵

3.4 The Violence

The Assam Movement though it was intended to be a non-violent protest turned violent with the turn of events. From June 1979, non-violent protests such as mass satyagrahas, mass picketings, mass sit-in strikes, mass rallies and state-wide bandhs were organized, but the Central Government decided to hold the Lok Sabha elections. It was in such condition that offices and roads leading to offices where nomination could be filed were picketed. When Bagam Abida Ahmed, accompanied by CRPF police force went for Barpeta to file a nomination paper despite the

⁴³ Paresh Baruah quoted in Nani Gopal Mahanta, *Op.Cit.*, 86-87.

⁴⁴ Pradip Phanjoubam, *The Northeast Question: Conflicts and Frontiers* (New Delhi, London, New York: Routledge, 2016), 183.

⁴⁵ Udayon Misra, *Op.Cit.*, 147.

picketing, they were obstructed by the Satyagrahis at Bhabanipur. To clear the road, the protestors were attacked where 22 year old Khargeswar Talukdar, the General Secretary of Barpeta AASU Unit was beaten to death and thrown into a ditch next to the highway of Bhabanipur on December 10, 1979. The Assam Movement honoured Talukdar as its first martyr during the movement.⁴⁶ In such an aftermath, the huge assembly at Judges Field in Guwahati on December 18, 1979 took an oath called *Mrityu Sankalpa Divas* or fight unto death.⁴⁷ During this movement, there were a number of violent and tormenting actions to be witnessed in many parts of the state. There were a total of 855 martyrs in this historic agitation.

The agitators hailed their movement “Assam’s last struggle for survival” against the “cultural, political and demographic transformation” of Assam by the onslaught of unchecked immigrants which threatened to “reduce the indigenous to minorities in their own land”. The AASU leader who eventually became Chief Minister after the Movement, Prafulla Mahanta stated that the tension and struggle between the indigenous people and the immigrants had always been there since long time back.⁴⁸

The most significant and remarkable thing about this movement is that it was popular amongst the masses and widely supported by them. It was largely supported by all segments of the society with the exception of the ruling government and few others who could have electoral benefits from the votes of Bangladeshi illegal immigrant. These illegal immigrants’ votes were crucial for them as it can enable them to form governance and exercise authority and power since they were large in number.

The leaders of the campaign or the movement were mostly concerned about the granting of citizenship to these immigrants which was gradually and surely changing the face and shape of Assam. The nature of their identity was at stake if

⁴⁶ Hrishikesh Goswami (ed.), *Shradhdhanjali* (Gauhati: Implementation of Assam Accord Department, 2016), 5.

⁴⁷ *Ibid.*, 5

⁴⁸ Bitasta Das, 52

there was too much influx of infiltrators to their state. The inappropriate enfranchisement of the non-citizens into the electoral rolls could do them a lot of harm in the coming years. Besides the cultural and political threats, there were also economic reasons for this uprising. This was because these immigrants were getting a strong hold on the jobs and businesses in Assam, which, if continued could pose a serious threat to the indigenous people, especially the youth, who were to search for jobs soon. This movement was highly appreciated in the other north-eastern states of India as it propelled a number of anti-immigrant strikes all over the zone.⁴⁹

The All Assam Minority Students' Union (AAMSU) which comprises of both linguistic and religious minorities observed 'Demand Day' and organized processions on May 26, 1980 in different parts of the State. The processionists submitted a memorandum to the government authorities which consists a 13-point charter of demands which included protection and security of the minorities in Assam and acceptance of 1971 as the base year detection and deportation of foreigners. The AASU and the AAGSP spearheading the Assam Movement opposed the move of the AAMSU and there were clashes between the members/supporters of the AASU-AAGSP and the AAMSU.⁵⁰ Police reports accounted that a group of about 1000 processionists representing the AAMSU came into direct confrontation with AASU of about 1500 at Bangaigaon in Goalpara District. Violence broke out and the police had to lathi-charge the processionists to disperse them. It was reported that there were no casualties. Curfew was later imposed in Bangaigaon area. Another procession of 800 Muslims under the banner of AAMSU was confronted by a group of AASU-AAGSP members and supporters at Dhing in Nowgong District. At Tezpur, Darrang District a procession of some 8000-9000 also paraded the streets. At Dhekiajuli, a procession of about 5000 sponsored by the AAMSU was confronted by AASU/AAGSP members. As a result of the AAMSU processions on May 26, communal violence broke out at various parts of the State.⁵¹ A number of persons

⁴⁹ *Ibid.*, 53-54

⁵⁰ Office of the Special Inspector General of Police: S.B. Assam, U/O No.SB.IV/403/80/100 dated Gauhati, June 25, 1980 (Secret/Immediate)

⁵¹ Office of the Special Inspector General of Police: S.B. Assam, U/O No.SB.IV/403/80/100 dated Gauhati, June 25, 1980 (Secret/Immediate)

were assaulted, some were killed and many houses were burnt as show in the table below:

Table 3.5: Communal Violence after Minorities' Processions on May 26, 1980

District	No. of Persons Killed	No. of Persons Assaulted	No. of Houses Burnt
Kamrup	2	13	9
Goalpara	5	8	78
Nowgong	10	40	101
Darrang	1	31	5
TOTAL	18	92	193

Source: Assam State Archives⁵²

The movement's other objective was to stand up and fight against the step-motherly attitude of the Indian state towards Assam. The Assamese people had been pleading for greater rights over the resources of this region while at the same time seeking the deserved attention of the Indian state towards their genuine grievances. They were greatly humiliated by the attempts of New Delhi to keep the region obscured from the mainland India by claiming it as a 'disturbed' region ever since it came into being.⁵³

The role of political leaders and political parties assume a very important place during conflict situations and to a very large extent determines its proliferation and intensity. A little before the infamous Nellie Massacre, both the BJP and the Congress had indulged themselves in inflammatory speeches. BJP leader A.B. Vajpayee uttered a provoking speech on February 7, 1983:

⁵² *Ibid.*

⁵³ "Assam Movement," *Aai Assami, Op.Cit.*

*"Foreigners have come here and the government does nothing. What if they had come into Punjab instead? People would have chopped them into pieces and thrown them away."*⁵⁴

On the other hand, Union Railways Minister of the Congress ministry, Ghani Khan Chaudhuri, a Bengali Muslim from West Bengal mobilized the state's Bengali-speaking Muslims for election and said in a public meeting:

*"If they kill one of you, you kill four of them. The Government will support you."*⁵⁵

The Assam Movement took its most violent turn on February 18, 1983 in what was called the Nellie Massacre after the Central Government decided to hold the Assam State Legislative Assembly Elections without revising the electoral rolls. In the massacre which was perpetrated by the indigenous residents of the area, comprising the plain tribes, the Tiwas (also known as Lalungs) and two Scheduled Caste Assamese groups, the Kochs and the Hiras, surrounded as many as 14 settlements of Muslim peasants of East Bengal origin.⁵⁶ Several authors have recorded different estimates on the number of deaths in the infamous Nellie Massacre of 1983. Kimura (2013) estimated more than 1600 deaths,⁵⁷ Baruah (1999) estimated more than 3000 deaths,⁵⁸ Bhaumik (2009) recorded 219 police death-count, press reports of 3300 death and 5000 deaths from unofficial sources.⁵⁹ Pisharoty (2019) wrote that official count amounts up to 1819 bodies while unofficial accounts estimate nearly 3000.⁶⁰ Nellie is a rural area in central Assam and though the massacre was named after it, the affected villages besides Nellie were Bhogdubi Habi, Borbori, Bhaihati, Endurmari, Matiparbat, Bhogdubi Beel, Alisinga, No.I

⁵⁴ Atal Bihari Vajpayee, quoted in Prabhaskar K. Dutta, "The Other Side of Atal Bihari Vajpayee, 3 Instances," *India Today* (August 24, 2020)

⁵⁵ Ghani Khan Chaudhuri, quoted in Sangeeta Barooah Pisharoty, *Assam: The Accord, the Discord* (Gurgaon: Ebury Press by Penguin Random House India, 2019), 111-112.

⁵⁶ Sangeeta Barooah Pisharoty, *Op.Cit.*, 90. See also, Makiko Kimura, *Op.Cit.*, 1

⁵⁷ Makiko Kimura, *Op.Cit.*, 9.

⁵⁸ Sanjib Baruah, *Op.Cit.*, 132.

⁵⁹ Subir Bhaumik, *Op.Cit.*, 30.

⁶⁰ Sangeeta Barooah Pisharoty, *Op.Cit.*, 90.

Muladhari, Silbheta, Silcherri, Borojolah, Bhatanimara and Mikirbheta. The Nellie Massacre was named after the relief camps set up in the middle and high schools of Nellie along the highway where the survivors of the massacre were sheltered.⁶¹

After the massacre, the Illegal Migrants (Determination of Tribunals) Act was passed by the Parliament in October 1983 which laid down procedures for detecting illegal immigrants (from Bangladesh) and expel them from Assam. This Act was mainly driven on grounds that it provided special protections against undue harassment to the ‘minorities’ that were affected by the Assam Agitation. However, it was seen as an Act to protect illegal immigrants who continued to enter Assam even after 1971. The Act was also implemented only in the state of Assam while the Foreigners Act, 1946 was applied in other states for the detection of foreigners. It made it difficult to detect and deport illegal immigrants from Assam which has been alleged to be one of the main reasons of rapid rise of immigrant population and demographic change in Assam.⁶² After years of contestation by the AASU, this act was struck down much later by the Supreme Court of India in 2005.

The table below provided the number of martyrs, the number of victims injured in firing and atrocities unleashed on the agitators and the number of rape and severely oppressed female victims of the Assam Agitation. The names of martyrs are mentioned by the AGP in their official website.

Table 3.6: Martyrs during the Assam Agitation of 1979-1985

Sl.	Type	No.
A.	Martyrs	855
B.	Those Injured in Firing and Those Who Suffered Atrocities During the Assam Agitation	371
1.	District: Lakhimpur	30
2.	District: Dibrugarh	17
3.	District: Darrang	49

⁶¹ Ibid., 90.

⁶² “Assam Movement,” *Aai Assami, Op.Cit.*, accessed on April 9, 2017.

4.	District: Nagaon	61	
5.	District: Nalbari	41	
6.	District: Kamrup	63	
7.	District: Barpeta	60	
8.	District: Kokrajhar	4	
9.	District: Goalpara	3	
10.	District: Karbi Anglong	3	
11.	District: Sibsagar	15	
12.	District: Jorhat	3	
13.	District: Sonitpur	17	
14.	District: Golaghat	5	
C.	Rape Victims and Severely Oppressed Female Victims of the Assam Agitation		48
	TOTAL		1274

Source: Asom Gana Parishad⁶³

3.5 Conflict in Mizoram: The Mizo National Movement for Independence

Though it is generally accepted that the indigenous inhabitants of Mizoram belong to the Mongoloid stock, yet the history of their origin is still shrouded in mystery as they did not have any written record prior to the arrival of the British. History of the Mizos was limited to the information passed on in the form of oral tradition by elders to their younger generations and much of them were based on hypotheses and assumptions. Therefore, it is very difficult to trace the history of the Mizos. The writings of British officers and missionaries such as T.H. Lewin, Rev. J.H. Lorrain, Rev. F.W. Savidge, A.G. McCall, Robert Reid, R.G. Woodthorpe, J. Shakespear and others started literary works about the Mizos.

⁶³ "Martyrs & Sufferers of Assam Agitation," *Asom Gana Parishad*; accessed on December 4, 2018, <http://www.asomganaparishad.in/MartyrsOfAssamAgitation.aspx>

The Mizos were formerly called Lushais and the hills inhabited by them were known as Lushai Hills. The term 'Lushai' is a conglomeration of two words and there are a number of opinions about its meaning. While 'lu' means 'head', the following word, 'shai' remains contentious even among the Mizos themselves. Firstly, 'shai' appears to be an Anglicized word for 'sai' which can mean 'to target' or 'to strike'. The interpretation is based on the argument that the Mizos were headhunters or headcutters. Secondly, 'shai' could be an Anglicized term for 'sei' which means 'long'. 'Lusei' literally means 'long head'. It is argued that there were two groups of Mizo referred to as 'long heads' and 'short heads' representing the 'chief's family' and the 'commoners' respectively. The chief's family used to tie a big knot of their rolled hair on top of their head making their head appear long.⁶⁴ The terms, 'Lushai' and 'Lusei' are in fact used interchangeably.

The term 'Mizo' generally means people of the highland or 'highlander'. It is also a conglomeration of two words, 'mi' which means 'person' or 'people' and 'zo' meaning 'highland'. The Census of 1901, the first census conducted in the Lushai Hills made no mention of 'Mizo' or 'Zo'.⁶⁵ The Census Report of 1901 recorded the total population of in the Lushai Hills as 82,434.⁶⁶ Major Shakespear, the first Superintendent of Lushai Hills in his note on the Lushais grouped the population of the Lushai Hills into 15 clans namely: Lushei, Ralte, Paithe, Pante, Ngente, Khawlhing, Kiangte, Roite, Renthlei, Chongthu, Thado, Lakher, Darlong, Poi and Hmar.⁶⁷ Since the name of the Lushai Hills Autonomous District Council was changed to Mizo District Council by an Act of Parliament in 1954, the Lushai Hills began to be known as the Mizo Hills and 'Mizo' also becomes the official name of

⁶⁴ Lalchungnunga. *Politics of Regionalism and National Integration* (New Delhi: Reliance Publishing House, 1994), 23.

⁶⁵ The word 'Zo', describing an ethnic group also known as the Mizo, the Kuki, the Chin and other names based on geographic distribution, refers to a large group of related Tibeto-Burman people spread throughout India's Northeast, northwestern Myanmar, and the Chittagong Hill Tracts of Bangladesh. They trace their common origin from the mythological cave known by different names such as Chhinlung, Sinlung, Khul, Khur, Khurpui, Lungkua, Puk, Hurpi, Khurtu-bi-jur and Khor depending upon the ethnic tribe.

⁶⁶ Report on the Census of Assam, 1901, 34.

⁶⁷ *Ibid.*, 145.

the people of Mizoram. The cognate tribes of Mizo are known by different names depending upon their area of inhabitation. In Myanmar (Burma) they are known as Chin while in Bangladesh and other Indian States such as Manipur, Nagaland and Assam, they are known as Kuki.⁶⁸ The term, 'Zomi' also has been propagated recently in Chin State of Myanmar and Manipur but 'Zo' is regarded to be the most inclusive name for the people who trace their origin to 'Chhinlung'.⁶⁹

Zo is a generic term used to refer to the different tribes, sub-tribes and clans who originated from Chhinlung and migrated to their present habitat in the Indian states of Mizoram, Manipur, Tripura, Assam, Meghalaya and Nagaland and in Myanmar and Bangladesh. Due to geographical reorganization they are scattered and divided by national and international borders. Today, the major Zo clans include Lusei, Hmar, Paite, Lai (Pawi) and Mara (Lakher). The Lusei are the dominant tribe and include several sub-clans such as Sailo, Hauhnar, Pachuau, Chhakchhuak, Rokhum, Rivung etc. Likewise, each of the Hmar, Paite, Ralte, Lai and Mara consists of different sub-clans. Some of these tribes living outside Mizoram prefer to call themselves Zomi, Chin, Kuki or just Zo. According to Census of India 2001, the linguistic division of languages in Mizoram stands as follows:

Table 3.7: Population by major languages in Mizoram

S.No.	Language	Total	Percent
1	Lushai/Mizo	6,50,605	73.21
2	Bengali	80,389	9.05
3	Mara/Lakher	34,731	3.91
4	Lai/Pawi	24,900	2.80
5	Tripuri	17,580	1.98
6	Paite	14,367	1.62
7	Hmar	14,240	1.60
8	Hindi	10,530	1.19

⁶⁸ Jangkhongam Doungel, "Genesis and Functioning of Zo Re-unification Organization (ZORO)," *SKWC Journal of Social Sciences*, Vol.VI, Issue 1, January/June, 2014, 49-55.

⁶⁹ *Ibid.*, 49.

9	Nepali	8958	1.00
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Source: 52nd Report of the Commissioner for Linguistic Minorities in India (July 2012 to June 2013)⁷⁰

3.6 Root Causes of the Mizo National Movement

The Mizo National Movement for independence finds its roots in the colonial administration which had been responsible in creating a sense of alienation of the Mizos from the mainstream Indians through segregationist measures. The Mizo chiefs prior to the British annexation exercised sovereign powers in their own lands. The Bengal Eastern Frontier Regulation of 1873 was a law that separated the tribals from the plains by creating an imaginary line called ‘Inner Line’. British subjects and Indians who wished to enter areas specified within the inner line were required to obtain Inner Line Permit from the authorities. The Scheduled Districts Act (Act XIV) of 1874 specified certain areas where normal administration could not be carried out as Scheduled Districts. The Lushai Hills too was a Scheduled District under this Act. The Chin Hills Regulation (Regulation V) of 1896 was also enforced in the Lushai Hills as a measure for the preservation of custom, culture and ethnic identity of the tribals as well as to avoid unproductive huge expenditure. The provisions in the Government of India Act of 1919 made Assam a Governor’s Province in 1921. The Act provided that the Governor General-in-Council may declare any territory in British India to be a “backward tract” where any Act of Indian Legislature shall not apply or shall apply to such exceptions or modifications as is thought fit. As per the notification issued by Section 52A(2) of the Government of India Act of 1919, the districts, declared as Backward Tracts by the Governor General-in-Council were:

- 1) Garo Hills District
- 2) Khasi and Jantia Hills District other than Shillong Municipality and Cantonment
- 3) Mikir Hills (in Nowgong and Sibsagar Districts)

⁷⁰ “52nd Report of the Commissioner for Linguistic Minorities in India,” Commissioner for Linguistic Minorities, Ministry of Minority Affairs, Government of India (July 2012 to June 2013), 19.

- 4) North Cachar Hills (in Cachar District)
- 5) Naga Hills District
- 6) Lushai Hills District
- 7) Sadiya Frontier Tract
- 8) Balipara Frontier Tract
- 9) Lakhimpur Frontier Tract.⁷¹

The terminology “Backward Tract” was replaced with “Excluded Areas” or “Partially Excluded Areas” by the Government of India Act of 1935. The Act also made mention about “Tribal areas” which were defined in Section 311(1) as “areas along the frontiers of India or in Baluchistan which are not a part of India or of Burma or of any Indian State or any foreign State”. The powers of the provincial legislature were not to extend in these areas. No Act of the legislatures could apply to these areas unless the Governor applied it and with such exceptions and modification if any, which he thought fit. The Governor was also empowered to make regulations for the “peace and good government” of these areas, subject to prior sanction of the Governor-General.⁷² Excluded Area means the backward-most tribal areas which were under the direct rule of the Governors and districts which were categorized as excluded area had no representation in the provincial legislature. Districts which were categorized as Partially Excluded Area were under provincial government and they had representatives in the provincial legislature. However, the law enacted by provincial legislature could not be enforced in the Partially Excluded Area without the approval of the Governor. Moreover, the Governor could also use his discretionary power without consulting the provincial government in the partially excluded area. In pursuance to the provisions of Section 91(1), the Government of India (Excluded and Partially Excluded Areas) Order, 1936 came to be promulgated by the Governor in Council:

Excluded Area

- 1) North East Frontier Tracts (Sadiya, Balipara and Lakhimpur)

⁷¹ B.L. Hansaria, Sixth Schedule to the Constitution of India: A Study, 1983, 5-6.

⁷² *Ibid.*, p.6.

- 2) Naga Hills District
- 3) Lushai Hills District
- 4) North Cachar Hills Sub-Division of Cachar District

Partially Excluded Area

- 1) Garo Hills District
- 2) Mikir Hills in Nowgong and Sibsagar District
- 3) Khasi and Jantia Hills District other than Shillong Municipality and Cantonment.⁷³

Before independence, while the future of the hill tribals was under consideration, R. Coupland proposed what came to be known as the Coupland Plan which had the support of R. Reid, Governor of Assam and L.L. Peters, Superintendent of Lushai Hills. The plan was to carve out the entire Northeast India and form an independent political unit separate from India and Burma. It was to be a crown colony under the direct control of the British Crown.⁷⁴

The immediate cause for the independence movement came in the late 1950s when the Lushai Hills was hit by a severe famine called *Mautam* by the Mizos. A unique phenomenon called *Mautam* occurs at an interval of every 50 years in Mizoram where the bamboos in Mizoram flower and provide good nutrients to rats and led to their rapid multiplication. But as the bamboos grow, rats cannot eat them anymore and turned to food crops causing famine in the following year. The British in India have recorded that Mautam famine occurred in 1861 and 1911. So it was predicted that Mautam would occur again in 1960. "The state government dismissed local forecasts as superstitious raving, and was unprepared to fight off the rodents or provide adequate relief for the massive food shortages that followed."⁷⁵ Upset with the response of the Assam Government, the Mizo National Famine Front (MNFF)

⁷³ *Ibid.*, p.7.

⁷⁴ S.N. Singh, *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative* (New Delhi: Mittal Publications, 1994), 196.

⁷⁵ Jason Overdorf, "Preparing for the rat race," *Rice Today*, Vol.6, No.3: 34-35 (July-September, 2007), 34.

was founded to counter the predicted Mautam famine under the leadership of Laldenga, a former Havildar Clerk in the Indian Army and Cashier in the Mizo District Council.⁷⁶ Nevertheless, the famine was estimated to have caused more than 10,000 deaths.⁷⁷

After the famine was over, some MNFF leaders with the support of other prominent citizens formed a political party called the Mizo National Front (MNF) on October 22, 1961. However, the MNF was not the transformation *in toto* of the MNFF as wrongly written by some writers.⁷⁸ Right from its foundation, the MNF displayed anti-Indian attitude as seen from its stated objectives of 1961 which are as follows:

1. Sovereignty of Mizoram with single administration for Mizos.
2. Protection of Christianity.
3. To advance and honor ethnic Mizo.

As a new political party, the MNF contested in the third election to the Members of Mizo District Council of 1962 but failed to secure a single seat with Laldenga himself heavily defeated by the incumbent Chief Executive Member of Mizo District Council, Ch. Saprawnga of Mizo Union by 1839 votes against 603 votes. The MNF, however, came strong in the bye-election of April 1963 with L.H. Lalmawia and J. Manliana winning the seats vacated by Ch. Saprawnga and Ch. Chhunga, both of whom were elected to the Assam Legislative Assembly in 1962.

Despite its entry into electoral politics, the MNF held on to its objectives of sovereign independent Mizoram and integration of Mizo-inhabited areas under a single administrative system. The MNF General Assembly of 1963 even declared that the struggle for independence so as to fulfill the objectives of the MNF should be a non-violent struggle. It also resolved to establish Volunteers to achieve the stated

⁷⁶ Isaac Zoliana, *Laldenga* (Aizawl: Isaac Zoliana, 2005), 33. See also R. Zamawia, *Zofate Zinkawngah (Zalenna Mei a Mit Tur a Ni Lo)* (Aizawl: R. Zamawia, 2007), 168.

⁷⁷ Jason Overdorf, *Op.Cit.*, 34.

⁷⁸ C. Hermana, *Zoram Politics Thli Tleh Dan [The Wave of Zoram Politics], Vol I* (Aizawl: Presscom Production, 1999), 74.

goals. The twenty years long Mizo National Movement of 1966-1986 was spearheaded by the MNF with the goal of attaining independence from the Indian Union.

While the primary cause of the Mizo National Movement is independence from the Indian Union, there are INUS Conditions that compelled the struggle for independence. As seen from the objectives of the MNF, the religious factor is another cause where non-believers or pagans are perceived as a threat which necessitated the “protection of Christianity”. Another is the feeling of alienation and marginalization felt under the Indian state especially during the Mautam Famine that took the lives of thousands of Mizos.⁷⁹

According to Zoramthanga, “The root cause for our 20 years independence movement was rejection of the Indian system, its constitutional practices and policies. We had no alternative but to sign a peace accord and that is the reason we enter into the Indian constitutional framework. It does not mean that we accept their current system, to a very great extent we do not, but we go with a lot of compromise.”⁸⁰

Ch. Saprawnga, the Mizo Union Leader, in his autobiography, reveals that the Mizo national movement and its volunteers were greatly inspired by Laldenga’s book, *Mizoram Marches Towards Freedom*.⁸¹ The main essence of this book lies in the belief that Mizos were sovereign before the British colonial rule, they were wrongly placed under the Union of India who treated them with a step-motherly attitude and that independence was their basic human right. Laldenga wrote that the Mizos are distinct in terms of language, culture and religion, and have nothing in common with the mainland Indians. He expressed that the Mizos are discriminated, poorly treated and forced to swallow Hindu ways. This form one of the basic

⁷⁹ *Ibid.*, 34.

⁸⁰ Zoramthanga, MNF President, *interview* by Researcher (Aizawl: 24 June, 2015)

⁸¹ Ch. Saprawnga, *Ka Zin Kawng* (Aizawl: Lalkungi, 1990), 226.

foundations of Mizo nationalism and the demand for freedom from Indian domination.⁸²

The Governor's reply on the question of independence was expressed in the Bawrhsap Notice No.7629-30G of 2.9.1947 that the Lushai country being an Excluded Area was already part of Assam and that leaving the Indian Union was out of the question; that the Lushais cannot join either Pakistan or Burma but must remain with the Indian Union; and that the question of opting out of the Indian Union after 10 years does not arise.⁸³

The stance of MNF as expressed in its Memorandum submitted to the Prime Minister of India on October 30, 1965 was that independence and freedom is the right of the Mizo people as expressed in the following ways:

1. The Mizos, from their ancient ancestors were a distinct nationality and were never Indians. Their ancestors were neither Aryan nor Dravidian, but Mongolian.
2. Each Mizo village, through a chief, exercised sovereign powers without the control of any external power.
3. Towards the end of the 19th Century, the British invaded them and annexed them from 1890. Due to the British rule, the Mizos were divided into Burma, East Pakistan (present Bangladesh) and different parts of India.
4. The British, during their rule, never considered the Mizos as Indians. The Government of India Act, 1935 put them under 'Excluded Area' along with the Nagas. They were not under the jurisdiction of the rules and laws made by the Assam Legislative Assembly but directly administered by the Governor-General in Council through the Assam Governor who governed it through the Superintendent of Lushai Hills.

⁸² Laldenga, *Mizoram Marches Towards Freedom*, 17-18.

⁸³ Ch. Saprawnga, *Op.Cit.*, 151.

5. During the drafting of the Constitution of India by the Constituent Assembly on behalf of the people of India and subsequent creation of different Sub-Committees, the representatives of the Mizos were not included. When the Advisory Sub-Committee headed by Gopinath Bordoloi visited Aizawl in April 1947, two leaders of the Mizo Union, Ch. Saprawnga and Khawtinkhuma were appointed as co-opted members. They pronounced this as not truly representative of the Mizo people. Thus, they considered the Indian Constitution as a 'Forced Constitution'.
6. Towards India's independence in 1947, different Mizo leaders held distinct aspirations regarding the political future of the Mizos such as independence, merging with India, merging with Burma or staying as a British Crown Colony for some more years.⁸⁴

The Mizo national movement for independence may also be seen as a demonstration effect of the Naga national movement. One of the members of the Peace Mission, Rev. Zairema's autobiography provides this basis. In his autobiography, *I Ni Min Pek Hi*, Rev. Zairema claimed that Laldenga sent two of his trusted delegates during the Synod Conference in December 1965 to convey Laldenga's wish to follow the Naga style of independent movement to attain higher political status for Mizoram. Laldenga wanted to start the Mizo national movement for independence so that the Government of India will concede statehood from Assam like that of Nagaland. He also claimed that Laldenga requested the church to form a Peace Committee like the Naga Peace Mission to act as mediator between the MNF and the Government of India.⁸⁵

3.7 The Disturbed Condition in Mizoram

As stated earlier, the Mizo National Movement for independence was intended to be non-violent. The initial years of the MNF, in fact, adopted non-violent

⁸⁴ Memorandum submitted to the Prime Minister of India by the Mizo National Front, General Headquarters, Aizawl, Mizoram on October 30, 1965.

⁸⁵ Zairema, *I Ni Min Pek Hi* (Aizawl: Zorun Community, 2009), 362-363.

methods through talks with and memorandums submitted to government heads both at the centre and the state levels. The MNF held several talks with the Assam Chief Minister, B. P. Chaliha. In 1964, G.L. Nanda, the then Union Home Minister, during his visit to Shillong was met by MNF leaders who expressed their desire for independence and their right to claim for it. During the Prime Minister, Lal Bahadur Shastri's visit to Assam in October, 1965, a memorandum signed by MNF President Laldenga and General Secretary S. Lianzuala was submitted requesting the Prime Minister to acknowledge the human right for sovereignty as demanded by the Mizo people. Besides these, the MNF leaders met and conveyed their demands to any prominent government officials that visited Mizoram some of whom includes Tarlok Singh, then Member of Planning Commission; Vishnu Sahay, Governor of Assam; Patashkar, Chairman of the Pataskar Commission.⁸⁶ It was the era of the Hill State Movement where the tribals of the Hill Districts in Northeast were demanding for a separate Hill State from Assam largely due to the chauvinistic politics of the Assamese to make Assamese the official language of the State. The Scottish Pattern of administration as well as the Nehru Plan that were proposed to the hill tribal leaders were also extended to the MNF leaders.⁸⁷

The MNF submitted a Memorandum to the Prime Minister on October 30, 1965 on the issue of freedom and independence of the Mizo people and their right of territorial unity and solidarity. It was signed by the President and General Secretary of the MNF, Laldenga and Lianzuala respectively. The Memorandum stated that the Mizos who enjoyed a sovereign status from time immemorial and were a separate nation from India were forcibly annexed to British India in December 1895. Citing on the press statements made by the then Prime Minister, Pandit Jawaharlal Nehru and the Government of India Act of 1935, it contended that both Nehru by defining the tribal areas along the frontier of India as “neither parts of India nor of Burma, nor of any Indian State, nor of any foreign power” and the British government by putting them under Excluded Area in terms of the Government Order of 1936, argued that

⁸⁶ Lalchamlia, “March 1, 1966,” in *Documentary of Mizoram War of Independence: 1966 to 1986* (Aizawl: MNF General Headquarters, 2017), 42-43.

⁸⁷ *Ibid.*, 42-43.

the British government left the Mizos free and independent with the right to determine their political future. The Memorandum further states that the decision to integrate with India with the right to opt out of the Indian Union subject to a minimum of ten years was only due to the political immaturity and ignorance of the Mizo representatives comprising representatives of the Mizo Union and all other political organizations as well as representatives of religious denominations and social organizations. It expressed that even after 15 years of close contact and association with India, the Mizo people could not feel Indian nor did they believe that their interests are shared by India. Thus, national consciousness had matured awakening nationalism and patriotism and that the only cry and aspiration is the creation of a free and sovereign Mizoram.⁸⁸

The armed movement for Mizo independence started on the night of February 28, 1966 with what was known as Operation Jericho being carried out as planned by the Mizo National Army (MNA), an armed wing of the MNF simultaneously in Aizawl, Lunglei, Serchhip, Kolasib, Champhai and other places to seize government settlements and expel the Indian forces from the Mizo District. The Declaration of Independence was signed by 61 MNF leaders on March 1, 1966. The concluding paragraph of the declaration reads:

“We... the representatives of the Mizo people, meeting on this day, the first of March, in the year of our Lord, nineteen sixty six appealing to the supreme judge of the world for the rectitude of our intention, so, in the name and by the authority of the good people of this country solemnly publish and declare, that Mizoram is, and of rights ought to be free and independent, that they are absolved from all allegiance to India and its Parliament and all political connections between them and to the Government of India is and ought to be dissolved and that as free and independent state, they have full power to levy war, conclude

⁸⁸ Memorandum Submitted to the Prime Minister of India by the Mizo National Front General Headquarters, Aizawl, Mizoram (October 30, 1965)

peace, contract alliances, establish commerce and to do all other Acts and Things which independent state may, of right, do. And for the support of this declaration, we mutually pledge to each other with a firm reliance on the protection of Divine Providence, our lives, our fortunes, and our sacred Honour. We appeal to all freedom loving nations and individuals to uphold Human Rights and Dignity and extend help to the Mizo people for realisation of our rightful and legitimate demand for self-determination. We appeal also to all independent countries to give recognition to the Independence of Mizoram.”⁸⁹

A parallel government called “Mizoram Sawrkar” or Provisional Government of Mizoram having three organs- executive, legislature and judiciary was established. The executive was composed of the President, the Vice President and six Secretaries who were assigned different portfolios: Laldenga as President, Lalnunmawia as Vice President, Sainghaka as Home Secretary, R. Zamawia as Defence Secretary, C. Lalkhawliana as Finance Secretary, Lalhmingthanga as Foreign Secretary, H. Thangkima as Supply & Transport Secretary and Ngurkunga as Information Secretary. The Legislature was bi-cameral with two houses of Parliament namely the Senate and the House of Representatives. The Chief Justice was to be the head of the judiciary and the National Refinement Court. John Manliana was the first Chief Justice⁹⁰

As counter-insurgency measure, the whole of Mizo District was declared a ‘Disturbed Area’ as per the Assam Disturbed Areas Act, 1955 while AFSPA was also enforced on March 2, 1966. In the south, Lunglei was successfully captured by the MNF on March 5, 1966. The activity of the MNF was declared “prejudicial to the security of the Mizo District in the State of Assam and the adjoining parts of the territory of India” in the Extraordinary Gazette Notification of the Government of India published on March 6, 1966. After necessary amendments, the central

⁸⁹ MNF Declaration of Independence (March 1, 1966)

⁹⁰ R. Zamawia, *Zofate Zinkawngah (Zalenna Mei a Mit Tur a Ni Lo)* (Aizawl: R. Zamawia, 2007), 245.

government ordered that Rule 32 of the Defence of India Rules 1962 would be applicable to the MNF which provides that, “Anyone who managed, promoted or attended meetings of this organization, publish any notice regarding such meetings and invited persons to support such organizations were liable to seven years’ imprisonment and a fine”. In retaliation to the activities of the MNF, the Indian Government also ordered the Indian Air Force (IAF) that launched a series of air strikes at Aizawl, Hnahlan, Tuipubari, Khawzawl, Sangau, Marpara, Pukpui and Tlabung on March 5 and 6, 1966.⁹¹ There has been a controversy on the nature of this aerial attack till today. While the Indian State and some sections of Mizos deny aerial bombardment, other sections of the Mizos such as the Mizo Zirlai Pawl (MZP) have been observing *Zoram Ni* (Day of Zoram) annually in condemnation of the sole bombardment by the Indian Government upon its own people. In the autobiography of Ch. Saprawnga, a Mizo Union leader, he mentions the three counter-insurgency measures adopted by the Indian State to suppress the Mizo National Movement: tormenting the people through the enforcement of (AFSPA); causing famine and grouping of villages through creation of Protected Progressive Villages (PPVs).⁹² Security forces also continuously execute combing operations and recovered large quantities of arms and ammunitions.⁹³ According to Zoramthanga, current MNF President, there were about 2000 to 3000 people who had lost their lives either in Mizoram, Bangladesh or Myanmar during the 20 long years of Mizo disturbance. He said that the MNF has called them “Mizo martyrs”.⁹⁴ Pu Vanlalawma defined Mizo martyrs as those “who laid down their precious lives due to the Mizo national movement.”⁹⁵ The Martyrs’ Cemetery (*Martarte Thlanmual* in Mizo) at Luangmual, Aizawl listed 1563 martyrs.

⁹¹ J.V. Hluna and Rini Tochwawng, *Mizo Uprising: Assam Assembly Debates on the Mizo Movement, 1966-1971* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2012), xviii-xix

⁹² Ch. Saprawnga, *Op.Cit.*, 216

⁹³ Political Department, Assam Secretariat, “Parliament Question regarding receiving of assistance by MNF from Pakistan,” (Home Confidential: 27 November, 1968)

⁹⁴ Zoramthanga, MNF President, *interview* by Researcher (Aizawl: 24 June, 2015)

⁹⁵ Vanlalawma, *interview* by the Researcher (Aizawl: June 11, 2015)

Nag (2012) identified four distinct phases of grouping of villages which were enforced in Mizoram during the disturbed period namely Protected and Progressive Villages (PPVs), New Grouping Centres (NGCs), Voluntary Grouping Centres (VGCs) and Extended Loop Areas (ELAs). It was preceded by the burning down of villages. Movement of people was also strictly prohibited.⁹⁶ C. Nunthara (1981) discusses the manner and impact of these The first scheme of regrouping of villages, the PPVs was started on January 4, 1967 and completed in February in the same year within a 10 mile belt astride Vairengte-Kolasib-Aizawl-Serchhip-Lunglei road. Under this scheme, a total of 106 villages were regrouped into 19 grouping centres affecting 57,873 people. The second scheme, NCGs took place during 1967-1969 along the borders of Tripura and Bangladesh. It covered villages along Lunglei-Lawngtlai road, Darngawn, Seling and Champhai. Accordingly, 184 villages were grouped into 39 centres affecting 97,339 people. The third grouping scheme, VGCs took place during 1968-1970. Unlike the previous two schemes, the VGCs were not limited to any geographical area but covered different villages in the district. Here, 110 villages were grouped into 26 centres and affected 47,156 people.⁹⁷ The new scheme was reported to have envisaged improvement in village economy with availability of jhum lands, adequate water and trained administrative and technical manpower. It was reported to the Home Ministry in New Delhi that “population in the regrouped villages feel secure and are happy to lead a better and more prosperous life”.⁹⁸ However, recent studies have lucidly accounted the horrors and sufferings experienced by the Mizo people due to the insurgency in general and the grouping of villages in particular. There were even instances of migration to the neighbouring countries in the wake of the disturbances. As much as 750 Mizos entered Burma and the repatriation process was done by the Burmese government as early as July 1966

⁹⁶ Sajal Nag, “A Gigantic Panopticon: Counter-Insurgency and Modes of Disciplining and Punishment in Northeast India,” *Mahanirban Calcutta Research Group*, accessed on www.mcrgr.ac.in

⁹⁷ C. Nunthara, “Grouping of Villages in Mizoram: Its Social and Economic Impact,” *Economic and Political Weekly*, Vol. 16, No. 30 (Jul. 25, 1981): 1237+1239-1240.

⁹⁸ Political Department, Assam Secretariat, “Parliament Question in Lok Sabha regarding Grouping of Villages in Mizo District” (Home Confidential: 24 February, 1969)

where repatriated Mizos were kept in Berhampur refugee camp.⁹⁹ After the third scheme of grouping, against Mizo Hills population of 2,85,000, there were as much as 102 group centres accommodating 2,40,000 persons which amounts to more than 80 percent while the remaining 45,000 people belonged to ungrouped areas in Aizawl, Lunglei and Pawi-Lakher Regional Council.¹⁰⁰ The fourth phase of grouping, ELAs took place during 1968-1970 where 17 villages were grouped affecting 34,219 people.¹⁰¹

Due to the counter-insurgency measures of the Indian state that followed Operation Jericho, the MNA were forced out of the Mizo Hills where they established themselves in the Chittagong Hill Tracts in erstwhile East Pakistan (Bangladesh). The MNA was also reorganized into eight battalions divided under two brigades known as the Lion's Brigade and the Dagger's Brigade with Major General Thangzuala put in charge of the overall command of the MNA. According to the MNA Long Roll, the Lion Brigade comprises of 'CH' Battalion, 'J' Battalion, 'L' Battalion and 'V' Battalion with 529, 21, 603 and 576 soldiers respectively. The Dagger Brigade, on the other, comprised of 'K' Battalion, 'S' Battalion, 'T' Battalion and 'Z' Battalion with 508, 473, 490 and 548 soldiers respectively. The Officer Long Roll also accounted 636 officers.¹⁰²

The MNF, who were labelled as 'Mizo hostiles' by the Indian Government was able to continue their activities with the help of foreign hand, having their base at East Pakistan (present Bangladesh) bordering Mizo District. The Pakistan Government also regularly helped the MNF with arms, ammunitions and other aids. There are also accounts that top ranking leaders in the MNF regularly visited China in 1968 and that over 300 MNF went to China for training. There are also reports that

⁹⁹ "250 Mizos Brought Back from Burma" in Political Department, Assam Secretariat, "Situation in Mizo District arising out of MNF activities," (Home Confidential: 13 July, 1966)

¹⁰⁰ J.V. Hluna and Rini Tochwawng, *Op.Cit.*, xix

¹⁰¹ C. Nunthara, *Op.Cit.*

¹⁰² "Mizo National Army Long Roll," *Documentary of Mizoram War of Independence: 1966 to 1986* (Aizawl: MNF general Headquarters, 2017), 1209-1316.

the MNF received four lakhs Rupees from China.¹⁰³ These indicate that the MNF was largely helped and sustained by foreign hands. While security measures were tightened up along the borders to stop infiltrations, the extremely difficult terrain made it impractical to seal the border hundred percent.¹⁰⁴ Also the heavy monsoons made movement in the District more difficult coupled by the flood conditions in Silchar which is the base for entry into the Mizo Hills.¹⁰⁵ Thus, the geographical and climatic conditions of the region provided advantage to the Mizo underground. In a secret letter dated July 14, 1969 in reply to the Lok Sabha question regarding the steps taken to tackle the problem of Mizo Hills, the Superintendent of Police concerned reported several measures taken such as deployment of adequate security forces throughout the District, grouping of villages with posting of security forces in each grouping centre, continuation of intensive apprehension, detention and prosecution of captured hostiles with deterrent punishment for criminal charges, imposition of curfew and other restrictions, and offering of Amnesty.¹⁰⁶

A general amnesty was offered with the concurrence of the Central Government to all underground Mizos who would surrender with arms before March 1, 1967. It was reported that a total of 67 volunteers surrendered but all without arms.¹⁰⁷ As on July 1969, it was reported that as much as 2081 Mizo hostiles surrendered of which four are Lt. Colonels, seven Majors, 33 Captains, 23 Lieutenants, 32 2nd Lieutenants, One Senator, 2 MPs, 5 ADCs, 8 Revenue Officers, one Commissioner of Police, one Director of CBI, and two Inspectors of Schools. All

¹⁰³ Letter to the Under Secretary to the Govt. of Assam, Political (B) Dept., Shillong from the Superintendent of Police, Spl. Branch (III), Shillong: 14 July, 1969 (Secret)

¹⁰⁴ Political Department, Assam Secretariat, "Parliament Question regarding receiving of assistance by MNF from Pakistan," (Home Confidential: 27 November, 1968)

¹⁰⁵ "Thunder in the Mizo Hills", *The Assam Tribune* in Political Department, Assam Secretariat, "Situation in Mizo District arising out of MNF activities," (Home Confidential: 13 July, 1966)

¹⁰⁶ Letter to the Under Secretary to the Govt. of Assam, Political (B) Dept., Shillong from the Superintendent of Police, Spl. Branch (III), Shillong: 14 July, 1969 "Lok Sabha question regarding the steps taken during the last three years to tackle the problem of Mizo Hills (Secret)

¹⁰⁷ Political Department, Assam Secretariat, "Lok Sabha Question No.352- Regarding grant of Amnesty to Mizo rebels," (Home Confidential: 27 March, 1967)

the surrendered MNF were released after execution of bonds. All surrenders, with or without arms were accepted after the declaration of amnesty. As for surrenders prior to amnesty, those that surrendered with arms or agreed to help security forces were released while others were detained or prosecuted under various sections of law.¹⁰⁸ SATP records that “1,464 unarmed and 64-armed terrorists surrendered under the scheme.”¹⁰⁹

Bhaumik accounted that the Mizo insurgency passed through three phases: firstly, the outbreak and peak intensity during 1966-1971; secondly, the decline in intensity, splits in the MNF and the Calcutta Accord between Laldenga and Home Secretary, S.L. Khurana on July 1, 1976; and lastly sporadic action and occasional negotiations after 1977 leading to the final settlement in 1986.¹¹⁰ The peak of the disturbed condition during 1966 to 1971 has been discussed here. From 1971, formal talks were initiated while the MNF’s guerilla tactics periodically reemerge. This will be dealt with in the next chapter, the *Path to Peace*.

3.8 Concluding Observation

Conflict analysis, through a retrospective study of both Assam and Mizoram enables one to understand:

The sources or reasons for conflict: In this chapter, while describing the genesis of both the Assam and the Mizo movements, the sources of these conflicts are identified. Nations all over the world, big or small, have their own struggles for national identity and self-determination and this was also true in the case of India which had undergone a national awakening in the late 17th Century under the British colonial rule. In regard to Assam and Mizoram, while the Assam Movement of 1979-1985 was sourced upon the problem of foreigners due to the discovery of large

¹⁰⁸ Letter to the Under Secretary to the Govt. of Assam, Political (B) Dept., Shillong from the Superintendent of Police, Spl. Branch (III) (Shillong: 14 July, 1969) “Parliament Question regarding Naga, Mizo & Kuki hostiles who have surrendered to Government,” (Secret)

¹⁰⁹ “Mizoram Backgrounder” *South Asian Terrorism Portal*; accessed on December 4, 2018, <https://www.satp.org/backgrounder/india-insurgencynortheast-mizoram>

¹¹⁰ Subir Bhaumik, *Troubled Periphery*, 104.

number of foreign nationals prior to the bye-election of Mangaldoi Constituency in 1979 who were perceived as a threat to Assamese culture, identity and employment. In this sense, the Assam Movement was based on both cultural and economic considerations. On the other, the twenty years long Mizo National Movement of 1966-1986 was a struggle for the establishment of sovereign greater Mizoram from the Indian Union, while some writers, as discussed earlier in this chapter, claim that the goal from the beginning was statehood. It was founded against the step motherly attitude of the Indian Government which became more manifest during the Mautam Famine of the late 1950s. It was economic in the initial stages, then it became cultural and even religious. Looking deeper into their historical bases, both the Assam Movement and the Mizo National Movement had their roots in the colonial wrong committed regarding the import of foreigners, the illogical demarcation of boundary and the manner in which the British colonizers left India. Xenophobia politics was infused in both movements where the indigenous people while claiming their right over land expressed their fear over assimilation or becoming a minority in their own land.

The nature or type of conflict: While both the Assam Movement of 1979-1985 and the Mizo National Movement of 1966-1986 are both intra-national conflicts in the sense that they operate within a sovereign nation, there are certain differences in which they become manifest. Conflict in Assam as seen from the Assam Movement first took the shape of a protest movement against the Indian Government for its inaction to solve the problem of foreigners in Assam by trying to conduct elections without revision of electoral rolls. It then turned into a communal riot or civil strife between the indigenous Assamese and their supporters against the foreigners who were identified as Muslims and also Hindus of Bengali descent from Bangladesh. On the other hand, the Mizo National Movement was an armed struggle for independence founded upon Mizo nationalism which considered the parent country as a step-mother. The Operation Jericho launched on February 28, 1966 was an insurgent warfare against the Indian state to oust Indian installations from the Mizo Hills and gradual establishment of greater sovereign Mizoram. After counter-insurgency operations of the Indian government, the MNF were compelled to

establish themselves in Chittagong Hill Tracts of Bangladesh (erstwhile East Pakistan) from where it continued to operate guerilla warfare.

The levels of conflict: With India taking pride of its non-violent national struggle for independence, the principles of non-violence laid the foundation for practically all social and political movements in post-independent India. The effectiveness of social movements is put forward by Moore and Gerstein (1981), "*When we observe a change in government policy, it is not because someone has decided on rational grounds that change is desirable, but because large cultural forces are at work.*"¹¹¹

Both the Assam Movement and the Mizo National Movement in their initial stages adopted non-violence. The MNF's memorandum to the Prime Minister declared that despite the Mizos being known as headhunters and a martial race, they "commit themselves to a policy of non-violence and have no intention of employing any other means to achieve their political demand."¹¹² The AASU's memorandum described the character of the Assam Movement as following the principles of "non-violence, democracy and secularism."¹¹³

However, both these movements became violent with the turn of events. On the basis of the levels of conflict categorized by Lund and Donohue and Kolt as discussed in the previous chapter, the conflicts arising out of both the Assam Movement and Mizo National Movement were intractable in character with either or both of the sides standing firm on its stance with little scope for compromised solutions. While the Assam Movement maybe categorized as a crisis leading to a series of genocides of which the Nellie Massacre of 1983 with a death toll of over a 3000 according to unofficial sources; the Mizo insurgency was nothing short of war. In the aftermath of Operation Jericho and its counter-insurgency operations of March

¹¹¹ Mark H. Moore and Dean R. Gerstein (eds.) *Alcohol and Public Policy: Beyond the Shadow of Prohibition* (Washington DC: National Academy press, 1981), 56

¹¹² Memorandum Submitted to the Prime Minister of India by the Mizo National Front General Headquarters, Aizawl, Mizoram (October 30, 1965)

¹¹³ Memorandum to the Prime Minister of India by the All Assam Students' Union (February 2, 1980)

1966 alone, 95 MNA cadres were killed while 558 were arrested and 35 were injured; on the Indian army side, 59 security personnel died while 23 were missing and 126 were injured.¹¹⁴ The torment and suffering faced by the Mizos are recorded by several authors ranging from rape to displacement.¹¹⁵

The stakeholders or actors involved in the conflict: Conflict analysis enables us to understand the stakeholders or actors involved in the conflict. It is obvious that the main stakeholder is the Government of India. In the previous chapter, the role of the union government in terms of defence, armed forces, preventive detention, war and peace as listed within the Union Lists under the Seventh Schedule as well as its emergency powers have been discussed. On the other, ethno-nationalism arises from the enlightened middle class or the intellectual class. Alarmed with the sudden increase of immigrant population in Assam before the 1979 bye-elections, it was students at Gauhati University that spearheaded the Assam Agitation. An ally of the AASU, the AAGSP was an umbrella outfit representing both political and civil society organizations. Their main stake was to detect, delete and deport foreigners from Assam. Minorities' organization, the AAMSU which comprises of both linguistic and religious minorities was to become AASU-AAGSP's adversary during the agitation. The opposition of the AASU against the settlement of not only Muslims but also Hindus from Bangladesh often clashed with Rashtriya Swayamsevak Sangh (RSS) who considered India as Hindustan or the natural home for the Hindus.¹¹⁶ The ULFA, a militant organization with the goal of attaining *Swadhin Asom* or independent Assam emerged during the Assam Movement of 1979-1985. Although close nexus between the ULFA and the movement leaders, as well as ULFA's involvement in the agitation are found in the initial stages, the ULFA distinguished itself from the popular anti-foreigners movement to a more radical struggle for independent Assam. On the other hand, the pioneers of the Mizo National Movement also belong to educated middle class who

¹¹⁴ Praveen Swami, "The seduction of maximum force," *The Hindu* (May 31, 2010), see also. "Mizoram Backgrounder" *South Asian Terrorism Portal*; accessed on December 4, 2018, <https://www.satp.org/backgrounder/india-insurgencynortheast-mizoram>

¹¹⁵ See C. Zama, "Untold Atrocity", see also, J.V. Hluna and Rini Tochwawng, *Op.Cit.*

¹¹⁶ Sangeeta Barooah Pisharoty, *Op.Cit.*, 19-20.

became frustrated with the apathetic attitude of the Assam Government fuelled by ethno-national consciousness. “The MNF political leadership included a fair number of college drop-outs and graduates, some having sacrificed government jobs to join up”.¹¹⁷ One may also argue that Laldenga had already established himself to the status of elite after having successfully tackled the Mautam Famine through the Mizo National Famine Front (MNFF) but the result of the elections to the Mizo District Council in 1962 tells otherwise.

The results or consequences of conflict: In both the case of Assam and Mizoram, the key stakeholders namely AASU and MNF respectively, after reaching an agreement with the Central Government entered into the mainstream of Indian politics where they both form the first government after their accords. Looking back into the Indian national movement for independence too, while there were other parties and organizations such as the Muslim League, the Communist Party, the Gadhar Party, the Swaraj Party and others, it was the Indian National Congress under the leadership of Mahatma Gandhi, that spearheaded the movement. Unsurprisingly when the country attained independence in 1947 and the first Lok Sabha elections were held in 1952, the Congress was able to muster absolute majority at the centre till elections of 1989, except for a brief period during 1977-1980 when the Janata-CFD Alliance replaced the Congress for the first time.¹¹⁸ The point here is that national movements have deifying effects on the movement leaders and their organizations. It is no wonder that Prafulla Mahanta came to be the youngest Chief Minister in the history of India and that Laldenga is hailed as ‘Father of the Mizo Nation’.

¹¹⁷ Subir Bhaumik, *Insurgent Crossfire*, 150.

¹¹⁸ Congress for Democracy (CFD) is a political party formed by Jagjivan Ram after he left the Congress in January 1977. see Ramachandra Guha, *India After Gandhi: The History of the World's Largest Democracy* (London: Picador, 2008), 522-523.

CHAPTER 4

THE PATHS TO PEACE: PEACEMAKING IN ASSAM AND MIZORAM

“You cannot shake hands with a clenched fist.”¹

- Indira Gandhi

For any agreement to take place, compromise and consensus between parties in conflict is imperative. As seen from the famous quote of Indira Gandhi cited above, when one or both of the parties in conflict hold firm on their stance and interests with no scope for opening up one’s hands to embrace others’ views and perspectives, an agreement such as peace accord is unattainable. The role of third-party mediators, as seen in the case of the Mizos, has been an exemplary intervention to persuade the parties in conflict to approach each other with open hands. An attempt is made in this chapter to emphasize the role of key stakeholders in the conflicts of Assam and Mizoram, their stances and objects, and their *modus operandi* in the peace processes.

4.1 Assam

The Assam Movement, as discussed in the previous chapter, started as early as the mid 1979 which went on throughout the year as a non-violent protest for the expulsion of foreigners from the State. The movement adopted different Gandhian methods such as mass sit-in strike, mass picketing, mass satyagraha, non-cooperation stir and Assam bandh. Dialogues at the official level started even before the Congress government of Indira Gandhi took office in January 1980. This includes K.M.L. Chhabra, officer on special duty, Union Ministry of Home Affairs, who was dealing with election matters, held a meeting on September 23, 1979 Purbanchaliya Lok Parishad (PLP), Assam Jatiyatbadi Dal (AJD), Assam Sahitya Sabha (ASS), Communist Party of India (CPI) and other political parties. The then Home Minister, Y.B. Chavan himself visited Assam to investigate the issue and had a meeting with

¹ Indira Gandhi, quoted in Editorial, “Shaking Hands with Clenched Fists,” *The Hindu* (November 19, 2009)

the AASU and the AAGSP in November 18, 1979.² However, towards the end of 1979 and the beginning of 1980, the movement faced severe violence where it witnessed its first martyr. In fact, renowned Assamese intellectuals such as Amalendu Guha (1979), Hiren Gohain (1980), Sanjib Baruah (1980) and others have debated on the nature of the Assam Movement from different perspectives as discussed in the first chapter.

When Indira Gandhi came back to power in January 1980 after the *Janata Experiment*, “The problem of presence of foreign nationals in Assam and the continued influx of foreigners into Assam from Bangladesh and Nepal” was brought into the notice of the Prime Minister of India by AASU in its letter dated January 18, 1980 citing the problems and the desired proposals for solution to the problem while inviting the Prime Minister, Indira Gandhi to discuss the problem in detail through personal visit to Assam.³ The salient features of the letter are highlighted in the previous chapter which included *inter alia*, the detection, deletion and deportation of foreigners. But on the same day, the movement saw another four martyrs in an indiscriminate police firing in Duliajan.⁴ The Prime Minister’s reply to the AASU came two days later where she expressed her appreciation to the Gandhian approach of non-violence and secularism adopted in the Assam Movement. From the letter it could be seen that the letter was brought to the Prime Minister by Dr. Shankar Dayal Sharma and Yashpal Kapoor who briefed her about the problem in Assam. She replied that some of the suggestions of AASU such as protection of India’s borders were executed urgently. While expressing that she would not be able to visit Assam due to the Parliament session and Republic Day celebrations, she instead invited the AASU to Delhi for discussion. She also assured the deep concern she has for the people of Assam and her keenness to find a speedy solution to the problem of Assam. In a supposed effort to end the protests in Assam, she expressed that as the

² Falguni Parikh, *Dynamics of Assam Agitation* (Ph.D. Thesis: Department of Political Science, Gujarat University, Ahmedabad, 1988), 174-175.

³ Letter to the Prime Minister of India by AASU on the subject, “The problem of presence of foreign nationals in Assam and the continued influx of foreigners into Assam from Bangladesh and Nepal” dated Guwahati, January 18, 1980. (Source: Assam State Archives)

⁴ Shree Hitesh Deka, *All Assam Students’ Union and its Impact on the Politics of Assam since 1979* (Phd. Thesis: Department of Political Science, Guwahati University, 2004), 457.

process of discussion and implementation of certain measures had started, activities like picketing and rallies had become redundant which resulted only in violence and loss of life.⁵ The Prime Minister during her speech at the Congress (I) Parliamentary Party meeting on the same day, also accused the Assam Agitation “of having a secessionist streak”.⁶ It was in the midst of such condition that the AASU’s maiden meeting with the Prime Minister took place in Delhi as soon as February 2, 1980. The eight member AASU delegates headed by its President, Prafulla Mahanta and General Secretary, Bhriгу Phukan met Indira Gandhi at the Prime Minister’s Office (PMO) where they had discussion on the issue of foreigners in Assam for 80 minutes long. The AASU delegates also observed a two minutes of silence to honour the martyrs of the agitation before the talks.⁷ Due to the previous accusation of the agitation as having a secessionist streak, Mahanta affirmed to the Prime Minister that their movement was not a separatist movement.⁸

The charter of demands presented by the AASU delegates before the Prime Minister includes:

1. Detection and deportation of foreigners from India;
2. Removal of the names of foreigners from the concerned electoral rolls before holding of any election in Assam;
3. Effecting adequate and strong election machinery for future prevention of inclusion of names of foreigners in the electoral rolls;
4. Effective protection of international borders to check infiltration;
5. Issue of identity cards with affixed photographs to Indian voters in Assam;
6. Provision for constitutional safeguards to the indigenous people of Northeast for the next 15-20 years for the protection of their identity;

⁵ Prime Minister’s letter to the President, All Assam Students’ Union (New Delhi: January 20, 1980)

⁶ Sangeeta Barooah Pisharoty, *Assam: The Accord, the Discord* (Gurgaon: Penguin Random House, 2019), 54-55

⁷ V. Krishna Ananth, *India Since Independence: Making Sense of Indian Politics*, (Delhi: Dorling Kindersley of Pearson, 2010), 267.

⁸ Sangeeta Barooah Pisharoty, *Op.Cit.*, 54-55

7. Empowering the Government of Assam to reject any doubtful certificate issued by the governments of West Bengal and Tripura;
8. Authority to grant citizenship certificate should be vested only in the Central Government and withdrawn from the state governments.⁹

The response of the Prime Minister was that “while the question of foreign nations would be looked into carefully, it was important to see that genuine Indian nationals were not harassed.”¹⁰ This was to result in a deadlock which will be discussed in the next section. It is evident that the Government at the Centre took keen attention to the Assam Movement on the problem of foreigners. Being the gateway of not only Northeast India but also Southeast Asia and one of the largest producers of tea, petroleum and natural gas, Assam assumes an integral place in Indian economy. The freeze in its economic activities due to the agitation and curfews had direct effect to the national treasury. The then Prime Minister, Indira Gandhi herself held as much as three rounds of talks with the AASU leaders in a span of some two months between February to April 1980 alone. Other government officials also had several meetings with the students group both in Delhi and Guwahati during this period. The AASU leaders were directly told by the Prime Minister that “the picketing of the state’s oil refineries was causing a huge loss to the exchequer.”¹¹

4.1.1 The Negotiations and the Deadlock

As seen from the discussions before, the Assam Movement began in 1979 while formal dialogue at the Prime Ministerial level started in 1980. The peace process last as much as five years and was marked by the tussle between the Central Government and the movement leaders. This section seeks to analyze the key points of negotiations between the key stakeholders and the reasons for deadlocks which prolonged the course of negotiations.

⁹ Memorandum to the Prime Minister of India submitted by All Assam Students’ Union (February 2, 1980)

¹⁰ “PM against harassing genuine citizens,” *The Indian Express* (February 3, 1980)

¹¹ Sangeeta Barooah Pisharoty, *Op.Cit.*, 46-49.

The AASU from the beginning demanded that the baseline year, or in other terms, the cut-off year for detection and deletion of the names of foreign nationals from electoral rolls should be on the basis of the National Register of Citizens (hereafter NRC) of 1951. They proposed that NRC should be compared with successive electoral rolls since 1952.¹² The NRC of 1951 was a register prepared after the Census of India, 1951 to record the list of *bona fide* Indian citizens in the state of Assam. While the Citizenship Act, 1955 in Section 14A provided for the maintenance of National Register for Indian Citizens and established a National Registration Authority for this purpose, Assam is the only Indian state to have such a register. Assam, due to its porous borders and proximity to Bangladesh, has unique problems of influx of immigrants particularly during the partition of India and later during the Bangladeshi war of independence. Thus, the NRC assumes a significant position in Assam's foreigner problem as it was the first official enumeration of Indian citizens in Assam after the Constitution of India came into force.

The Prime Minister, on the other hand, wanted March 24, 1971 because of two historical agreements: the Nehru-Liaquat Ali Pact of April 8, 1950 and her agreement with Sheikh Mujibur Rahman, a Treaty of Peace and Friendship of March 19, 1972. The former was a bilateral agreement signed by the Prime Ministers of India and Pakistan following the outbreak of communal riots in the two countries post-partition. The Pact provided *inter alia*, freedom of movement and protection in transit for migrants; setting up of agency for recovery of abducted women; punishment for forced conversions; rights of ownership of immovable property and recovery of looted property. The two Governments agreed that the rights of the immovable property of a migrant shall not be disturbed and the same shall be restored to him, even if it is occupied by another person in his absence, provided he returns to his original home by December 31, 1950. The pact facilitated the return of

¹² Memorandum to the Prime Minister of India submitted by All Assam Students' Union (February 2, 1980)

displaced persons and there was a net influx of 1,61,360 people into Assam by December 31, 1951.¹³

“The Governments of India and Pakistan solemnly agree that each shall ensure to the minorities throughout its territory complete equality of citizenship irrespective of religion, a full sense of security in respect of life, culture, property and personal honour, freedom of movement within each country and freedom of occupation speech, and worship subject to law and morality. Members of the minorities shall have equal opportunity with members of the majority community to participate in the public life of their country, to hold political or other office, and to serve in their country's civil and armed forces. Both Governments declare these rights to be fundamental and undertake to enforce them effectively. The Prime Minister of India has drawn attention to the fact that these rights are guaranteed to all minorities in India by its Constitution. The Prime Minister of Pakistan has pointed out that similar provision exists in the Objective Resolution adopted by the Constituent Assembly of Pakistan. It is the policy of both Governments that the enjoyment of these democratic rights shall be assured to all their nationals without distinction.”¹⁴

The Indira-Mujibur Pact of 1972, was a “Treaty of Friendship, Cooperation and Peace between the Republic of India and the People's Republic of Bangladesh signed in Dacca on March 19, 1972, by the Prime Ministers of India and Bangladesh”. According to the Pact, “Anyone from East Pakistan or Bangladesh who entered India before the midnight of March 24, 1971 would not be considered a Bangladeshi or a foreigner”.¹⁵ During the talks between the two Prime Ministers in

¹³ *White Paper on Foreigners' Issue*, Home & Political Department, Government of Assam (October 20, 2012), 6-7.

¹⁴ Agreement between the Governments of India and Pakistan regarding security and rights of minorities (Nehru-Liaquat Agreement), New Delhi, April 8, 1950. Source: Ministry of External Affairs, Government of India, <https://mea.gov.in/Portal/LegalTreatiesDoc/PA50B1228.pdf>

¹⁵ Sangeeta Barooah Pisharoty, *Op.Cit.*, 47-48.

February 1972, the Prime Minister Mujibur had assured the return of all Bangladeshi nationals who had taken refuge in India since March 25, 1971 as a consequence of the Bangladesh Liberation War. Accordingly, a circular was issued by the Government of India on September 30, 1972 according to which those Bangladesh nationals who had come to India before 25 March 1971 were accepted by India and those who entered India in or after the said date were to be repatriated back to Bangladesh.¹⁶

According to Prime Minister Gandhi, these agreements with Bangladesh namely the Nehru-Liaquat Pact of 1950 and the Indira-Mujibur Pact of 1972 should be respected and thus proposed March 24, 1971 as the baseline for determination of foreigners. The agitation leaders, though young and inexperienced, were firm on their stance and interpreted that the NRC covered the people coming under the Nehru-Liaquat Pact and argued that determination of foreigners on the basis of NRC did not violate the said Pact. They also indicated that they are not willing to bear the foreigners burden of post-1952 period.¹⁷ The meeting thus ended without any positive results regarding the solution of the problem of foreigners in Assam.

The maiden meeting of the AASU with the Prime Minister was followed by the Union Home Minister, Zail Singh's visit to Assam on February 14, 1980. The AASU in their letter to the Home Minister on February 22, 1980 wrote, "We firmly believe that basis of any revision must again be NRC of 1951. This is the only authentic document of Indian citizens. We suggest that electoral roll of 1952 would be useful in revising the existing unconstitutional electoral rolls. Voting right must be a privilege of only Indian. Decision to fix any other basis for revision of the electoral rolls would be unconstitutional... If 1971 is taken as base year, the problem remains substantially unsolved and a significant number of foreigners would remain undetected forever."¹⁸ As seen from the AASU's press conference in February 25, 1980, the meeting with the Union Home Minister not only turned futile but it also

¹⁶ Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court (July 12, 2005), Paragraph 7.

¹⁷ Falguni Parikh, *Op.Cit.*, 177.

¹⁸ *Ibid.*, 177

amplified the tension between the two sides. This was because the AASU claimed that the Union Home Minister had earlier suggested the NRC of 1951 and the voters' list of 1952 as deadlines for determination of foreigners but had changed his stance to 1971.¹⁹ AASU-AAGSP then visited New Delhi on 6-9 in the following month but the talks broke down over the deadline deadlock on March 12, 1980.

Soon after the collapse of negotiations, a new cutoff year was proposed to the agitation leaders, the rejection of which was called a 'mistake' of the AASU. The Home Ministry officials, M.L. Kampani and K.M.L. Chhabra in an informal meeting with the AASU-AAGSP leaders on March 25, 1980 offered 1967 as the base year for detection and deletion, and 1971 as the cutoff year for deportation. The AASU leader, Prafulla Mahanta replied the officials that if the proposal had been kept in AASU's executive, then 1961, not 1967 could be agreeable. The argument for AASU's rejection of 1967 as the cutoff year was that there was a massive influx of foreigners from Bangladesh during 1964-1965. As talks went further, the negotiation again collapsed on April 3, 1980.²⁰

To resume talks and find solution to the problem, the Prime Minister herself visited Assam on April 12 which is the Assamese New Year's Day. In this meeting too, both parties stood firm on their respective positions and thus could not shake hands with their clenched fists. The meeting lasted only for 20 minutes and during that meeting, the Prime Minister accused the agitators for disrupting normal life and development programmes such as malaria eradication.²¹ Following the deadlock, Indira Gandhi addressed to the people of Assam over radio as quoted below:

"Today, your normal tranquility is somewhat ruffled. I have seen your deep feelings and I understand your wish to preserve your local identity. Solutions to the problems that are agitating your minds must be found and will be found. They should be arrived at in goodwill and in a spirit of give and take... You have apprehensions and I am

¹⁹ Shree Hitesh Deka, *Op.Cit.*, 128.

²⁰ Falguni Parikh, *Op.Cit.*, 179-181.

²¹ T. Raatan, *Encyclopedia of North-East India (in 3 volumes) (Vol.1: Assam, Meghalaya)* (Delhi: Kalpaz Publications, 2008), 116.

anxious that these should be allayed speedily. We are determined to deal with infiltrators. But any action we take must be in accordance with the due process of law, humanitarian considerations, and legal and constitutional obligations.

It is my duty to mention that a large number of people in the State have told me that they feel insecure because some looked upon them as foreigners.

The agitation today is like a quarrel within a family. It has to be composed. You can be sure of my own sympathy. The government which I happen to head will always be responsible to any grievance that is genuine.”²²

Indira Gandhi took a mild approach on the issue of foreigners in Assam and claimed that some of the figures are exaggerated and that a human approach not a historical one needs to be considered as India has a certain international obligation.²³ The international obligation here basically refers to India’s agreements with Pakistan and Bangladesh as mentioned earlier.

Assam was also divided internally on the issue of the base year for determination of foreigners. The former Chief Minister of Assam, Sarat Chandra Singha asserted, “Those who supported 1971 were treated as traitors and consequently faced social boycott and personal attack. Those who supported 1951 were so called nationalist patriots.”²⁴ The memorandum of the All Assam Minority Students’ Union (hereafter AAMSU), a group representing both the linguistic and religious minorities, submitted in June 25, 1980 consist a 13-point charter of demands which included protection and security of the minorities in Assam and acceptance of 1971 as the base year detection and deportation of foreigners. The AASU and the AAGSP spearheading the Assam Movement opposed the move of the

²² Sanjayya, *Assam: A Crisis of identity* (Spectrum Publications, 1980), 53

²³ T. Raatan, *Op.Cit.*, 116.

²⁴ Dipak Kumar Sarma, *Factional Politics in Assam: A Study on the Asom Gana Parishad, Thesis* (Ph.D. Thesis, Department of Humanities and Social Science, Indian Institute of Technology, Guwahati, 2017), 78.

AAMSU and there were clashes between the members/supporters of the AASU-AAGSP and the AAMSU.²⁵

As negotiation after negotiation between the key stakeholders turned unproductive, a third-party intervention to find out an acceptable solution to end the agitation was made by Dorendra Singh, Chief Minister of Manipur. After meeting the agitation leaders at Guwahati on July 23, he initiated preliminary talks at Imphal. It was followed by what was called the Shillong Talks in August, 1980. During this time, the Government promised to lift repressive measures and the agitation leaders too withdrew their economic blockade on forest products of timber, bamboo and plywood while oil blockade was continued.²⁶ The movement leaders represented by AASU and AAGSP and the Union Minister of State for Home Affairs, Y. Makwana met on August 19, 1980. The talks ended without any fruitful results as the agitation leaders could only express their dissatisfaction over the failure of the government to remove repressive measures prior to the talks.²⁷ The demands placed by the agitation leaders *inter alia* include: withdrawal of all repressive measures, withdrawal of all paycut orders, cancellation of transfer orders as penalty to government servants, reinstatement of all government employees and cancellation of all cases under CRPC and IPC.²⁸ While the Central Government clenched its fist on repressive measures, the AASU too was firm on the base year and the oil blockade. Thus, in the case of Assam, an impartial third-party mediator proved ineffectual leaving the negotiations solely in the hands of the key stakeholders.

The State Government initiated another round of talks between the AASU-AAGSP leaders and the Union Home Minister, Giani Zail Singh on September 17, 1980. The meeting, though it resulted in considerable compromises ended with another deadlock as will come clear. The Home Minister put forward a formula for consideration of the Constitution of India, the Citizenship Act of 1955, international

²⁵ Office of the Special Inspector General of Police: S.B. Assam, U/O No.SB.IV/403/80/100 dated Gauhati, the 25th June, 1980 (Secret/Immediate)

²⁶ Falguni Parikh, *Op.Cit.*, 182.

²⁷ "What Next?" *The Assam Express* (August 23, 1980)

²⁸ Falguni Parikh, *Op.Cit.*, 183.

agreements such as the Nehru-Liaquat Pact of 1950, Indira-Mujibur Treaty of 1972, national obligations, international commitments as well as humanitarian issues for determination of the base year for detection, deletion and deportation of foreigners from Assam. This indicated the Central Government's stance on 1971. The AASU-AAGSP demanded that the base year should be on the basis of the Foreigners Act of 1946, the Citizenship Act of 1955, the NRC of 1951 and the voters' list of 1952 and the Constitution of India. There was a general agreement for not deporting 1951-1960 foreigners while 1961-1970 entrants were to be decided and the post-1971 were to be deported. . They added that if deportation of foreigners was not possible, it should not be Assam's burden alone but be distributed all over the country. Registration of births and deaths should also be strictly maintained. Lastly, Assam-Bangladesh border should be sealed to prevent future immigration.²⁹ The dialogue was resumed in October 11, 1980 and this time, the Home Minister also met separately the Plains Tribal Council of Assam (PTCA) and the AAMSU. The deadlock was over the 1961-1970 entrants as the Government of India wanted to grant them citizenship while the AASU-AAGSP leaders wanted their deportation from Assam and distribution to other states.³⁰ AAMSU as stated earlier were in support of the Central Government's proposal of 1971 as the cut-off year. AAMSU leaders, A.H. Nagori and Ashgar Ali Mohammad even threatened Indira Gandhi that they would launch a counter-agitation if the government accepted 1961 as the cut-off year.³¹

4.1.2 The Opposition Parties vis-à-vis the Negotiations

With the Congress in power both at the centre and the state, political parties in the State pressed hard for the solution of the Assam problem. The earliest effort that the researcher could retrieve in regard is the discussion on the foreigners issue by political parties like CPI-M, CPI, RCPI, PDF, Lok Dal, Plain Tribals Council of Assam (PTCA), Socialist Unity Centre of India (SUCI), Congress (U), Congress (I) and Assam Janata with the Union Home Minister on February 24, 1980 and with the

²⁹ *Ibid.*, 184-185.

³⁰ *Ibid.*, 186.

³¹ Sangeeta Barooah Pisharoty, *Op.Cit.*, 77.

Prime Minister on April 12, 1980.³² A National Convention on Assam was held in New Delhi on January 4, 1981 to which all political parties were invited. All invited political parties except the Congress (I) participated in the convention. The role of the opposition parties was acknowledged by the AASU and its advisor Lalit Rajkhowa expressed that AASU was open for tripartite talks between the Central Government, the AASU-AAGSP and the opposition parties.³³ Following this, BJP leader, A.B. Vajpayee, on January 11, 1981 announced in Jaipur a seven-point plan as follows:

- 1) Detection of foreigners should be on the basis of the Constitution, existing laws and the NRC. Appeals from the decision to be with the judicial tribunals.
- 2) All entrants up to 1961 should be regularized.
- 3) Foreigners who entered between 1961-1971 should be disfranchised and their burden should be shared by Assam and other states.
- 4) Elections to Lok Sabha and State Legislative Assembly to be on the basis of revised electoral rolls.
- 5) Post-1971 foreigners should be deported.
- 6) Infiltration should be completely checked.
- 7) All repressive measures and press censorship should be withdrawn. Detention of persons in connection with the movement to be released and pending orders to be cancelled.³⁴

The seven-point plan of the BJP indicates that the party was in support of the NRC, 1951 for determination of foreigners then. This was in consonance with the stance of the agitation leaders. The fate of the 1961-1971 foreigners, however, continued to be the point of disagreement. The opposition parties continued to press the Central Government for a meeting with the agitation leaders. Opposition leader, Morarji Desai even met Union Home Minister Giani Zail Singh who was under

³² Letter to B.K. Gohain, A.C.S., Special Officer to the Govt. of Assam, Political (A) Department, Dispur, by Memo No. SB.II (A)/LSQ-7-80/3, Gauhati: June 4, 1980.

³³ *Ibid.*, 75.

³⁴ Falguni Parikh, *Op.Cit.*, 186-187.

treatment at the All India Institute of Medical Science (AIIMS) on February 10, 1981. The meeting was also attended by M.L. Kampani of the Home Ministry and MP Subramanian Swamy. Vajpayee also met the Home Minister on February 13, 1981 and encouraged the resumption of talks with the AASU.³⁵ It can also be found that repressive measures were employed by the Government over the agitators and the press.

4.1.3 The Controversial IMDT Act of 1983

One of the greatest blunders committed by the Central Government of the time was the imposition of elections for both the State Legislative Assembly and the by-elections (12 seats) to the Lok Sabha simultaneously on February 14, 17 and 20, 1983. Earlier in November 12, 1982, the State Governor, Prakash Mehrotra assured that peaceful elections could be conducted in Assam after being summoned by the Prime Minister to New Delhi. Provoked by this move, the AASU-AAGSP leaders in turn reinforced the agitation and were determined to boycott the coming election. A tripartite talks was held in New Delhi on January 4 and 5, 1983 but was inconclusive. The next day, the agitation leaders were arrested on arriving Borjhar airport in Guwahati.³⁶ The main motive of conducting the elections amidst the agitation was the Congress government's hope to install a Congress government in Assam that "could negotiate with the centre on behalf of the Assamese."³⁷ The 'forced' election in Assam while the agitation was at its peak was responsible for the horrendous Nellie Massacre of 1983 as earlier deliberated in the previous chapter.

In the aftermath of the Nellie Massacre of February 1983, the Parliament passed the Illegal Migrants (Determination by Tribunals) Act (IMDT) vide Act No.39 of 1983 on December 25, 1983 which provided provisions for the establishment of Tribunals for the determination of illegal migrants and to enable the Central Government to expel such migrants. The said Act was applicable only in the state of Assam whereas detection of foreigners is done under the Foreigners Act,

³⁵ Sangeeta Barooah Pisharoty, *Op.Cit.*, 76.

³⁶ *Ibid.*, 87.

³⁷ Myron Weiner, "The Political Demography of Assam's Anti-Immigrant Movement," *Population and Development Review*, Vol.9, No.2: 279-292 (Jun, 1983), 281.

1946 for other Indian states. Though the IMDT Act described the procedures to detect illegal immigrants (from Bangladesh) and expel them from Assam, the Act was believed to be in favour of the foreigners as it provided special protection against undue harassment and victimization in the name of the “minorities” that were affected by the Assam Agitation. The Act also complicated the process of detection and deportation of illegal immigrants from Assam as will be discussed in the subsequent chapters. Thus, the IMDT Act, 1983 was seen as an act to protect foreigners who continued to migrate illegally to Assam even after 1971. Moreover, Assam’s Brahmaputra Valley was not represented in the Lok Sabha when the Act was passed since elections could not be held in 1980.

4.1.4 Resumption of Talks and Signing of Accord

After the assassination of Prime Minister Indira Gandhi on October 31, 1984, following *Operation Bluestar* of June 1984 to counter the Sikh movement for a separate state called ‘Khalistan’, the Congress (I) chose the late prime minister’s son, Rajiv Gandhi to be the Prime Minister. The General Election to the Lok Sabha was due on January 1985 but was postponed at the end of December 1984 where the Congress (I) won with an overwhelming majority by securing 401 out of the 508 seats. So when Rajiv Gandhi was sworn in as the Prime Minister in January, 1985, he invited R.D. Pradhan, an Indian Administrative Service officer, who was serving as Chief Secretary in the Government of Maharashtra, to New Delhi to work with him. He chose the post of Union Home Secretary and stated that he was not willing to leave Mumbai otherwise. With his appointment, he relinquished the post of Chief Secretary on January 14, 1985.³⁸ The newly appointed Home Secretary was to be the man behind the three important peace accords of the time: the Punjab Accord in July 24, 1985 also known as the Rajiv-Longowal Accord, the Assam Accord in August 15, 1985 and the Mizo Accord in June 30, 1986.

R.D. Pradhan in his autobiography, *My Years with Rajiv and Sonia* accounted that 16 rounds of talks had taken place before Rajiv Gandhi was sworn in

³⁸ R.D. Pradhan, *My Years with Rajiv and Sonia* (New Delhi: Hay House India, 2014), 23-25.

as Prime Minister in January 1985. After Indira Gandhi's death, he wrote, the negotiations with AASU were left to him alone while Rajiv Gandhi restrained himself and other ministers from it. He added that Bhishma Narain Singh, the Governor of Assam and Hiteswar Saikia, the Chief Minister of Assam tried their best to find out the details of negotiations and whether an agreement had been reached. He also claimed to have shared information only with the Prime Minister and S.B. Chavan, the Home Minister.³⁹ Then Assam Chief Minister, camped in New Delhi to keep a close watch of the negotiations as the signing of the Accord would mean the fall of his Congress ministry.⁴⁰ The Governor also claimed to have influenced the AASU in accepting the draft formulations while monitoring and advising them. However, Pradhan maintained that the negotiations took place in absolute secrecy with no written official records as he and Mahanta had an agreement that there would be no draft prepared until they had orally agreed on certain principles. "Our discussions were all verbal till the final day and, except jotting down notes on my memopad, there was no record. Such a precaution was necessary because, in highly sensitive negotiations, secrecy was essential to reach a mutually satisfactory agreement".⁴¹

Finally, the AASU-AAGSP and the Centre was able to reach an agreement the night before Independence Day in New Delhi. The Memorandum of Understanding was signed on August 15, 1985 by P.K. Mahanta, President of AASU, B.K. Phukan, General Secretary of AASU and Biraj Sarma, Convenor, AAGSP on behalf of the agitation leaders, R.D. Pradhan, Home Secretary on behalf of the Government of India and Smt. P.P. Trivedi, Chief Secretary on behalf of the Government of Assam. Prime Minister Rajiv Gandhi announced the signing of the Assam Accord in his Independence Day speech the next day from Red Fort.

4.1.5 The Agreement

The heart and soul of the Assam Accord, 1985 lies in Clause 5 and Clause 6 where the former addressed the issue of detection, deletion and deportation of

³⁹ R.D. Pradhan, *Op.Cit.*, 65.

⁴⁰ Sangeeta Barooah Pisharoty, 7.

⁴¹ R.D. Pradhan, *Op.Cit.*, 66.

foreigners from Assam which was the cause for the prolonged deadlock between the two sides while the latter provided for constitutional safeguards to Assamese. It was agreed that January 1, 1966 shall be the base date and year for detection and deletion of foreigners. Entrants before the cut-off including those that were enrolled in the electoral rolls of 1967 were to be regularized. Entrants after the base year and date upto March 24, 1971 were to be detected as per the Foreigners Act, 1946 and the Foreigners (Tribunals) Order, 1939 and their names were to be deleted from the electoral rolls for a period of ten years. After the expiry of ten years, their names were to be restored in the electoral rolls. Entrants after March 24, 1971 were to be detected, deleted and deported in accordance with law. It was also agreed that constitutional, legal and administrative safeguards were to be provided to the Assamese people for the protection, preservation and promotion of their culture, society, linguistic identity and heritage. Issue of citizenship certificates (ICC) was to be the sole authority of the Central Government. To prevent future infiltration, the international border was to be made secure through erection of border fences, intensification of patrolling by security forces and setting up of adequate number of check posts. Birth and death registers were also to be duly maintained. Moreover, ex-gratia payments were to be given to the next of kin (NOK) of martyrs during the agitation and detention and criminal cases associated with the agitation were to be reviewed. Sympathetic consideration was also to be given for relaxation of upper age limit for employment in government services in Assam due to the years lost in the midst of the agitation. It was also agreed that the grievances associated with the controversial IMDT Act, 1983 would be given due consideration. With the signing of the historic accord, the Asom Gana Parishad formed the government with Prafulla Kumar Mahanta as its Chief Minister. In fact, the AGP was a political reincarnation of the AASU-AAGSP alliance that spearheaded the Assam Movement.

4.2 Mizoram

Several literatures have accounted the sufferings meted out during the disturbed condition in Mizoram. Counter-insurgency measures by the Indian state such as *Protective Progressive Villages (PPVs)*, the implementation of AFSPA and violence itself compelled the urgency for peace not only to the common people who

were the worst sufferers but also on the part of the MNF. The military supremacy of the Indian army and its intervention in the Bangladeshi War of Liberation furthered this demand for peace as this gave convenient access to the MNF refuge in Bangladesh. This section analyzes the quest for peace by the main stakeholders in Mizoram: the MNF itself, political parties, and civil society organizations such as the church and students' organizations.

4.2.1 Civil Society Interventions in the Peace Process

Mizoram has often been regarded as a model of conflict resolution, not only in India but also in the international level due to the sustenance of peace in the state following the signing of the Mizo Accord of 1985 which ended the Mizo struggle for independence spearheaded by the MNF. The Address made by the Hon'ble President of India, Shri Ram Nath Kovind at a Special Session of Mizoram State Legislative Assembly on November 30, 2017 hailed the Accord of 1986 as a 'shining example all over the world' and praised the political stakeholders and civil society organisations of Mizoram for creating an atmosphere for peace and development in the State.⁴² Previously, the Governor of Mizoram, Lt. Gen. Nirbhay Sharma, during the visit of the US Ambassador to India, Richard R. Verma to Mizoram in January 2017, referred to the Mizo Peace Accord as the most successful experience of conflict resolution by the Government of India. He asserted that the success of the Mizo Accord lies in the solidarity of the Mizo people and praised the social administrative system and the role of the churches and voluntary organizations in the State.⁴³ Satapathy (2004) hailed Mizoram as a role model for conflict resolution not just in India's troubled Northeast but also for other parts of the world. He examined the role of insider-partial mediators in Mizoram in mediating and negotiating peace. These insider-partial mediators are identified as leaders of social organizations such as the church, students and cultural organizations. He maintained that against the *outsider-neutral* model, the *internal-partial* mediator possesses internality and

⁴² Address by the Hon'ble President of India Shri Ram Nath Kovind at a Special Session of Mizoram Legislative Assembly (Aizawl: November 30, 2017); *Press Information Bureau, Government of India*; available at: <https://pib.gov.in/newsite/mbErel.aspx?relid=173975>

⁴³ "US Ambassador-in Larsap leh CM kawm," [US Ambassador meets Governor and CM] *Vanglaini* (14 Jan, 2017)

partiality and has trusted relationship with the conflict party.⁴⁴ Patnaik (2008) too hailed the Mizo Accord as a model of peace and stressed that the civil society in Mizoram has been responsible for sustaining peace in the post-accord phase.⁴⁵ Rajagopalan (2008) also emphasized that peace in Mizoram has been sustainable because the general public in Mizoram supports an end to conflict and that there is a close working relationship between the State Government and the Mizo civil society.⁴⁶ Goswami (2009) concluded the reasons for sustainable peace in Mizoram as: meeting the core demands of the Mizo National Front (MNF), compromise through granting of statehood, political will at the federal level, role of local pressure groups, civil society and indigenous mediators, strong and inclusive pan-Mizo identity formation.⁴⁷ This section analyzes the role of civil society organizations in Mizoram particularly the council of churches and students organizations.

a) The Role of the Church

It would be necessary to first explain what the term ‘church’ connotes in this study. Though the term may refer to a particular place of Christian worship which in Mizo language is called ‘*biak in*’, the term ‘*kohhran*’ is used to define church in this study. ‘*Kohhran*’ refers to any Christian group or any follower of Jesus Christ. There are different denominations representing *kohhran* in Mizoram such as the Baptist Church of Mizoram, the Mizoram Presbyterian Church Synod, the Salvation Army, the United Pentecostal Church, the Roman Catholic, the Seventh Day Adventist and others. During the armed national movement (1966-1986), though the Baptist Church of Mizoram (BCM) and the Presbyterian Church of Mizoram Synod were harbingers of peace in the initial stages, coordination of different churches for peace in Mizoram

⁴⁴ Satapathy, R.K. “Mediating Peace: The Role of Insider-Partials in Conflict Resolution in Mizoram,” *Faultlines*, Volume 15 (February, 2004)

⁴⁵ Jagadish K. Patnaik, “Mizoram: A Model of Peace” in Pushpita Das and Namrata Goswami (eds.), *India’s North East: New Vistas for Peace* (New Delhi: Institute for Defence Studies and Analyses, 2008), 137.

⁴⁶ Swarna Rajagopalan, *Peace Accords in Northeast India: Journey over Milestones* (Washington D.C.: East-West Center, 2008), 49.

⁴⁷ Namrata Goswami, “The Indian Experience of Conflict Resolution in Mizoram”, *Strategic Analysis*, Vol.33, No.4, July 2009: 579-589

was found since the early 1970s. This study, therefore, uses the term ‘church’ to refer to any organized Christian group irrespective of denomination.

As mentioned earlier, Satapathy (2007) in his study of the peace processes in Mizoram studied the role of the church as an insider-partial mediator through what he calls an *insider-partial model* for negotiating peace. Unlike the outsider-neutral mediator who is characterized by unbiasedness and externality, the insider-partial mediator emerges from within the conflict environment. Authority to mediate is vested through a personal relationship with the conflict parties and through respectability.⁴⁸

i) The Church as a Peacemaker

After the outbreak of the Mizo war for independence on February 28, 1966, known as Operation Jericho, it was the churches in Mizoram that immediately took the role of third-party mediator. The operation was carried out by the Mizo National Army (MNA), an armed wing of the MNF, simultaneously in Aizawl, Lunglei, Serchhip, Kolasib, Champhai and other places to seize government settlements and expel Indian forces from the Mizo District. The Declaration of Independence was signed by 61 MNF leaders on March 1, 1966 and a parallel government called “Mizoram Sawrkar” or Provisional Government of Mizoram, was established with three organs—executive, legislature and judiciary. However, as counter-insurgency measures were imposed upon the district, the MNF started to retreat in the jungles. The whole of Mizo District was declared a ‘Disturbed Area’ as per the Assam Disturbed Areas Act, 1955, and the Armed Forces Special Powers Act, or AFSPA, was enforced on March 2, 1966. Besides sending army reinforcements, the Indian government also ordered the Indian Air Force to launch a series of air strikes at

⁴⁸ R.K. Satapathy, “Constructing a Model for the Peace Process in Mizoram,” in Anuradha Dutta and Ratna Bhuyan (ed.), *Genesis of Conflict and Peace: Understanding Northeast India, Views and Reviews, Vol.II* (New Delhi: Akansha Publishing House, 2007), 447-448.

Aizawl, Hnahlan, Tuipuibari, Khawzawl, Sangau, Marpara, Pukpui and Tlabung on the March 5-6, 1966.⁴⁹

Due to all the violence that broke out, the people lived in fear and danger. It was in such a condition that the church avowed itself for the protection of the people and for the return of peace in Mizoram. In the words of Reverend Dr. C.L. Hminga, a senior Baptist pastor and member of Christian Peace Committee, “When armed national movement broke out in Mizo Hills District, political parties were silent and it was the church which stepped out to help the people and took measures for the restoration of peace in the State.”⁵⁰ Though many of the records and documents disappeared during the national movement which makes it rather difficult to comprehensively justify the argument, an attempt will be made to justify the role of the church as a mediator and a peacemaker between the parties in conflict.

The Peace Mission started in Lunglei when several church leaders of the Baptist Church of Mizoram (BCM) held an emergency meeting and resolved to meet T.S. Gill (IAS), the Deputy Commissioner in Aizawl. On March 19, 1966, Reverend H.S. Luaia and Reverend C.L. Hminga after obtaining permissions from Mr. Pillai, SDO and one of the MNF leaders, Pu Hrangtinchhinga, hurriedly rushed to Aizawl with both the pastors wearing white cassock and covering their jeep with a white cloth and a big ‘PEACE MISSION’ written on it. This marked the beginning of the Peace Mission, a calling avowed by the church leaders to bring back normalcy and peace in the Mizoram. On meeting the DC, the church leaders were informed that the Indian army was approaching Lungleh to wipe out the MNF. The pastors felt the urgency that if there were more violence, it would be the innocent people again who would suffer the most. So, Reverend H.S. Luaia and the driver, Lalbana rushed back to Lunglei the same night and upon reaching Pukpui the next morning requested the MNF leaders not to fire at the army for the sake of safety of the innocent people

⁴⁹ J.V. Hluna and Rini Tochwawng, *Mizo Uprising: Assam Assembly Debates on the Mizo Movement, 1966-1971* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2012), xviii-xix

⁵⁰ Reverend Dr. C.L. Hminga, interview by the Researcher (Lunglei: July 18, 2017)

which persuaded the MNF to take a different course of action and instead flee away.⁵¹ In such a way, the people of Lungleh were saved from violence.

In Aizawl, Reverend Lalngurauva met the then Synod Moderator, Reverend Alwyn Roberts on March 11, 1966 and initiated an emergency meeting of the Synod Standing Committee (now Executive Committee). The meeting was scheduled on March 12, 1966 at Synod Office. Due to the conflict situation, only 10 members from around Mission Veng and also Reverend C.L. Hminga, a BCM pastor who came from Lungleh as a Peace Mission delegate and Reverend Lalngurauva Ralte, the initiator of the Emergency Meeting were present.⁵²

The Christian Peace Committee (hereafter CPC) was created by the Synod Standing Committee Special Meeting on July 14, 1966.⁵³ It was to work together with the Baptist Church delegates. In its first meeting, it decided not to have a Chairman for safety reasons but to appoint temporary Chairman at every meeting. It appointed Reverend Lalngurauva Ralte as Organizing Secretary and appointed three ambassadors, Reverend HS Luaia, Reverend Zairema and Reverend Lalngurauva Ralte. The Committee also resolved to hold talks firstly with the MNF leaders and then with the Government of India so that peace agreement may be made.⁵⁴

Some of the initiatives taken by the Committee include meeting of MNF President, Laldenga at Sabual in the presence of Pu Lalnundawta, President Adviser; Pu R. Zamawia, Defence Minister; General Thangzuala, Chief of Army Staff; General Biakvela; and Pu P.B. Rosanga, Chief Commissioner, Khawthlang on November 3, 1966. They discussed on several issues including reasons as to why armed struggle is taken up by the MNF; church's declaration; issue of forcibly making to sign some church leaders for acceptance of Christian government (i.e.

⁵¹ Reverend Dr. H.S. Luaia, *Hman Lai Mizo Khawsak Dan & Mizoram Buai Lai Thu [The Traditions of Mizo & Issues regarding Mizoram Disturbance]* (Lunglei: H. Lalzoliana, 2004), 45-49.

⁵² Reverend Dr. Lalngurauva, *Mizoram Buai Lai leh Kohhran [Disturbed Years of Mizoram and the Church]* (Aizawl: Reverend Dr. Lalngurauva, 2008), 40-43

⁵³ Reverend Dr. Lalngurauva, *Op.Cit.* 78-79

⁵⁴ *Ibid.*, 83-84

Mizoram government) and rejection of idol-worshipping government (i.e. Indian government); the issue of MNF convicts whose whereabouts are not known; threats inflicted against Mizo Union and leaders of District Council; collection of money with guns; and the issue of compromising independence within the framework of the Indian Constitution.⁵⁵

In May 1967, the CPC delegates met important central officials including Prime Minister, Home Secretary, Home Minister and Congress President. On 5 May, 1967 while they were in Guwahati on their way to Delhi, an order of stay was declared for peace delegates over the arrest of several MNF leaders, Pu Sainghaka, Pu Lalnundawta and Pu Sakhawliana; and the killing of Pu Zailiana. They, however, went to Delhi. On May 9, they met L.P. Singh, Home Secretary; and on May 12 met Indira Gandhi, Prime Minister who told them, “Tell them (MNF) that this kind of insurgencies are not conducive for development of the nation.” She continued, “You shall meet my Secretary,” and left. On May 13, they met Y.B. Chavan, Home Minister who expressed, “I am not going to talk with insurgents, i am going to wipe them out.” On May 14, they met the then Congress President, N. Kamraj and also Tarlok Singh, Chairman of the Planning Commission who showed them the stalled plans for Mizoram and Synod High School.⁵⁶ From the writings of Reverend Lalngurauva, the CPC’s first meeting with the central officials was quite disappointing mainly because the central officials showed no signs of negotiating with armed nationalists.

The year 1982 ushered fresh efforts on the part of the church in the peace process with the creation of Zoram Kohhran Hruaitute Committee (ZKHC), now Mizoram Kohhran Hruaitute Committee or Council of Churches in Mizoram, on the initiation of Admiral Kohli, Lt. Governor of Mizoram Union Territory who asserted, “You are the most prominent voice of Mizoram. I believe that the MNF will also obey your words. Therefore, call out the MNF for peace and tranquility. Prepare a message to call them out and the government will print and publish it. You may also

⁵⁵ *Ibid.*, 89-95

⁵⁶ *Ibid.*, 132-136

use the radio.”⁵⁷ The ZKHC was thus formed by nine churches on August 13 and appointed three peace delegates: Pastor V.L. Rawna, Reverend P.L. Lianzuala and Reverend Lalsawma; and also set three targets for peace: the people, the MNF and the Government of India. It was of the belief that these three key stakeholders hold the key for political stability and peace of Mizoram. These three targets were to be achieved by mobilizing the people of Mizoram to give their mandate for the coming of peace and to convince both the MNF and the Government of India to reach an agreement for the return of peace and normalcy in Mizoram.

The ZKHC’s initiatives were met with disappointments in the initial stages particularly due to the indifference of the Government of India. In March 1983, Pastor V.L. Rawna was sent to London to talk with Laldenga and reported that Laldenga is willing to talk to the Government of India. The ZKHC then sent delegates to meet the Prime Minister of India for fresh talks but they were not allowed to see her. Besides these the Government was also indifferent towards the requests and letters sent by the ZKHC. So it decided to send Memorandum representing political parties in Mizoram in May 1983 signed by the Presidents of four political parties’ Presidents namely C. Pahlira of Mizo Union, C. Biakchungnunga of Mizo Convention, J. Thanghuama of People’s Conference and Vaivenga of Mizoram Congress (I). The Memorandum declared that all political parties and the people of Mizoram stand united for the resolution of deadlock for peace and urged the Central Government and the MNF to enter into fresh negotiations.⁵⁸

On April 16, 1984 during PM Indira Gandhi’s visit to Aizawl, the ZKHC held talks with her and questioned as to why the Government stalled negotiations with the MNF despite all the people of Mizoram’s wishes for peace. The Prime Minister’s reply was that the Government was always open for negotiations and blamed Laldenga to have followed a different course. She told that for negotiations to resume, “the ball is with Laldenga”.⁵⁹ In pursuance of this positive opening for peace

⁵⁷ Reverend Dr. Lalsawma, *Op.Cit.*, 20-22

⁵⁸ *Ibid.*, 23-24

⁵⁹ *Ibid.*, 25

talks, the ZKHC representatives, Reverend Lalsawma, Upa Chalhuna and Reverend Zaithanga met Laldenga on June 25, 1984 in London. Subsequently, Laldenga submitted initiation for talks on July 25, 1984. However, the peace talks received a setback due to the death of the Prime Minister. The ZKHC, however, pursued the peace initiative by sending six delegates to Delhi to push the new Prime Minister, Rajiv Gandhi. They were almost disappointed again but with the help of Dr. C. Silvera, MP, they could meet the Prime Minister on April 12, 1985.⁶⁰ This was followed by the formal talks between the MNF led by Laldenga and the Central Government represented by the Home Secretary, R.D. Pradhan which eventually led to the signing of the Mizo Accord in June 30, 1986.

Throughout the mediation process, the church leaders never had preconditions for political settlement. The negotiation and the provisions of agreement were left to the Government of India and Laldenga. Its only concern was the end of disturbance and the return of peace in the State.

ii) The Church as an Agent of Political Socialization

Almond *et.al.* (2004) argued that “Individuals in all societies are affected by agents of socialization: institutions and organizations that influence political attitudes.”⁶¹ This paper argues that the durable peace in Mizoram is due to the role of the church in forming and shaping a political culture of peace and non-violence. During the armed national movement, the church published a number of statements, messages and declarations that either denounced violence or promote peaceful settlement of disputes. In the post-agreement period too, the church continues to publish state-wide messages and conduct state-wide prayers on the subjects of good governance, free and fair elections and peace.

The genesis can be traced back to the first Standing Committee of the Presbyterian Church Synod on 12th March, 1966 which published the first church

⁶⁰ *Ibid.*, 25-26

⁶¹ Gabriel A. Almond, G. Bingham Powell, Jr., Kaare Strom and Russell J. Dalton, *Comparative Politics Today: A World View, Eighth Edition* (New Delhi: Dorling Kindersley Pvt. Ltd., 2009), 53.

statement on armed conflict which was signed by the Moderator, Reverend A. Roberts and the Secretaries, Reverend Chalhuna and Reverend Lalsawma. It reads:

“The Church condemns such kind of situation causing death and catastrophe, and proclaims that it is incoherent with our Faith in the Gospel. It is also contradictory to the values of human life.

As of now, in order that our land is not befallen by further crisis, the Church requests all persons to think of peaceful solutions. We request the leaders of the MNF and their subjects to desist from anything that could prolong the suffering and sorrow of the people.

Also, the Church requests the Government and the army officials to show sympathy and not cause suffering upon the people in their effort to bring back normalcy in the land.

The Church avows to give its utmost effort so that people may live in peace and that the condition in our land is restored.”⁶²

The Statement of 12th March, 1966 was soon followed by the Presbyterian Church’s message to all local churches on 14th March, 1966 which requested its members to help those in need without any discrimination, to denounce any kind of theft and to work hard for one’s living as the situation was sure to result in scarcity of food.⁶³

A Declaration was again published on 1st August, 1966 which addressed the Mizo leaders and the people to examine their ways of life according to the teachings of Christianity citing Biblical references in four points that: human life is God’s gift and one who destroys it is accountable to God; murder is of Satan; vengeance is for God to take; and that the kingdom of God is not of this world. It again condemned threat by force, violence, forceful deprivations, robbery and loot, blackmail,

⁶² Standing Committee, “Tun Zoram Buaina Chungchanga Kan Kohhran Thuchah” [The Message of Our Church regarding the Current Disturbance in Zoram], Mizoram Presbyterian Church Synod (Aijal: March 12, 1966).

⁶³ Synod Standing Committee, “Synod Standing Committee Thuchhuah,” Aijal: 14 March, 1966.

persecution and physical torture; and to overcome them with the gospel of the love of God.⁶⁴

The first joint effort of different denominations was found in the form of *Leaders of Churches' Message to the Christian People in Zoram*, published on 22 September, 1970. Seven churches namely Mizoram Presbyterian Church, Salvation Army, United Pentecostal Church, Seventh Day Adventist, Mara Independent Evangelical Church, Catholic Church and Mizoram Baptist Church.⁶⁵

Synod's message on *Peace Agreement and Tranquility* was also published in April 1978.⁶⁶ ZKHC also published three point message in June 1982: 1) Request to all the people to take efforts so that insurgency may end in Mizoram and request to the MNF and the Government of India to speedily think of fresh peace talks; 2) Since life belongs to God, it requests arms holders not to take anyone's life for reasons of politics or any other matter; 3) Request to the Indian army to end atrocities and establish good relations with the people.⁶⁷

The church had also published election messages to the people since the first MLA election to the Union Territory of Mizoram in 1972. These election codes of conduct promote not only free and fair elections but also peace and democracy.

Through its messages, the church also requested local churches to organize mass prayers with standing subjects. The first notification for mass prayer was scheduled by the Presbyterian Church on 5th June, 1966 to be conducted by local churches on the usual Sunday church service. The prayer has three standing subjects:

⁶⁴ Mizoram Presbyterian Church Synod, "A Declaration by the Mizo Presbyterian Church," Aijal: 1 August, 1966.

⁶⁵ Mizoram Presbyterian Kohhran *et.al.*, "Zoram Mipuite Hnena Kohhran Hruaitute Thuchah," [Message to the People of Mizoram by the Church Leaders] (Aizawl: 22.9.70)

⁶⁶ Mizo Presbyterian Kohhran, "Inremna leh Ralmuanna Thuchah," [Message on Peace Agreement and Security] (Aizawl: April, 1978)

⁶⁷ Reverend Dr. Lalsawma, "Remna leh Muanna Atana Kohhran leh Mizoram Peace Accord Kalkawng," [The Paths to Peace and Tranquility for the Church and the Mizoram Peace Accord] in Mizoram Kohhran Hruaitute Committee, *Remna Thuchah* (Aizawl: MKHC, 2011), 16-22

one for the political leaders, another for the whole Mizo district, and lastly for the church that it may fulfill God's calling.⁶⁸

On Gandhi's 100th birthday in 1969, there was a nationwide move for all religious groups to organize mass prayers. The Presbyterian Church of Mizo District Council also notified all its local churches to have prayer service with the following standing subjects: 1) Prayer for the guidance of God to all government leaders and people; and 2) Prayer for peace and tranquility in Mizoram and all over the world according to God's will.⁶⁹

Following the Assembly Executive Committee on 17 June 1982, the Zoram Baptist Church also published *Request for Prayer* which was scheduled on June 20 and July 17 of the same year. It had the following standing subjects: 1) That the will of God may be done; 2) That God may give us peace and tranquility; 3) That political leaders may think of God's will and work for the unity of the people; 4) That murder, torture and hatred towards precious life may end; 5) That government officials and army may work in a way that does not harm innocent civilians; and 6) That the people too may give their best effort so that our prayers may come true.⁷⁰ When the ZKHC which is a committee of leaders of nine different churches was established in 1982, one of the initiatives it took was to organize mass prayer on the first Sunday of every month.⁷¹

Through its mass prayers, church's statements, declarations and messages, the church have become an agent of political socialization which transmits the political culture of peace, good governance and non-violence. Even till today, the voice of the church is greatly represented by the Mizoram Kohhran Hruaitute

⁶⁸ The Presbyterian Church, "Mizoram Presbyterian Kohhran Tawngtai Rualna," [Mizoram Presbyterian Church Mass Prayer] (Mizo District: n.y.).

⁶⁹ The Presbyterian Church of Mizo District, "Letter to Local Churches," (Aizawl: 19.9.1969).

⁷⁰ Zoram Baptist Kohhran, "Tawngtai Tura Ngenna," [Request for Prayer] Lunglei: Baptist Assembly Press & Bookroom Serkawn, 1982)

⁷¹ Reverend P.L. Lianzuala, "Remna leh Muanna Kawnga Zoram Kohhran Hruaitute Hmalakna," [The Initiatives of Zoram Church Leaders for Peace and Traquility], in Mizoram Kohhran Hruaitute Committee, *Remna Thuchah* (Aizawl: MKHC, 2011), 49.

Committee (MKHC)⁷² which is conglomeration of 16 denominational churches. It has been voicing the interests of the church not only regarding religious matters but also politics – ranging from election code of conduct to anti-legislation protests. These include alcohol prohibition movement, electoral reforms, opposition of Citizenship Amendment Bill, 2016 and so on. In all these, the church stood firm in the principles of peace, good governance and non-violence.

b) Citizens' Committees

During the armed national movement in Mizoram, both the Presbyterian Church in Aizawl and the Baptist Church in Lunglei, the two biggest churches in Mizoram created special committees in their respective areas with the purpose of providing relief and to seek for normalcy. The first of these is the Aizawl Citizens' Committee established by an emergency meeting of the Synod Standing Committee initiated by Reverend Dr. Lalngurauva on March 12, 1966.⁷³ In the words of Reverend Dr. Lalsawma, one of the members of the Christian Peace Committee, "When insurgency began... there were dead bodies, dead animals and other filthy things in the town and the purpose of the Citizens Committee was to clear these filth. It was also established to provide relief to the destitute caused by insurgency."⁷⁴ It was a body composed of 16 notable civilians in Aizawl most of whom are church leaders and government officials.⁷⁵ The Committee's meeting minutes were confiscated by the army officials and were never recovered.⁷⁶ Therefore, literature regarding the Committee is limited to the writings of Reverend Lalngurauva Ralte (L) who was the founder Chairman and Reverend C.L. Hminga who is still alive today.

The Aizawl Citizens' Committee had two sub-committees namely the Relief Committee and the Complaint Cell. The former was to provide relief such as

⁷² The erstwhile Zoram Kohhran Hruaitute Committee (ZKHC) became Mizoram Kohhran Hruaitute Committee (MKHC)

⁷³ Reverend Dr. Lalngurauva, *Op.Cit.*, 42-43

⁷⁴ Reverend Dr. Lalsawma, *Op.Cit.*, 16.

⁷⁵ Reverend Dr. Lalngurauva, *Op.Cit.*, 45-46

⁷⁶ Reverend Dr. CL Hminga, interview by the Researcher (Lunglei: 18 July, 2017)

financial aid or any other basic needs which would be distributed from donations from various churches. The latter was to receive complaints from civilians on the atrocious and unlawful acts of the army. Some other works done by the Committee were to provide relief for imprisoned citizens, issuing of passport (identity card) for members of the Committee which enabled them to move freely even under curfew; acquirement of permission for construction of trench for civilians' safety; and they met central officers such as Bawrhap, Magistrate, Commandants, Adjutants and Brigade Commanders of various Battalions, and other army officials from the centre day in and day out so as to prevent or minimize the sufferings of the people.⁷⁷

In line with the Aizawl Citizens' Committee, the Lungleh Town Committee (which later became Lungleh Citizens Committee) was established in Lunglei on March 21, 1966 on the initiative of the Baptist Church after attainment of the permission of army authority. It was a body of 14 members comprising notable church leaders and government officials. Reverend Dr. H.S. Luaia was the Chairman with Reverend C.L. Hminga as Secretary.⁷⁸ As seen from the minutes of the Committee's Meetings No.1 to 17 (1966-1968) which are still preserved by the Baptist Church of Mizoram (BCM) Archives, some of the works rendered by the Lungleh Citizens' Committee are: food supply, water supply, medical supply; return of surrendered arms to army officials; motor transport for bringing back civilians; extension of opening time of shops; reopening of Bazaar; relief to Khawngbawk and Pangzawl; prohibition of manufacture of zu (rice beer); appeal to citizens to refrain from violence; relief to Motherless Babies Home among others.⁷⁹

c) Students and Peace

Mizo students play a critical role during the Mizo national movement of 1966-1986. Mizo students not only joined the national movement but also occupied top positions in the underground MNF. For examples, R. Zamawia who was the first

⁷⁷ Reverend Dr. Lalngurauva, *Op.Cit.*, 50-55

⁷⁸ Proceedings of the Meeting of Lungleh Town Committee on 21.03.1966 in the Office of the Station Commander Lungleh (Serkawn: BCM Archives, accessed 17 July, 2017)

⁷⁹ Proceedings of the Meeting of Lungleh Town Committee (Serkawn: BCM Archives, accessed 17 July, 2017)

Defence Minister was a graduate in Economics (Honours), Zoramthanga, Private Secretary of Laldenga who later became General Secretary of the MNF was an English (Honours) graduate. According to Dr. R. Lalthangliana, founder President of the Mizo Students' Union and present Minister of Higher and Technical Education in the Government of Mizoram, the Mizo National Movement itself brought unity among the students outside Mizoram, particularly Shillong. It amalgamated the two students' organizations namely Mizo Zirlai Pawl (MZP) and the All Mizo Students Federation (AMSF) in 1980 under the name of the Mizo Students' Union.⁸⁰ In the quest for peace, the role and contributions of the Mizo students are noteworthy. The direct involvement of Mizo students in the peace process dates back to 1979 when leaders of the Mizo Zirlai Pawl (MZP) or Mizo Students Association, Lalthangliana Sailo, K. Hrangthankima, Vanupa Zathang and C. Thuamluaia went to New Delhi and met Prime Minister Indira Gandhi and Laldenga.⁸¹ As Laldenga demanded for formation of an interim government by his party, it required the then PC ministry of Brig. Thenphunga Sailo (or just Brig. T. Sailo) to step down from office. The Prime Minister expressed to them that they could neither ask the PC ministry to make way for an interim government to be formed as it was not their party nor could they dissolve the PC ministry as such a move would be unconstitutional.⁸² The MZP, following their talks with the Prime Minister and Laldenga in New Delhi during 1979 held the firm belief that the then PC ministry in Mizoram had to resign to pave the way for peace. The MZP Public Meeting of July 27, 1981 passed a resolution demanding the resignation of the PC Ministry. Laldenga himself from New Delhi invited the resignation of all MLAs.⁸³

⁸⁰ Dr. R. Lalthangliana, "Shillong Mizo Students Union Hmalaknate," [The Initiatives of the Shillong Mizo Students Union] in *Documentary of Mizoram War of Independence: 1966-1986* (Aizawl: MNF General Headquarters, 2017), 1205.

⁸¹ Chawngsailova, *Mizoram during 20 Dark Years*, (Guwahati: EBH Publishers, 2012), 95.

⁸² R. Zamawia, first Defence Minister of MNF, Interview by the Researcher (Beer-Seba, Aizawl: July 16, 2020)

⁸³ C. Lalenga, *Remna Atana Zirlaite Hmalakna [Students' Movement for Peace]* (Aizawl: C. Lalenga, 2012), 2-3.

4.2.2 Honorable Peace and the MNF

From the political side, the first recorded attempt for peace dates back to June 23, 1966 when the Mizo Union delegation led by H.K. Bawihchhuaka, Chief Executive Member of Mizo Hills Autonomous District Council met the Central Home Minister, G.L. Nanda in New Delhi. The delegation demanded a state which was cynically rejected by Nanda that there was no question of forming a separate state in the Mizo Hills District. Instead, he appealed the Mizo leaders “to shun separatist tendencies” and rather “enter the mainstream of Indian public life and participate in the economic development of the region”.⁸⁴

Zamawia, first Defence Minister of the underground MNF recounted that Laldenga himself unilaterally and secretly sought peace within the framework of the Constitution of India as early as 1969. It was unilateral and secret in the sense that the move was neither discussed nor informed to the MNF Cabinet.⁸⁵ In April 1969, Laldenga deputed Vanlalngaia, Secretary of War Council and Director of Military Intelligent Service (M.I.S.) to find the possibilities of talks with the Central Government without the knowledge of the Government of Assam. This comes after the latter’s report that he had contacted former British missionary, E.L. Mendus, who the Mizos call Pu Mena, and who in his letter suggested for prior reconciliation between the MNF and the Indian Government. Laldenga wanted to leave out the State Government because of his past animosity with Chief Minister B.P. Chaliha. Laldenga’s concept of settlement as revealed to Vanlalngaia was in the precedence of Kashmir that also fought for independence from the Indian Union where the movement leader, Sheikh Abdullah was installed as the Chief Minister. Vanlalngaia and R. Rozama, Field Officer in M.I.S. and a Major in the MNA met B.C. Cariappa, District Commissioner of Cachar and Mizo District in the presence of the Christian Peace Committee delegates, Reverend Zairema and Reverend Lalsawma on June 12

⁸⁴ “Nanda rejects Mizo State demand” *Amrita Bazar Patrika* (23 June, 1966) in Political Department, Assam Secretariat, “Situation in Mizo District arising out of MNF activities,” (Home Confidential: 1966)

⁸⁵ R. Zamawia, first Defence Minister of MNF, Interview by the Researcher (Beer-Seba, Aizawl: July 16, 2020)

and June 22, 1969 at Dholai. Unfortunately, Vanlalngaia and Rozama were captured by the Assam Police near Karimganj on their way back.⁸⁶

The Northeastern Areas (Re-organization) Act, 1971 was framed and passed into law in 1972. This Act converted the Autonomous State of Meghalaya into a full-fledged State, the Union Territories of Manipur and Tripura into States, and the Mizo Hills District and the North East Frontier Agency (NEFA) into Union Territories with new names, Mizoram and Arunachal Pradesh respectively. The Union Territory of Mizoram was inaugurated on January 21, 1972 with a 33 member Legislative Assembly (30 elected and three nominated) and one seat each in the Lok Sabha and the Rajya Sabha. The Mizo District Council under the Sixth Schedule was thus abolished and the Pawi-Lakher Regional Council (PLRC) was also trifurcated into the Chakma Autonomous District Council (CADC), the Lai Autonomous District Council (LADC) and the Mara Autonomous District Council (MADC) in 1972. The North Eastern Council was also created in 1972 to be a regional advisory body though it acted as a planning and funding agency from the beginning.⁸⁷ The Mission of V. Lianchhinga and Lt. C. Vanlalrawna who were Deputy Secretary, Foreign Ministry of Underground MNF and Staff Officer, Lion Brigade Headquarters of MNA respectively in March 30, 1971 included making request to the then Mizo District Council leaders to decline the award of Union Territory for Mizoram.⁸⁸

According to Zoramthanga, the cabinet meeting of the underground MNF on March 1969 headed by Laldenga decided to hold peace talks with the Indian Government and appointed him and Pu Lalnghenga as peace delegates. They were directed to carry a scripted message which was rather vague and not to discuss the terms and conditions for peace but to first sit together with the Indian Government at a negotiation table, "If we have a peace talk, we hope we shall be able to arrive at a certain settlement which will be acceptable for both the parties for the lasting

⁸⁶ R. Zamawia, *Op.Cit.* 803-806.

⁸⁷ I. Ramabrahmam and Lalnundika Hnamte, "Institutional Framework for Development of Northeast India: The Role of the North Eastern Council," *Indian Journal of Public Administration*, Vol.LXII, No.4, October-December, 2016: 889-904, 892.

⁸⁸ R. Zamawia, *Op.Cit.*, 807.

solution of the problem.” The delegates met the Indian Intelligence RAW at Shillong.⁸⁹

In December 1971, Lalnunmawia and R. Zamawia were commissioned as Special Envoys of the President of the MNF to negotiate peace talks on behalf of the Government of Mizoram with the Indian government.⁹⁰ ‘Honorable peace’ was the main slogan of the delegation as no points of agreement were previously prepared by the MNF. Thus, it was entirely upon the diplomatic skills of the MNF delegations. It was understood that MNF was on the verge of defeat and were in no position to put their stakes high for negotiation. However, the MNF delegations believed that military defeat without honorable peace would not uproot the Mizo national movement; without a peace that would be satisfactory for the future Mizo generations, a long and lasting peace would not be possible as in the case of the Nagas and the Kashmiris.⁹¹ Zamawia, in an interview, also held that India’s intervention in the Bangladeshi War of Liberation greatly compelled the quest for peace by the MNF but not for the sake of peace in itself but to buy time because Indian army had penetrated into Bangladesh where the MNF underground established themselves.⁹²

As the country falls under the ‘Emergency’ on March 21, 1975, President Laldenga left Paksitan with his family and his trusted aide, Zoramthanga. There he had talks with Mr. Singhal, a code name used by a RAW delegate of the Indian Government in Geneva, Switzerland in August 1975. Laldenga himself used the code name of Peter Lee.⁹³ It was on the basis of this talk that Laldenga sent a letter to the Prime Minister of India stating his agreement to hold talks within the framework of the Constitution. He requested the Indian Government to facilitate his coming over to

⁸⁹ Zoramthanga, MNF President. Interview by the Researcher (Ramhlun North, Aizawl: 24 June, 2015), See also, Zoramthanga, “Speech at Remna Ni,” 2019. And also, Zoramthanga, *Mizo Hnam Movement History*, 71-72.

⁹⁰ Mizoram Credential, Memo. No.M.7/71/139 dated 18th December, 1971. See also, Isaac Zoliana, *Laldenga*, 129

⁹¹ R. Zamawia, *Zofate Zinkawngah Zalenna Mei...* 845-847

⁹² R. Zamawia, first Defence Minister of MNF, Interview by the Researcher (Beer-Seba, Aizawl: July 16, 2020)

⁹³ Nirmal Nibedon, *Mizoram: The Dagger Brigade* (Atalanta: Lancer, 2013), 208.

India where he would meet his underground colleagues namely Tlangchhuaka, Vice President, Chawngzuala, Vice President, Biakchhunga, Army Chief and Col. Zamana. His letter expressed that bringing these leaders to his line of thinking was critical for settlement of the Mizo problem.⁹⁴

Consequent upon this, discussions were held at New Delhi on February 11, 13, 16, 17 and 18, 1976 between a delegation of underground MNF comprising Laldenga, Tlangchhuaka, Chawngzuala and Biakchhunga with S.L. Khurana, Home Secretary, SK. Chhiber, Lieut. Governor of Mizoram and M.L. Kampani, Joint Secretary (North East) representing the Government of India. The delegation acknowledged that Mizoram is an integral part of India and agreed to hold another rounds of talks during the second and third weeks of March 1976. They also agreed that the MNF would stop all activities and hand over all underground personnels with their arms and ammunitions inside mutually agreed camps. The Government of India in turn was to extend necessary facilities and continue suspension of operations by security forces. The agreement was signed on February 18, 1976.⁹⁵ Following the February agreement, the MNF held a National Emergency Convention at Calcutta during March 14 - April 1, 1976 which was attended by 35 MNF leaders comprising MNF executive committee members, senior army officers, cabinet ministers and civil officers. The Calcutta Convention entrusted the powers of the General Assembly upon the National Emergency Convention. Election to the office bearers of the MNF was also held with Laldenga as President, Tlangchhuaka as Vice President, Zoramthanga as General Secretary, Aichhinga as Assistant Secretary, Vanhlira as Treasurer and Lalthawmvunga as Financial Secretary. The Convention agreed to solve the Mizo problem within the framework of the Constitution of India and entrusted the President of Mizoram in this regard. The Convention also appointed President Laldenga, Vice President Tlangchhuaka, General Secretary Zoramthanga,

⁹⁴ Letter to the Prime Minister of India, by Laldenga (August 20, 1975)

⁹⁵ Agreement between Mizo National Front and Government of India, New Delhi: February 18, 1976.

Army Chief Biakchhunga, Col. Biakvela, Chawngzuala and Rualchhina to represent the MNF at New Delhi for the proposed round of talks in March 1976.⁹⁶

The MNF delegation and the Government of India represented by S.L. Khurana, Home Secretary, S.K. Chibber, Lt. Governor of Mizoram, M.L. Kampani, Joint Secretary (North East) had serious discussions and signed an agreement on July 1, 1976 known as the July Agreement of 1976. According to this agreement, the MNF acknowledged that Mizoram is an integral part of India and accepted to settle the Mizo problem within the framework of the Constitution of India. The MNF delegation also agreed to abjure violence and suspend all activities and collect all underground personnels with their arms and ammunitions inside mutually agreed camps. The Government of India, on the other, also agreed to suspend operations by the security forces. However, this agreement was not a peace accord in itself as both sides agree to continue further talks to discuss points of negotiation.⁹⁷

The July Agreement of 1976 was welcomed with optimism in Mizoram by different political parties such as the Mizoram Congress (I), the People's Conference and the Mizo Union who sent telegrams to congratulate the Prime Minister and the Home Minister.⁹⁸ Brig. Thenphunga had advised Laldenga not to submit arms before the negotiations to sign the peace accord because it could mean defeat and that submitting arms before the talks could weaken their stakes during the negotiation process. Laldenga also informed his comrades not to surrender their arms to the authorities stating that nothing tangible had been agreed yet.⁹⁹ The Government suspended security operations in Mizoram on December 24, 1976 and talks resumed. However, Laldenga demanded that an interim government should be formed with himself installed as the Chief Minister, a proposal which was not agreeable to the Central Government stating that it was unconstitutional.¹⁰⁰ Meanwhile, Indira Gandhi

⁹⁶ Meeting Minutes of the MNF National Emergency Convention, Calcutta (April 1, 1976)

⁹⁷ The July Agreement of 1976 signed by Laldenga on behalf of the Mizo National Front and S.L. Khurana on behalf of the Government of India (July 1, 1976)

⁹⁸ Chawngsailova, *Op.Cit.*, 109-110.

⁹⁹ R. Zamawia, first Defence Minister of MNF, Interview by the Researcher (Beer-Seba, Aizawl: July 16, 2020)

¹⁰⁰ Chawngsailova, *Op.Cit.*, 110.

on January 18, 1977 called for fresh elections to the Lok Sabha for March. In the elections that followed, the Janata Party by securing 298 seats plus its allies with 47 seats secured majority in the lower house of the Parliament. The Congress secured only 153 seats with Indira Gandhi herself losing her seat. In the words of Guha, “The results of the elections delighted many, angered some and surprised all.”¹⁰¹ Morarji Desai was to become the first non-Congress Prime Minister in the history of India. However, the new Prime Minister had a bitter view towards the MNF problem and refused to acknowledge it as a Mizo problem and instead called for an unconditional surrender of arms by the MNF. Laldenga’s letter to Sakhawliana, PC’s Vice President on October 10, 1977 reads:

“When I met Prime Minister Morarji Desai on February 1977, he told me that he could not accept the MNF problem as a Mizo political problem and had insisted that the MNF should lay down their arms unconditionally. Unless the Central Government accepted our problem as a political problem, there could be no solution. I do not believe that military power can solve the Mizo problem.”¹⁰²

Following the failure of the July Agreement of 1976, Laldenga was arrested on July 8, 1978. The MNF National Council Meeting also passed a resolution in rejection of the July Agreement that – “We are compelled to do this and if any untoward incidents happen, it will be the responsibility of the Indian Government. The MNF also issued a *Quit Mizoram Order* in May 1979 demanding all non-Mizos staying in Mizoram to leave before July 1, 1979.¹⁰³ The MNF-Janata relations was inimical resulting in the recurrence of violence and hostility in Mizoram. However, the Janata Experiment could not sustain and Indira Gandhi came back to power in January 1980 enabling the resumption of formal peace talks.

To formalize peace proposals by March 1981, Laldenga was granted the permission to visit the MNF Headquarters at Arakan where the MNF National

¹⁰¹ Ramachandra Guha, *India After Gandhi: The History of the World’s Largest Democracy* (London: Macmillan, 2008), 525.

¹⁰² Laldenga, quoted in Chawngsailova, *Op.Cit.*, 110-111.

¹⁰³ Chawngsailova, *Op.Cit.*, 113-114.

Council met. Upon his return to New Delhi on March 17, 1981, Laldenga submitted the *26-Point Demands* made by the MNF National Council. However, the demands made by the MNF *inter alia* the Kashmir pattern of special powers, greater Mizoram inclusive of Mizo-inhabited areas of Cachar, Manipur and Tripura, dissolution of PC ministry in Mizoram and formation of interim government headed by the MNF were not acceptable to the Central Government and the talks thus failed. Laldenga and his family were moved to London on April 21, 1982 by the Indian Government. The MNF also reissued the *Quit Mizoram Order* on May 1, 1982 with a deadline date of June 21, 1981.¹⁰⁴

Following pressures from the civil society and all political parties of Mizoram, the MNF and the INC (I) represented by Laldenga and Arjun Singh, Vice President of INC respectively signed a confidential agreement on June 25, 1986. This agreement removed the prior deadlock of forming an interim government with Laldenga as Chief Minister of Mizoram. This was possible because the Congress was in power in Mizoram. It was also agreed that Lal Thanhawla, the then Chief Minister would be the Deputy Chief Minister with four other members of the Congress as ministers while three members from the MNF other than Laldenga would be made ministers.¹⁰⁵ Pradhan, in his autobiography, noted that Rajiv Gandhi had asked the then Chief Minister of Mizoram, Lal Thanhawla and his entire cabinet to be present at the meeting between the Congress' meeting with the MNF.¹⁰⁶

4.2.3 Political Parties and Peace Manifesto

'Remna leh Muanna' (Peace and Harmony) became the twin slogans of all parties during the insurgency period. Due to the immense suffering caused by the disturbed condition, the people were desperate for the return of peace and normalcy. Like economic development in electoral politics today, politics of peace and harmony assume a central place to all political parties of Mizoram.

¹⁰⁴ Chawngsailova, *Op.Cit.*, 115-117.

¹⁰⁵ Agreement Between the Indian National Congress (I) and the Mizo National Front, Mizoram (June 26, 1986) (Confidential)

¹⁰⁶ R.D. Pradhan, *Op.Cit.*, 69.

The first political party in Mizoram, the Mizo Union was able to muster complete dominance in the District Council (1952-1971). However, as the Mizo national movement began, the MNF proclaimed that it was the sole representative of the Mizo people and prohibited the existence of any parallel government thus demanding the resignation of all government servants and Members of District Councils (MDCs). The MDCs, on the other hand, defied the orders of MNF on the ground that their presence was crucial. Relation between the MNF and the Mizo Union was so hostile that kidnappings and assassinations became exemplary punishments for the anti-MNF.¹⁰⁷ The Mizo Union were also seen by the MNF as pro-Indian, pro-Congress and anti-independent. After Mizoram became a Union Territory, the Mizo Union continued to win the first general election of 1972 with absolute majority securing 24 seats of the 30 elected seats while Congress secured six seats. Ch. Chhunga was sworn in as the first Chief Minister of Mizoram. However, a regional party which neither enjoys the confidence of the Central Government nor the MNF could not thrive during the disturbed condition of Mizoram. Thus, the first political party of Mizoram merged itself with the Congress on January 23, 1974.

The end of the Mizo Union era did not see the ascendancy of the Congress to which the Union was merged. Instead, a new political party called People's Conference (PC) came to be the people's party. Founded by a retired Brigadier of the Indian army, Brig. Thenphunga Sailo (or just Brig. T. Sailo) was a champion of human rights and was in fact the need of the hour. Initially, he founded the Human Rights Committee (HRC), a non-political organization on June 22, 1974 to uphold the basic human rights guaranteed by the Constitution of India to the Mizo people affected by the disturbance.¹⁰⁸ He toured the length and breadth of Mizoram to legally check the atrocious acts of the Indian security forces upon the common people which made him very popular. The Committee was converted into a political party on April 17, 1975 and the six objectives of the PC started with, "The party will endeavor to prepare ground for the peaceful solution of the Mizo political

¹⁰⁷ Chawngsailova, 160-163.

¹⁰⁸ Thenphunga Sailo, *A Soldier's Story* (Aizawl: Brigadier Thenphunga Sailo, 2000), 120-121.

problem.”¹⁰⁹ In fact, Brig. T. Sailo’s son, Lalsangliana Sailo was in the MNA. He also held a hostile attitude towards the Congress in Mizoram by stating that they were former Mizo Union leaders that put on a different name; same leaders but no change.¹¹⁰ For these, the PC was often branded as a pro-MNF party in the initial years of its formation. However, after winning the second general elections of 1978, the PC’s idea of peace was ‘peace without Laldenga’ which not only failed but rather led to the split of the MNF into Laldenga faction and Biakchhunga faction.¹¹¹ Despite Brig. T. Sailo’s contribution towards human rights, the PC Ministry was condemned of hindering the peace process in Mizoram due to its reluctance to resign. In fact, it did not resign.

The PC (B) Party held that the PC (A) of Brig. T. Sailo faction departed from the party’s constitution and its aims and objectives. Claiming itself to be loyal to the party’s constitution, it defined ‘B’ as *Bulpui* or Base. The faction was also dissatisfied with Sailo’s approach towards peace and thus formed an alliance named the Steering Committee with Mizoram Congress (I), Mizoram Janata Party, Mizo Union and Mizo Democratic Front. The Committee resolved that to pave way for peace talks, MLAs of the Steering Committee should resign. Subsequently, five MLAs of PC (B) namely P. Lalupa, Ngurchhina, R. Romawia, Lalthanzauva and JH Rothuama submitted their resignation to the Lt. Governor of Mizoram on August 12, 1981. The Congress (I) MLAs, on the other hand, refused to submit their resignation which automatically meant their withdrawal from the Committee. The remaining members of the Steering Committee convened what was called Mizo Convention at Dawrpui School, Aizawl which led to the formation of a new political party, the Mizo Convention Party and the dissolution of PC (B) Party.¹¹²

Regional political parties formed government in Mizoram until 1984 when the Congress for the first time replaced regional parties. The Mizoram Congress was

¹⁰⁹ “The Constitution of the People’s Conference, 1976,” in Thenphunga Sailo, *Op.Cit.*, 141.

¹¹⁰ Nirmal Nibedon, *Op.Cit.*

¹¹¹ M.C. Lalrinthanga, “Zorama Remna A Awm Theihna Tura Hmalakna- Political Party Lam,” [Efforts for Peace in Zoram- Focus on Political Parties] in *Documentary of Mizoram War of Independence: 1966-1986* (Aizawl: MNF General Headquarters, 2017), 1181-1183.

¹¹² *Ibid.*, 1182-1183.

formed during the period of turbulence on December 20, 1967 with the goal of attaining ‘Remna leh Muanna’ (Peace and Harmony). Labeling itself as ‘Remna Palai’ (Ambassador for Peace), the Congress believed that peace can be attained only between Laldenga and the Central Government. The party President, Lal Thanhawla proclaimed, “If Congress were elected and I were the Chief Minister, I will make way for Pu Laldenga to be the Chief Minister, I will not hesitate for a second, I will yield immediately.”¹¹³ Congress President in Mizoram, Lalduhoma also went to London to meet Laldenga and returned with a video message containing Laldenga’s endorsement of the Congress party for the upcoming elections affirming his trust on the party for the restoration of peace and normalcy. Laldenga also sent another taped message against the PC stating that not a single candidate of the PC should be elected by the Mizo people.¹¹⁴

The Fourth Union Territory Legislative Assembly Elections held in 1984 witnessed the Congress, a national party forming a government in Mizoram for the first time. The Congress won with absolute majority by securing 20 seats out of 30 and Lal Thanhawla was sworn in as Chief Minister. It took time for the Congress Ministry to resign though. With Lal Thanhawla paving way for the MNF to form an interim government in Mizoram, an agreement was concluded in June 30, 1986.

Table 4.1: Fourth Union Territory Legislative Assembly Election 1984

4th UNION TERRITORY LEGISLATIVE ASSEMBLY ELECTION 1984				
Congress	30	20	74,005	39.81%
PC	27	8	66,065	35.54%
Independents	77	2	45,819	24.65%
Total	134	30	1,85,889	

Source: Chief Electoral Officer, Mizoram¹¹⁵

¹¹³ Lal Thanhawla, quoted in M.C. Lalrinthanga, 1186

¹¹⁴ Chawngsailova, *Op.Cit.*, 117-118.

¹¹⁵ Chief Electoral Officer, Mizoram.

<http://ceomizoram.nic.in/ELECTIONS/StatisticalReports.html>

4.2.4 The Agreement

The renowned Union Home Secretary to have signed the Punjab and Assam accords, R.D. Pradhan was to retire on June 30, 1986. He started working on the scheme for solution of Mizo problem only from February 1986 but had developed mutual trust and understanding with Laldenga.¹¹⁶ In his autobiography, *My Years with Rajiv and Sonia*, he wrote that he invited Laldenga for tea on his birthday in June 27 where he told him about his retirement in three days. Laldenga assured him that he would consult his legal adviser and colleagues but returned only on his day of retirement around 2:30 in the afternoon and all preparations were made ready for the formal handover of office to the next Home Secretary, C.G. Somiah, IAS. It was there that Laldenga expressed his desire to sign the accord with him, “I wish I could have concluded the accord with you.”¹¹⁷ Though Pradhan replied that it was already too late, he added, “Mr. Laldenga, if you are ready to be flexible, perhaps we can reach an agreement before I leave this office. You could later sign the accord with my successor... But as a friend I ought to warn you that if you do not [reach] a settlement with me, you may have to go on discussing pending issues with my successor for years to come. I do not know how many.”¹¹⁸ The then Union Home Minister, Buta Singh and the Prime Minister were informed of the latest developments and the prospect of signing an accord. Pradhan’s exit was postponed and the Central Government team headed by R.D. Pradhan and Laldenga’s team sorted out their differences with a couple of vital points left for the Prime Minister’s decision. Pradhan also warned Laldenga not to reopen matters agreed upon between them before the Prime Minister.

The Memorandum of Understanding between the Government of India and the MNF was finally signed at 10 PM on June 30, 1986 by R.D. Pradhan, Home Secretary on behalf of the Government of India; President Laldenga on behalf of the MNF; and Lalkhama, Chief Secretary on behalf of the Government of Mizoram. An

¹¹⁶ R.D. Pradhan, 69-70.

¹¹⁷ *Ibid.*, 70.

¹¹⁸ *Ibid.*, 70.

interim government was to be formed with Laldenga as Chief Minister and Lal Thanhawla as Deputy Chief Minister.

It was agreed that within an agreed timeframe, the underground MNF personnel were to come overground with their arms, ammunition and equipment. The MNF was also expected to amend its Articles of Association by deleting offensive features such as secession from its Constitution so as to make them conform to the provisions of law. They were also not to extend any form of support to other armed groups such as Tripura National Volunteer (TNV), People's Liberation Army of Manipur (PLA) and others. The Government in turn agreed to take steps for the settlement and rehabilitation of underground personnel as per the scheme proposed by the State government. Full-fledged statehood was to be awarded to the Union Territory of Mizoram with a Legislative Assembly of 40 seats and with legal immunity to central acts in respect of religious practices, Mizo customary law or procedure, administration of civil and criminal justice involving Mizo customary law, ownership and transfer of land. The new state was to be granted special category state status. The inner line regulation was to be continued and required the consult of the State Government for its amendment or repeal. Ex-gratia was to be paid to the heirs or dependents of the martyrs of the Mizo national movement. The implementation of the Mizo Accord will be elucidated in the following chapter.

4.3 Conclusion

The quest for peace in both the Assam and Mizoram conflicts took years of formal and informal talks. While it took Assam five years since the maiden talks of the AASU-AAGSP with the Prime Minister in February 1980, it took a much longer period for Mizoram despite the MNF which had been open for honourable peace within the framework of the Constitution of India as early as 1969. These periods witnessed expression of demands and deadlocks and it may be argued that there are three critical factors that finally enabled a condition of compromise between the parties in conflict for the signing of the Assam Accord and the Mizo Accord.

Firstly, during the time of Rajiv Gandhi, three important peace accords were signed namely the Punjab Accord, the Assam Accord and the Mizo Accord. The

Prime Minister was determined to bring an end to the conflict of Punjab that claimed his mother's life, as well as the conflicts in Northeast. This clearly indicates that resolution of conflicts require a high level of political will which the Congress ministry under Rajiv Gandhi displayed. Pradhan wrote, "Rajiv had already publicly taken a stand that the welfare of the people was more important to him, whether the Congress remained in power in Mizoram or not. He had done the same in Assam also."¹¹⁹ The second is secrecy, a condition where the points of negotiations are kept secret and exclusive as in the case of Assam peace talks. As found from the autobiography of R.D. Pradhan, who was then Union Home Secretary and the official in-charge of the peace talks, there were no paper works, no written official reports during the final stages of the Assam peace talks as all negotiations took place verbally between him and the AASU leader, Prafulla Mahanta. Secrecy and exclusivity enable specific focus and diminution of opposition and representation of diverged interests by minor stakeholders. However, they may have the risk of effecting the formation of splinter groups to restart the conflicts. Thirdly, urgency is a critical factor in the case of the Mizo Accord. As seen from the discussion before, the MNF and civil society in Mizoram were desperate for peace and normalcy in Mizoram for many years. They put pressure on both the MNF and the Government of India to haste for peace and normalcy. The Punjab and Assam accords had been signed under the Rajiv Gandhi ministry with Home Secretary R.D. Pradhan as the official to have dealt directly with the movement leaders. He was the man of the moment who had been entrusted with leading the Central Government team in dealing with the leaders of these movements. Laldenga himself was eager to sign the Mizo Accord during the tenure of R.D. Pradhan as the Union Home Secretary. It was on the day of the retirement of R.D Pradhan that the Mizo Accord was signed.

¹¹⁹ R.D. Pradhan, *Op.Cit.*, 69.

CHAPTER 5

THE ASSAM ACCORD AND ITS DISCORDS

“Bangladesh got independence due to the mercy of our Government (India). And therefore Indian Government should put a pressure on them that the minority people in Bangladesh should be given protection if they are in vulnerable position and they must enjoy equal rights”¹

- Prafulla Kumar Mahanta

Assam Accord refers to the historic tripartite Memorandum of Settlement signed by the Government of India, the Government of Assam and the alliance of the All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) on August 15, 1985 for solution to the problem of foreigners in Assam following the Assam Movement of 1979-1985. The Movement, though it started with Gandhian methods such as mass satyagraha, picketing and other non-violent methods, took a violent turn and many deaths were recorded as discussed in the previous chapter. The AASU had submitted a Memorandum on February 2, 1980 to the Prime Minister on the issue of the continuing influx of foreign nationals into Assam State stating their fear about the adverse effects created by foreigners upon the political, social, culture and economic life of the State. The then Prime Minister of India, Smt. Indira Gandhi initiated the peace dialogue with the AASU and AAGSP. Several talks were held at the Prime Minister’s and Home Minister’s level during 1980-83. Several informal talks were also held in 1984. After the assassination of Prime Minister Indira Gandhi on October 31, 1984, formal discussions were resumed by her son and successor, Rajiv Gandhi. The Accord was finally signed on August 15, 1985 by P.K. Mahanta, President and B.K. Phukan, General Secretary of the AASU; Biraj Sharma, Convenor of AAGSP on one side; and R.D. Pradhan, Home Secretary of Government of India and P.P. Trevedi, Chief

¹ Prafulla Mahanta, Ex-Chief Minister of Assam, Interview by Shekhar Gupta, “Walk the Talk,” *NDTV* (New Delhi: August 10, 2018)

Secretary, Government of Assam on the other side in the presence of Rajiv Gandhi, Prime Minister of India and thus ended the six-year-long Assam Movement.

The Accord addressed three core issues: the foreigners issue, safeguards and economic development for the Assamese people and the restoration of normalcy in the State. To monitor the implementation of the provisions of the Assam Accord, a separate department named Implementation of Assam Accord Department was established in 1986. It monitors and records the execution of works done by different departments/organizations entrusted by both the Central and the State governments for implementation of various clauses of the Assam Accord. The Department coordinates with not only the various departments of Government of India and the Government of Assam, but also with the AASU. This chapter discusses the implementation of the provisions of the Assam Accord as follows:

5.1 The Preamble: Clauses 1-4

A preamble is a preliminary or an introductory part of an act or statute which provides the justification and purpose of such act or statute. The preamble to the Assam Accord too provides the purpose and justification of the signing of the said Accord. The preamble contained in clauses 1-4 are not points of agreement in itself but rather emphasize as to why the agreement takes place.

Clause 1 of the Assam Accord acknowledged that both the Government and the agitators were dedicated to finding a solution to the problem of foreigners in Assam. In fact, it took five years six months and 13 days since the AASU's maiden meeting with the Prime Minister on February 2, 1980 to sign the historic Assam Accord on August 15, 1985. The negotiation process is elucidated in the previous chapter. Clause 2 addressed the rationale behind the Assam Agitation as expressed in the Memorandum submitted to the Prime Minister on February 2, 1980 by the AASU specifically the continuing influx of foreigners into Assam and the fear about its adverse effects upon the political, social, cultural and economic life of the State. Clause 3 acknowledged the apprehension of the people of Assam as 'genuine' and stated that the Prime Minister had initiated the dialogues with the AASU-AAGSP. It

also highlighted a brief timeline of the several rounds of talks- both formal and informal. Clause 4 affirmed that the agreement came after taking into account the problem of Assam as well as India's constitutional and legal provisions, international agreements, national commitments and humanitarian considerations. These include the Nehru-Liaquat Pact of April 8, 1950, the Indira-Mujibur Pact of 1972, the partition of India in 1947 and others. The key provisions of these agreements are also discussed in the previous chapter. These have become instrumental in the determination of the base date and year for detection, deletion and deportation of foreigners in Assam.

5.2 The Foreigners' Issue: Clause 5

The problem of foreigners, being the core of the Assam Movement, also assumes a central place in the Assam Accord of 1985. Clause 5 (1-9) *inter alia* sought to solve the problem of foreigners in Assam by categorizing three types of foreigners upon which specified measures were to be taken in accordance with the provisions of the Accord. Sub-clause 1 of Clause 5 specifies January 1, 1966 to be the base date and year for the purpose of detection and deletion of foreigners. The categorization of foreigners was based on the time period of their entry to India: the first category includes all persons who came to Assam before January 1, 1966; the second category includes foreigners who came to Assam after January 1, 1966 up to March 24, 1971; and the last category includes foreigners who came to Assam on or after March 25, 1971. The Accord provided that all persons of the first category were to be regularized and treated as full-fledged citizens. Foreigners of the second category were to be deleted from the electoral rolls but enfranchised after the expiry of 10 years. Foreigners of the last category were to be disfranchised and expelled in accordance with the law. Accordingly, the Citizenship Act of 1955 was amended by inserting Section 6A, "Special provisions as to citizenship of persons covered by the Assam Accord" under Section 6 "Citizenship by Naturalization".² The Citizenship

² The Citizenship (Amendment) Act, 1985 [Act 65 of 1985, s. 2 (w.e.f. 7-12-1985)]

Rules, 1956 and the Foreigners (Tribunals) Order, 1964, were also amended due to the said provision.³

India has several laws to tackle the problem of foreigners in India. The first legislation made in India for dealing with foreigners is the Foreigners Act, 1864. It provided for the arrest, detention, expulsion and ban of entry of foreigners into India. The Passport (Entry into India) Act, 1920 provided for the requirement of possession of passport to any foreigner entering India. The Foreigners Act was reenacted in 1940 and 1946 by repealing the former acts. The Foreigners (Tribunals) Order, 1964 is another law which empowers District Magistrates in all states and union territories for the establishment of tribunals. The tribunals are to have powers parallel to those of civil courts and decide whether a person staying illegally in India is a foreigner or not. As per the Foreigners (Tribunals) Order, 1964, a total number of 11 tribunals have been created in Assam for identifying foreigners of 1966-71 stream. Accordingly, 24,376 persons were declared as foreigners by the Tribunals till the Tripartite Meeting in May 2000.⁴ In implementation of the Accord, a total of 75,489 foreigners have been detected in Assam till March 31, 2016. From this 33,186 belong to the second category foreigners (1966-1971) while 42,303 belong to the third category (post-1971).⁵ The recent update of the National Register of Citizens (NRC) in 2019 also identifies 19,06,657 persons as foreigners in the State of Assam.

In regard to the deportation of foreigners from Assam, Prafulla Kumar Mahanta in an interview in 2018 held that the Prime Minister of Bangladesh, Sheikh Hasina told the delegates representing several political parties that the Government of India has not informed the Government of Bangladesh anything regarding the

³ Lok Sabha, Unstarred Question No: 5667, Answered on: May 3, 2005, Ministry of Home Affairs, Government of India. See also *White Paper on Foreigners' Issue*, Home & Political Department, Government of Assam (October 20, 2012), 18.

⁴ Summary of Tripartite Talks to Review the Implementation of the Assam Accord, Department of Implementation of Assam Accord, Government of Assam (New Delhi: 31 May, 2000)

⁵ Department of Implementation of Assam Accord, Government of Assam, "Assam Accord and its Clauses," accessed on October 27, 2018; <https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

issue.⁶ Therefore, they demanded a tripartite meeting between the Government of India, the Government of Bangladesh and the Government of Assam for solution of the problem of foreigners in Assam.⁷

5.2.1 The Controversial IMDT Act, 1983

One of the first challenges for tackling the problem of foreigners in Assam lies in the Illegal Migrants (Determination of Tribunals) Act of 1983 (Act No. 39 of 1983). As stated in the previous chapter, the IMDT Act is a law with the objective of identifying and deporting foreigners exclusively applicable to the State of Assam while the Foreigners Act, 1946 is in force in all other Indian states. Clause 5(9) of the Assam Accord provided that “the Government will give due consideration to certain difficulties expressed by the AASU/AAGSP regarding the implementation of the Illegal Migrants (Determination by Tribunals) Act, 1983”.⁸

Unlike the Foreigners Act of 1946 where the *onus* of proving an accused as an illegal migrant lies on the accused himself/herself, the controversial IMDT Act of 1983 provided that the *onus* lies on the accuser or the police. The incompetence and ineffectiveness of the IMDT Act is clear from the fact that despite the provision for the establishment of 30 tribunals as per original Act, only 16 were approved. Even among the 16 tribunals, barely five were functional by 1998, while the rest got defunct with just one person on the Bench against the required strength of two judges. Also, the original Act put the quorum of the tribunal at three but was later amended to two.⁹ The Act made the detection and deportation of foreigners more cumbersome and limited the powers and functions of law enforcement officials by superseding other laws such as The Passport (Entry into India) Act, 1920. By virtue of the power conferred by this Act, foreigners who have entered India without a valid passport could be arrested without a warrant by a police officer not below the rank of

⁶ Prafulla Kumar Mahanta, Former Chief Minister and Former President of AASU, interview by Shekhar Gupta, *Walk the Talk* (NDTV: August 10, 2018)

⁷ Prafulla Kumar Mahanta, interview by Shaswati Das in “Illegal immigration in Assam not a religious issue, but an ethnic one,” *Mint* (August 20, 2018)

⁸ Memorandum of Understanding, 1985 on the Problem of Foreigners in Assam, 5(9).

⁹ “SC strikes down IMDT as unconstitutional,” *The Economic Times* (July 13, 2005)

Sub-Inspector. The Central Government also has the power of direct removal of any such person. However, Section 4 of the IMDT Act stripped the powers of both the Central Government and the police.¹⁰

The Act continued to be used in the State of Assam even after the signing of the Assam Accord in 1985 and has been alleged to be one of the main reasons of rapid rise of population and demographic change in Assam. The table below represents the implementation of the IMDT Act, 1983:

Table 5.1: IMDT cases and actions undertaken thereof

Period	Cases Referred	Cases Disposed	Cases Pending (Cumulative)	No. of persons declared as foreigners	No. of declared foreigners pushed back/deported
1985-1990	22682	6486	16196	6724	521
1991-1995	3488	7335	12349	2577	792
1996-2000	17623	4420	25552	902	179
2001-2005 (till July)	68998	5780	88770	2643	55
TOTAL	112791	24021	88770	12846	1547

Source: White Paper on Foreigners' Issue¹¹

According to Clause 5(9) of the Assam Accord, the Government was to give due consideration to the loopholes of the IMDT Act as expressed by AASU/AAGSP. As seen from the table above, during 20 years of implementation of the IMDT Act, only 1547 foreigners were deported. In contrast, a total of 4,89,046 Bangladeshi nationals were deported from the State of West Bengal between 1983 and November

¹⁰ Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court (July 12, 2005), Paragraph 41.

¹¹ *White Paper on Foreigners' Issue*, Home & Political Department, Government of Assam (October 20, 2012), 18.

1998 under the Foreigners Act, 1946.¹² It was back in 1992 when the AGP in its convention in Mangaldoi resolved to repeal the controversial Act. The validity of the IMDT Act was first challenged in the Guwahati High Court on September 19, 1992 by Pachu Gopal Baruah and others.¹³ The issue of repeal of IMDT Act, 1983 became a regular agenda in the Tripartite Meetings of Government of India, Government of Assam and AASU since August 11, 1997.

Besides the tripartite level of talks, the IMDT Act had been challenged time and again by various governmental and non-governmental bodies. In 1998, the All India Lawyers Forum for Civil Liberties files petition in Supreme Court for repeal of IMDT Act. The Assam Government also files affidavit for the first time for repeal of the IMDT Act in the Supreme Court on September 1, 1999. I.D. Swamy, Union Minister of State for Home Affairs on March 8, 2000 made a statement in the Rajya Sabha: "Government is of the view that the IMDT Act in its application in the State of Assam alone is discriminatory. A proposal to repeal the act is under consideration of the government."¹⁴ The Law Commission of India in its 175th Report on the Foreigners (Amendment) Bill, 2000 recommends the repeal of the said Act. In 2003, the Union Cabinet under Vajpayee introduced a Bill to repeal the IMDT Act in the Parliament which was referred to the Standing Committee of Home Affairs. It received a backing from the State BJP, AGP and AASU. According to AGP delegation, the said Act is cost-ineffective that since it came into force in 1985, despite incurring a total expenditure of Rs.12 crore from the state exchequer, only 1501 foreigners had been deported as per the Act.¹⁵

The IMDT Act, 1983 was once again challenged by Sarbananda Sonowal, former President of AASU as well as Chairman of North East Students' Organization (NESO) and present Chief Minister of Assam in a writ petition (civil) no.131 of 2000

¹² Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court (July 12, 2005), Paragraph 8.

¹³ G. Vinayak, "What is the Illegal Migrants Act?" *Rediff.com* (July 7, 2005), <https://www.rediff.com/news/2005/jul/12act1.htm>

¹⁴ Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court (July 12, 2005), Paragraph 4.

¹⁵ "Assam parties back repeal of IMDT Act," *The Telegraph* (September 4, 2003)

under Article 32 of the Constitution that provided for Right to Constitutional Remedies by way of public interest litigation for declaring the IMDT Act of 1983 as *ultra vires* to the Constitution of India, null and void and that the Foreigners Act, 1946 and the Rules made thereunder shall apply to the State of Assam like all other Indian states.¹⁶ Finally, the IMDT Act, 1983 was struck down as unconstitutional by the Hon'ble Supreme Court of India on July 12, 2005. This was a big step and achievement of the AASU towards successful solution to the problem of foreigners in Assam. Some of the key judgements of the Supreme Court regarding the IMDT Act are shown under:

“It is the foremost duty of the Central Government to protect its borders and prevent trespass by foreign nationals. Article 51-A(d) of the Constitution says that it shall be the duty of every citizen of India to defend the country and render national service when called upon to do so. If an Act made by legislature has the disastrous effect of giving shelter and protection to foreign nationals who have illegally transgressed the international border and are residing in India and further the Act is unconstitutional, any citizen is entitled to bring it to the notice of the Court by filing a writ petition under Article 32 of the Constitution.”¹⁷

“[T]he provisions of the IMDT Act and the Rules made thereunder clearly negate the constitutional mandate contained in Article 355 of the Constitution, where a duty has been cast upon the Union of India to protect every State against external aggression and internal disturbance. The IMDT Act which

¹⁶ Report of the Committee on Implementation of Clause 6 of the Assam Accord, Ministry of Home Affairs (North-East Division), Government of India, Notification No.11012/04/2019 – NE. VI Dated July 15, 2019, Gazette of India (February 10, 2020), 17.

¹⁷ Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court (July 12, 2005), Paragraph 56.

*contravenes Article 355 of the Constitution is, therefore, wholly unconstitutional and must be struck down.*¹⁸

*“[I]t (The IMDT Act, 1983) is clearly violative of Article 14 of the Constitution and is liable to be struck down on this ground also.”*¹⁹

Consequent upon the repeal of IMDT Act, 1983 and the IMDT Rules, 1984 framed thereunder, the Foreigner’s Act, 1946 along with the Foreigner’s (Tribunal) Order, 1946; the Passport (Entry into India) Act, 1920; the Passport Act, 1967; the Immigration (Expulsion from Assam) Act, 1950 and the Citizenship Act, 1955 are applied in the State of Assam.²⁰ The Citizenship Act, 1955, Citizenship Rules, 1956 and Foreigners (Tribunals) Order, 1964, were also amended.

Dilip Bora, Vice President of the Assam Gana Parishad (AGP) commented in a live debate that the IMDT Act of 1983 was a hurdle for the AGP government of 1985 and 1991 to proceed with the detection and deportation of illegal migrants. This was also true for successive governments in Assam because the IMDT Act provided a certain degree of legal immunity to the immigrants as well as cumbersome process for the complainant. Bora, who had been a Superintendent of Police in different districts including Cachar said that he had personal experiences on the difficulty in implementation of the said Act because the provisions were such that only a person residing in a particular locality can file such complaints. The onus of proving the citizenship status of a person was on the complainant and not on the accused. It took as much as 20 years since the signing of the Assam Accord to strike down the

¹⁸ *Ibid.*, Paragraphs 34-42.

¹⁹ Sarbananda Sonowal vs Union of India, Writ Petition (civil) no.131 of 2000, Supreme Court (July 12, 2005), Paragraph 45.

²⁰ “Report of the Committee on Implementation of Clause 6 of the Assam Accord,” Ministry of Home Affairs (North-East Division), Government of India, Notification No.11012/04/2019 – NE. VI Dated July 15, 2019, Gazette of India (February 10, 2020), 141.

controversial IMDT Act, 1983. Bora added that behind Sarbananda Sonowal's efforts, there was the role of AASU.²¹

5.3 Safeguards and Economic Development: Clauses 6 & 7

Clause 6 of the Assam Accord provided provision for the constitutional, legislative and administrative safeguards for the protection, preservation and promotion of the cultural, social, linguistic identity and heritage of the Assamese people.²² In fact, it is the only provision in the Assam Accord to use the term 'Assamese'. The question of Assamese identity, however, remains a contentious debate till today as there are conflicting opinions ranging from those who opine that the Assamese identity is still in the process of formation to those who hold that there is no such Assamese identity.

5.3.1 The 'Assamese' Question

There are two critical ambiguities in Clause 6 of the Assam Accord. Firstly, it seeks to guarantee safeguards without defining 'Assamese' or who the Assamese constitute. Secondly, it is not clearly specified as to what kinds of constitutional, legislative and administrative safeguards would be granted. Thus, the implementation of this provision is largely dependent upon the successive governments and the aforementioned Tripartite Meetings. And without prior resolution of who the 'Assamese people' constitute, implementation of the said provision in letter and in spirit is not possible.

Baruah (1999) even wrote that the leaders of the Assam Movement "got caught in their own rhetoric and failed to recognize that 'Assameseness' itself is a contested formation".²³ This led to the marginalization of ethnic communities who consider themselves separate from the Assamese by having their distinct language

²¹ Dilip Bora, Vice President of Asom Gana Parishad, "The Assam Accord Debate," *Northeast Tonight with Wasbir Hussain* (NETV: May 19, 2018)

²² Memorandum of Understanding on the Problem of Foreigners in Assam (August 15, 1985), Clause 6.

²³ Sanjib Baruah (1999), *Op.Cit.*, 175.

and culture. In March 2015, the delegation of AASU along with a group of 26 other ethnic bodies in Assam met the State Assembly Speaker, Pranab Gogoi and expressed their view on who the ‘Assamese’ should constitute as cited below:

“Considering the prevalent process of assimilation and keeping in mind India’s independence, all those people who have their names in the National Register of Citizens (NRC) prepared on the basis of the first census of independent India in 1951, regardless of which caste, community, religion, language or tribes they belong to are indigenous Assamese and should be provided constitutional safeguards and 100% seat reservation as per the clause 6 of the Assam Accord, the delegation told Pranab Gogoi on March 21, 2015.”²⁴

The third Congress ministry under Tarun Gogoi government in 2015 informed the Assam Assembly that the Government could not implement Clause 6 of the Assam Accord as the definition of an “Assamese” has not been finalized yet. This led to a fresh debate over the question of Assamese identity.²⁵ Prior to the elections to the 126 seat Assam State Legislative Assembly which was held in two phases on April 4 and April 11, 2016, the BJP promised to implement the Assam Accord, 1985 in letter and spirit once elected to power. BJP President then, Amit Shah, also now incumbent Home Minister, while addressing an election rally in Kamrup District of Assam while promising the implementation of the Assam Accord also assured that the BJP would completely seal the Indo-Bangladesh border and completely free the State of Bangladeshis.²⁶

The Committee on Implementation of Clause 6 of the Assam Accord which submitted its report on February 10, 2020 also observed that “because no definition

²⁴ “AASU meets Assembly Speaker with ‘Definition’ of Assamese,” *The Citizen Bureau* (March 22, 2015)

²⁵ “AASU meets Assembly Speaker with ‘Definition’ of Assamese,” *The Citizen Bureau* (March 22, 2015)

²⁶ Samudra Gupta Kashyap, “BJP will rid Assam of Bangladeshis: Amit Shah,” *The Indian Express* (April 10, 2016).

of ‘Assamese people’ could be arrived at and the criteria for determining reservation in Parliament, State Assembly and Local bodies could be agreed upon either.”²⁷ The Committee on Implementation of Clause 6 of the Assam Accord was constituted by the Ministry of Home Affairs (North-East Division) under Notifications dated July 15, 2019 and July 30, 2019 published in the Gazette of India. Initially, it was a 13 member body as per the former notification but one more member was added as per the latter notification. The 14-member high committee was led by Justice Biplab Kumar Sharma, Former Judge, Gauhati High Court as Chairman with Joint Secretary, North-East, Ministry of Home Affairs as Member Secretary. The Committee involved representatives of Ministry of Law & Justice, Ministry of Finance, Government of Assam, All Assam Students Union (AASU), academicians and journalists with the task of examining the implementation of Clause 6 since 1985, hold discussions with various stakeholders, assess appropriate level of reservation of seats for Assamese people in the Assam Legislative Assembly and local bodies, suggest measures for the protection of Assamese and other indigenous languages of Assam, recommend appropriate level of reservations in employment for Assamese people under the Government of Assam, and suggest any other measures necessary for the protection, preservation and promotion of Assamese identity and heritage. The Committee was to submit its report within six months from the date of notification. The latter notification also extended the deadline by one month making February 15, 2020 the deadline.²⁸

The Committee submitted its report on February 10, 2020. While there has been very little consensus on the definition of ‘Assamese people’ among the different groups in Assam, the report submitted by the high-committee on February 10, 2020 recommended that 1951 shall be the cut-off year for defining the term ‘Assamese people’ of Clause 6 of the Assam Accord. It suggested that all citizens of India who

²⁷ “Report of the Committee on Implementation of Clause 6 of the Assam Accord,” Ministry of Home Affairs (North-East Division), Government of India, Notification No.11012/04/2019 – NE. VI Dated July 15, 2019, Gazette of India (February 10, 2020), 45.

²⁸ “Report of the Committee on Implementation of Clause 6 of the Assam Accord,” Ministry of Home Affairs (North-East Division), Government of India, Notification No.11012/04/2019 – NE. VI Dated July 15, 2019, Gazette of India (February 10, 2020), 5.

were residents in the Territory of Assam on or before January 1, 1951 along with their descendants, irrespective of community, caste, language, religion or heritage, will be considered as Assamese people specified in the said provision. They may include not only the Assamese community, but also any Indigenous Tribal Community of Assam, any other indigenous community of Assam and all other citizens of India provided that they reside in Assam on or before the specified date.²⁹ For definition of ‘Indigenous people of Assam’, the Census Report 1951 by Indian Civil Service officer, R.B. Vaghaiwalla, Director of Census is referred which reads:

*“Indigenous people of Assam means a person belonging to the State of Assam and speaking the Assamese Language or any tribal dialect of Assam or in the case of Cachar the language of the region”.*³⁰

The high-committee also recommended introduction of the Inner Line Permit (ILP) in Assam to control the movement of people from outside the State. ILP provided under the Bengal Eastern Frontier Regulation, 1873 is presently operational in Arunachal Pradesh, Mizoram, Nagaland, and since December 10, 2019 in Manipur too. The panel also recommended 67 per cent reservation of seats in the State Legislative Assembly and the Lok Sabha constituencies in the State for the indigenous people. In addition, 16 per cent reservation will also be given to the Scheduled Castes and Scheduled Tribes which means more than 80 per cent reservation.³¹

In the first Tripartite Meeting on January 23, 1990, in regard to Clause 6, the AASU raised the issue of amending the Constitution for insertion of a new provision, Article 35 (A) to empower the State Legislative of Assam to make laws for employment, requisition of properties, admission in educational institutions,

²⁹ *Ibid.*, 42-43.

³⁰ *Ibid.*, 40.

³¹ MHA-appointed committee on Assam recommends 1951 as cut-off year to define indigenous people, ILP,” *The Economic Times* (February 17, 2020)

settlement in the State for different classes of people in Assam.³² The demand, however, fell through. The fourth Tripartite Meeting of September 23, 1998 agreed for the constitution of a Sub-Committee representing four from the Government of India and three each from the Government of Assam and the AASU which shall give its recommendations by April 30, 1999.³³ Samujjal Bhattacharjya, Senior Adviser of AASU held that the representatives discussed on seat reservation in local bodies to Parliament levels but this also fell through. He also denounced the recent formation of the Committee on Implementation of Clause 6 of the Assam Accord by the BJP Government that committee after committee is a measure to hoodwink the Assamese people.³⁴ The Tripartite Meeting of July 20, 2010 stated that constitutional safeguards for the Assamese people under Clause 6 of the Assam Accord include reservation of seats in the Parliament, state legislature and local bodies, rights of land, etc.³⁵

Despite recommendation after recommendation, and committee after committee, the question of who the Assamese constitute remains an unresolved issue till today. The recent recommendations of the High Committee for Implementation of Clause 6 of the Assam Accord which was submitted to the State Chief Minister, Sarbananda Sonowal who received it on behalf of the Union Home Minister, Amit Shah has not been implemented till today. Union Minister of State in the Ministry of Home Affairs, G. Kishan Reddy in his response to the Rajya Sabha Unstarred Question No.360 said that the recommendations of the High Level Committee are under examination of the State Government. AASU Adviser, Samujjal Bhattacharjya

³² Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (January 23, 1990)

³³ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (September 23, 1998)

³⁴ Samujjal Bhattacharjya, "Northeast Tonight with Wasbir Hussain: Assam Accord," *New Outlook* (NETV: January 5, 2019)

³⁵ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (10 July, 2010)

remarked that this is an indication of planned inaction and reluctance of the Central Government to implement Clause 6 of the Assam Accord.³⁶

Despite the ‘Assamese’ convulsion, several initiatives have been undertaken and the Implementation of Assam Accord Department listed several actions taken towards the implementation of Clause 6. Firstly, a cultural institution called Srimanta Sankaradeva Kalakshetra Society, Guwahati was established on November 9, 1998 and inaugurated by Hon'ble President of India. A sum of Rs.18.85 crores was funded by the Ministry of Human Resource Development while the Government of Assam funded Rs.1.50 crores making it a sum total of Rs.20.35 crores.³⁷ The institution includes cultural museum, library and several other facilities for preserving and promoting cultural items. The Committee on Implementation of Clause 6 of the Assam Accord observed that the Institute has become a forum for promotion and display of the dance and music of the State by organizing annual festivals. However, no research activities have been done on the dance, music, drama, fine arts of the region and no modern techniques have also been adopted by the Institute for preservation and documentation. It observed that financial constraint has been the main reason in this regard as the Government of India fund was only for initial capital expenditure, thus stressing the need for provision of funds by the Government of Assam.³⁸ Secondly, Jyoti Chitran Film and Television Institute (now Regional Government Film and Television Institute) in Guwahati was established and inaugurated by the Chief Minister of Assam at a cost of Rs.8.79 crores in April 1999.³⁹ Over the years, the Studio has produced more than 300 feature films, 500 documentaries, one lakh audio songs, 1000 audio albums and 1500 video albums. The Studio established a digital archive with around 10,000 film songs and 1000 old

³⁶ Samujjal Bhattacharjya, *Twitter* (September 27, 2020)

³⁷ “Assam Accord and its Clauses,” *Department of Implementation of Assam Accord, Government of Assam*, accessed on October 27, 2018; <https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

³⁸ Report of the Committee on Implementation of Clause 6 of the Assam Accord, *Op.Cit.*, 46.

³⁹ “Assam Accord and its Clauses,” *Department of Implementation of Assam Accord, Government of Assam*, accessed on October 27, 2018; <https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

songs. It is observed that the studio has ambitious plan for modernization and upgradation of infrastructure to which both the State Government and the Central Government must provide adequate funds.⁴⁰ Thirdly, financial assistance has been granted by the Government of Assam to 379 *Sattras* in Assam till today.⁴¹ The State Government also constituted the Sattrra Preservation Committee which prepared a list of 862 Sattras in the first phase while it has been estimated that there are more than 1000 Sattras in the State. Thus, there is the need for more financial assistance for the survival and preservation of these cultural institutions.⁴² Fourthly, the Archaeological Survey of India has taken up the preservation, protection and development of five monuments, namely, Singri Temple, Urvarshi Archaeological Site, Poa-Meccc, Hajo; Kadar Temple, Hajo; Hayagriva Madhava Temple, Hajo. The Directorate of Higher Education also provides annual grants to several voluntary organizations in Assam for the upliftment and promotion of language and art and culture. An Assamese Chair has also been approved to be established in the Centre of Indian Language, Literature and Culture Studies at Jawaharlal Nehru University, New Delhi.⁴³ Fifthly, the Anundoram Borooah Institute of Language, Art and Culture (ABILAC) was established by the Government of Assam in North Guwahati in 1989. It aims at development of tribal and indigenous languages, art and culture, literature and other forms of cultural expressions of Assam. It is observed that the Institute lacks proper infrastructure and funds as well as regular quality staff and research fellows for carrying out research activities.⁴⁴ The promotion and protection of Assamese culture and language can be seen through the initiatives mentioned in this paragraph.

⁴⁰ Report of the Committee on Implementation of Clause 6 of the Assam Accord, *Op.Cit.*, 46.

⁴¹ Sattras are monastic institutions of the neo-Vaishnavite tradition that serve as socio-religious and cultural centres in Assam.

⁴² "Report of the Committee on Implementation of Clause 6 of the Assam Accord," *Op.Cit.*, 48.

⁴³ "Assam Accord and its Clauses," *Department of Implementation of Assam Accord, Government of Assam*, accessed on October 27, 2018; <https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

⁴⁴ "Report of the Committee on Implementation of Clause 6 of the Assam Accord," *Op.Cit.*, 48.

However, the constitutional and legal safeguard has not been realized and the problem in definition of ‘Assamese’ continues to be an ongoing debate in Assam.

5.3.2 Economic Development

Clause 7 provided for speedy all round economic development of Assam and improvement of the standard of living of the people with special emphasis given on education and science and technology through establishment of national institutions. The issue was raised in the first tripartite meeting in January 1990 to enable Assam to catch up with the rest of country in industrial development by providing increased subsidies and special incentives for establishment of industries in Assam. The matter was referred to the Ministry of Industries for consideration.⁴⁵ The Tripartite Meeting on April 22, 2010 specified that economic measures under Clause 7 include: flood management, Assam Gas Cracker Project, CD ratio in Assam, Bogibeel Rail-cum-Road Project, Ashok Paper Mill and establishment of national educational institutes.⁴⁶

For the development of higher education in Assam, two central universities were established out of the Assam Accord namely Assam University at Silchar and Tezpur Central University at Tezpur.⁴⁷ The Tezpur University was established in 1994 after enactment of the Tezpur University Act, 1993. The Assam University was established in 1994 following the enactment of Assam (Central) University Act, 1989. The Indian Institute of Technology, Guwahati was also established in 1994 as provided in the Accord that IIT will be set up in Assam. Four state universities were also established namely Krishna Kanta Handiqui State Open University in Guwahati, Bodoland University at Kokrajhar in Bodoland Territorial Autonomous

⁴⁵ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (January 23, 1990)

⁴⁶ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (22 April, 2010)

⁴⁷ Summary of Tripartite Meeting, , Department of Implementation of Assam Accord, Government of Assam (September 23, 1998), see also Lok Sabha, Unstarred Question No:5667, Answered on: May 3, 2005, Ministry of Home Affairs, Government of India

District (BTAD), Cotton College State University in Guwahati and Kumar Bhaskar Varma Sanskrit & Ancient Study University in Nalbari.⁴⁸

The Assam Accord, 1986, in the sequence of events at the end of the document, specifically provided for the establishment of an oil refinery in Assam. The Numaligarh Refinery was set up at a cost of Rs.2,500 crores, and inaugurated by the then Prime Minister, A.B. Vajpayee on July 9, 1999.⁴⁹ The refinery is located at Morangi in Golaghat District of Assam. It is owned by the Numaligarh Refinery Limited, a public sector oil company in Assam under the control of the Ministry of Petroleum & Natural Gas, Government of India. It has a capacity of producing three million metric tonnes per annum (mmtpa) and the Cabinet Committee on Economic Affairs had approved tripling its capacity to nine mmtpa at a cost of Rs. 22,594 crores in January 2019.⁵⁰ The refinery has contributed towards the economic and industrial development of the region and was conferred the status of Mini Ratna PSU.

The mighty Brahmaputra divides the entire State of Assam by flowing through the heart of the State from east to west. For improving connectivity in the State, rail-cum-road bridge at Jogighopa known as the Naranarayana Bridge was inaugurated by Prime Minister in April 1998.⁵¹ The 2.5 km long bridge connects the two cities of Pancharatna and Goalpara. It is one of India's largest railway bridges and second longest bridge of Assam.⁵² Another rail-cum-road bridge over the Brahmaputra river was the 5 km Bogibeel Bridge which connects Dibrugarh with Silapathar in Dhemaji District near Arunachal Pradesh.⁵³ It is India's longest rail-

⁴⁸ "Assam Accord and its Clauses," *Department of Implementation of Assam Accord, Government of Assam*, accessed on October 27, 2018; <https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

⁴⁹ *Ibid.*

⁵⁰ "Numaligarh refinery capacity to be tripled," *The Hindu* (January 16, 2019)

⁵¹ Summary of Tripartite Meeting, , Department of Implementation of Assam Accord, Government of Assam (September 23, 1998)

⁵² "Naranarayana Bride – Jogighopa, Assam," *The Braithwaite Burn and Jessop Construction Company Limited*, accessed on November 5, 2018, www.bbjconst.com

⁵³ "Bogibeel Bridge Assam: Asia's longest bridge inaugurated in Assam today; its length, cost and other facts," *Times Now* (December 25, 2018)

road bridge. The bridge was constructed at an amount of Rs. 5920 crores while the Government of Assam estimated 4996.19 crore.⁵⁴ The bridge was inaugurated on December 25, 2018.

The Accord provides that the Central Government will render full assistance to the State Government for reopening Ashok Paper Mill and Jute Mills. The Ashok Paper Mills is one of the paper mills in Assam with the foundation stone for its Jogighopa unit laid by the Prime Minister of India back in October 1970 with the loans received from Industrial Finance Corporation of India (IFCI), Industrial Credit and Investment Corporation of India (ICICI) and Life Insurance Corporation (LIC). The total cost of the paper mill was Rs. 31 crores. The paper industry has the capacity of producing 100 tonnes of pulp and 90 tonnes of paper in a day. However, due to financial crises the Jogighopa unit has been shut down for a long period.⁵⁵ The Department of Implementation of Assam Accord recorded that as per the Hon'ble Gauhati High Court's order dated November 27, 2014 passed in Writ Petition (Civil) No. 3667/2008, the AASU and the Government of India, as key stakeholders of the Assam Accord, have been requested to furnish their grievances or comments in regard to the setting up of Jute/Coconut based industry at the site of Ashok Paper Mill. However, no grievances or comments have been received till October 2018. The Industries & Commerce Department even informed that it could not be viable after a number of attempts and that the project had been dropped. Meanwhile, a proposal of the Assam Industrial Development Corporation (AIDC) Ltd. for utilization of the land of Ashok Paper Mills site at Jogighopa for development of Integrated Industrial Cluster Projects with Ashok Paper Mills is under consideration of the Government.⁵⁶ The AASU on March 15, 2015 staged a demand the revival of the Ashok Paper Mill with the General Secretary of the students' body, Tapan Kumar

⁵⁴ "Assam Accord and its Clauses," *Department of Implementation of Assam Accord, Government of Assam*, accessed on October 27, 2018;

<https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

⁵⁵ "Ashok Paper Mills," Government of Assam, Bongaigaon District, accessed on 29 October, 2018, <http://bongaigaon.nic.in/apm.htm>

⁵⁶ "Assam Accord and its Clauses," *Department of Implementation of Assam Accord, Government of Assam*, accessed on October 27, 2018;

<https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

Gogoi lamenting that “it’s a matter of shame that the paper mill could not be revived even after 30 years of the Assam Accord.”⁵⁷

Besides these, the Tripartite Meeting of September 1998 recorded that several projects such as the Kathalguri Power Project 60 (MW), Lower Kopili Hydro-electric Project (150 MW), LPG Bottling Plan at Bongaigaon at an estimated cost of Rs.30.68 crores, three industrial growth centres at a cost of Rs.20 crores at Chariduar, Matia and Sonapur, Harrang Drainage Development Scheme at the cost of Rs. 12 crores and Pagladiya Hydeo Project at the cost of Rs. 512 crores have been initiated for economic development of Assam.⁵⁸

5.4 Other Issues: Clauses 8-12

Clause 8 deals with the issuance of citizenship certificates and put the responsibility upon the Government to arrange such issuance in the future only by the authorities of the Central Government. It also provided that specific complaints that may be made by the AASU/AAGSP regarding any irregular issuance of Indian Citizenship Certificate (ICC) will be looked into. However, in the 17 tri-partite meetings of the Government of India, the Government of Assam and the AASU after the signing of the Assam Accord, the issue have been mentioned only once, in the sixth meeting in 2000 where it was mentioned among the achievements that, “The power to issue citizenship certificates now vests only with the Central Government”.⁵⁹

In response to the Lok Sabha question raised by Badruddin Ajmal, All India United Democratic Front (AIUDF) Member of Parliament on the question of granting of Indian Citizenship to foreigners, Union Minister of State for Home,

⁵⁷ “Revive Ashok Paper Mill: AASU,” *The Sentinel* (March 16, 2015)

⁵⁸ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (September 23, 1998)

⁵⁹ Tripartite Talks to Review the Implementation of the Assam Accord (New Delhi: May 31, 2000) Source: Implementation of Assam Accord Department, Government of Assam. See also Lok Sabha, Unstarred Question No:5667, Answered on: May 3, 2005, Ministry of Home Affairs, Government of India.

Nityanand Rai replied that 15,012 persons from Bangladesh were given Indian citizenship from 2015 till 2019 under section 5 (by registration) or section 6 (by naturalisation) of the Citizenship Act, 1955 and rules made thereunder.⁶⁰ The Implementation of Assam Accord Department also recorded that no complaint has been received from the AASU/AAGSP in regard to the issuance of ICC.⁶¹

Clause 9 provided for effective prevention of future infiltration through border fencing and border patrolling. India shares a total of 4096.7 km international border with Bangladesh through West Bengal, Assam, Meghalaya, Tripura and Mizoram. During 2015-2029 alone, 9145 illegal migrants were apprehended by the Border Security Force (BSF) along these borders while a total of 540 were arrested in 2020 (till August).⁶² The state-wise length of international borders with Bangladesh is represented in the table below:

Table 5.2: State-wise length of international borders with Bangladesh

State	Total length (kms)
West Bengal	2216.7
Assam	263
Meghalaya	443
Tripura	856
Mizoram	318
TOTAL	4096.7

Source: South Asian Terrorism Portal⁶³

⁶⁰ “BSF apprehends 540 Bangladeshi illegal migrants in last eight months: Home ministry,” *Northeast Now* (September 20, 2020)

⁶¹ Department of Implementation of Assam Accord, Government of Assam, “Assam Accord and its Clauses,” accessed on October 27, 2018; <https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

⁶² “BSF apprehends 540 Bangladeshi illegal migrants in last eight months: Home ministry,” *Northeast Now* (September 20, 2020)

⁶³ South Asian Terrorism Portal, https://www.satp.org/satporgtp/countries/India/document/papers/BM_MAN-IN-BANG-270813.pdf

In regard to the State of Assam, as per the record maintained by the Implementation of Assam Accord Department, 208.65 km of fencing work has been completed. However, the Department recorded the total border length of Assam with Bangladesh as 280.06 km which makes 71.41 km fencing work yet to be done. Out of this, only 6.5 km length falling under Kamrimagnj town area is land border while the rest is riverine.⁶⁴ In a written reply to the question raised by Abdul Khaleque, Congress Member of Parliament in Lok Sabha from Assam, the Union Minister of State for Home, Nityanand Rai responded that out of the 4096.7 km long India-Bangladesh border, 3120.032 km have already been completed while 976.668 km porous border is yet to be covered. As for the reason for the incompleteness of works, Rai added, “The fencing work could not be completed due to difficult terrain, short working season, land acquisition problems, public protests, objections by Border Guard Bangladesh and recently the Covid-19 situation. The Government regularly monitors the progress of work along the Indo-Bangladesh border to ensure its completion.”⁶⁵

To keep a close vigil along the Indo-Bangladesh Border (IBB) particularly during the night hours, the Government of India has also initiated floodlighting projects. The floodlighting project was sanctioned to cover about 2840 km at an estimated cost of Rs. 1327 crore in November 2007. As on July 31, 2013, a total length of 1535.31 km was completed which covers 700 km in West Bengal, 30 km in Assam, 27.1 km in Mizoram, 148 km in Meghalaya and 630.21 km in Tripura.⁶⁶ There are 802 border outposts (BOPs) along the Indo-Bangladesh border while an

⁶⁴ Department of Implementation of Assam Accord, Government of Assam, “Assam Accord and its Clauses” accessed on October 27, 2018;

<https://assamaccord.assam.gov.in/portlets/assam-accord-and-its-clauses>

⁶⁵ “BSF apprehends 540 Bangladeshi illegal migrants in last eight months: Home ministry,” *Northeast Now* (September 20, 2020)

⁶⁶ Department of Implementation of Assam Accord, Government of Assam, “Assam Accord and its Clauses,” accessed on October 27, 2018; <https://assamaccord.assam.gov.in>

additional 383 BOPs are to be constructed in order to reduce the inter-BOP distance so as to check infiltration more effectively.⁶⁷

The implementation of clauses 10 and 11 is a continuous process. The former provides for the prevention of encroachment of government lands and lands in tribal belts and blocks and the ensuing eviction of unauthorized encroachers through laws. Chapter X (Protection of Backward Classes) of the Assam Land and Revenue Regulation, 1886 and Rules framed thereunder is enforced in this regard. Section 160 (1) and (2) of the ALRR, 1886 Act empower the State Government to specify certain classes of people for entitlement of protection, by notification in the official Gazette.⁶⁸ These people include Scheduled Tribes (Plains), Scheduled Tribes (Hills), Scheduled Castes, Santhals, Adivasis, Nepali cultivators and graziers (Gorkhas), and Koch Rajbongshi of undivided Goalpara District. Section 161 provided that the compact areas inhabited by these people may be constituted into belt and blocks.⁶⁹ Accordingly, Protected Belts and Blocks are administered under the said Regulation by the Directorate of Land Requisition Acquisition and Reforms, Department of Revenue and Disaster Management.

The genesis of Protected Belts and Blocks may be traced back to the British colonial policies in Assam. To protect the tribals from non-tribals or advanced group of people, the British closed certain areas from entry by outsiders in what came to be known as the 'Line System'. The ALRR was amended in 1947 to include Chapter X (Protection of Backward Classes).⁷⁰ The Constitution of India in Schedule V and VI also provided provisions for the administration of scheduled tribes. While the former applies to the tribals in the rest of India, the latter applies to the hill tribals of Northeast. However, the plain tribals in Assam particularly the Bodos were included

⁶⁷ "Floodlights installed along borders with Pakistan, Bangladesh," *The Indian Express* (June 7, 2017)

⁶⁸ Assam Land and Revenue Regulation, 1886 [Regulation I of 1886]

⁶⁹ Assam Land and Revenue Regulation, 1886 [Regulation I of 1886]

⁷⁰ Directorate of Land Requisition Acquisition and Reforms, Department of Revenue and Disaster Management, Government of Assam, "Land Administration in Protected Belts and Blocks in Assam," <https://dlrar.assam.gov.in/information-services/land-administration-in-protected-belts-and-blocks-in-assam>

in neither the Fifth Schedule nor the Sixth Schedule. It was only after the Bodo agitation and the subsequent signing of peace accord in 2003 that the Bodos were included in the Sixth Schedule. However, the Protected Belts and Block are not dependent upon the Fifth or Sixth Schedules but entirely upon the State Government.

Indigenous communities such as the Bodos, the Garos and the Rabhas have been demanding the eviction of encroachers of tribal belts and blocks through Chapter X of the ALRR, 1886. The protest spearheaded by Janajati Suraksha Mancha submitted a memorandum to the Deputy Commissioner of Kokrajhar in which it accused the Government of “encouraging other non-notified people to encroach upon the tribal belts and blocks and settle there permanently” and cited this as the root cause of the Bodo conflicts.⁷¹

Clause 11, on the other hand, provided for the restriction of acquisition of immovable property in Assam by foreigners. In this regard, the Assam Alienation of Land (Regulation) Act, 1980 in force.⁷² Alienation of land as per Section 2 of the said Act means “the transfer of land by sale, mortgage, lease, exchange, gift will or otherwise”. The ‘land’ here also includes building or structures therein.⁷³

Clause 12 provided for the maintenance of birth and death registers in Assam. The Health & Family Welfare Department is the concerned authority and established 695 centres to carry out such registrations.⁷⁴ Under Section 30 of the Registration of Births and Deaths Act, 1969 which mandates the state governments to make rules for carrying out this Act, with approval of the Central Government and by notification in the Official Gazette, the Government of Assam framed the Registration of Births and Deaths Rules, 1978 which came into effect from April 1, 1978. The Rules was

⁷¹ “Demand for land rights - Demonstration in Kokrajhar against encroachment; sit-in for honorarium in Dhubri,” *The Telegraph* (July 4, 2014)

⁷² Department of Implementation of Assam Accord, Government of Assam, “Assam Accord and its Clauses,” accessed on October 27, 2018; <https://assamaccord.assam.gov.in>

⁷³ The Assam Alienation of Land (Regulation) Act, 1980, *The Assam Gazette*, No.40 (Dispur: July 19, 1980)

⁷⁴ Department of Implementation of Assam Accord, Government of Assam, “Assam Accord and its Clauses,” accessed on October 27, 2018; <https://assamaccord.assam.gov.in>

amended in 1999 and published vide Notification No. HLA 954/99/100 on September 8, 2000.⁷⁵

5.5 Restoration of Normalcy: Clauses 13-15

Clause 13 required the movement leaders, the AASU and the AAGSP to call off the Assam Agitation, assure full co-operation and dedication for the development of the country. The signing of the Accord led to the foundation of a new political party in Assam called the Assam Gana Parishad (AGP) formed out of the leaders of the Assam Movement. In the elections to the State Legislative Assembly following the signing of the Assam Accord in 1985, the AGP which promised to implement the provisions of the Accord and solve the problem of foreigners in Assam came to form the government. In the Assam Legislative Assembly elections of 1985, the AGP being a new political party candidated as Independent. In Assam's 126 seats, it secured 92 seats while the Congress suffered a heavy defeat with just 25 seats. The table below represents the results of the said State elections:

Table 5.3: Assembly Legislative Assembly Elections, 1985

Party Name	Abbreviation	Seats
Communist Party of India (Marxist)	CPIM	2
National Congress (Socialist)	ICS	4
Indian National Congress	INC	25
Plain Tribals Council of Assam	PTC	3
Indepenent	IND	92
TOTAL		126

Source: Election Commission of India⁷⁶

The AGP, despite its denial as the political wing of the AASU, had its roots in the students' organization with the students' leader, Prafulla Mahanta becoming

⁷⁵ The Registration of Births and Deaths Rules, 1999, *Assam Gazette*, Extraordinary No. 4 (January 8, 2001)

⁷⁶ *Statistical Report on General Election, 1985 to the Legislative Assembly of Assam*, Election Commission of India, New Delhi, 7.

one of India's youngest Chief Ministers. Nevertheless, neither the central government nor the successive state governments took keen measures to implement the provisions of the accord to solve the problem of foreigners in Assam. Firstly, citizenship laws in India are constitutionally under the mandate of the Union Government. Secondly, the AGP which promised to implement the provisions of the accord not only failed in its promise but it was decried of its inefficacy and corruption. The AASU-United Liberation Front of Asom (ULFA) nexus was discussed in the previous chapter. The ULFA was founded in 1979 just before the Assam Movement with the commitment to put an end to the colonial rule of India over Assam by establishing an independent *Swadhin Asom*. Writers such as Gogoi and Dutta maintained that the ULFA acquired political space only after the AGP assumed power in 1985.⁷⁷ Routray pointed out that the ULFA was the greatest beneficiary of the AGP regime of 1986-1990. During this period, "the range and scope of the ULFA's activities increased dramatically" while the AGP followed a 'hands-off approach' against the organization. He also highlighted that the ULFA had made significant policy changes in the post accord Assam. On March 6, 1987, the ULFA in a press briefing stated that it considered "all symbols of the Indian state, as well as every person who had associated himself with the bloody elections of February 1983, as a legitimate target".⁷⁸ When President's Rule was imposed in Assam on November 27, 1990 and the entire State of Assam was declared a 'disturbed area' under AFSPA, 113 people had been killed by ULFA, of whom 58 were political party activists and 19 were government officials, according to government figures.⁷⁹ In July 1992, the ULFA published a leaflet, *Ahombashi Purbabangiya Janaganaloy, Sanjukta Mukti Bahini Ahom*, 1992 which radically changed the agenda of the outfit. The leaflet was addressed to the East Bengal migrants that reads:

⁷⁷ Dilip Gogoi and Uddipan Dutta, "Between State and Insurgents: Violation of Human Rights in Assam," in Dilip Gogoi (ed) *Unheeded Hinterland: Identity and Sovereignty in Northeast India* (New Delhi, London, New York: Routledge, 2016), 167.

⁷⁸ Bibhu Prasad Routray, "ULFA: The 'Revolution' Comes Full Circle," *Faultlines*, Volume 13, November 2002.

⁷⁹ Sanjib Baruah, *Durable Disorder: Understanding the Politics of Northeast India*. (New Delhi: Oxford University Press, 2005), 154.

“East Bengal migrants are considered Assamese. Without these exploited lot, ULFA cannot be successful. These are people who are educationally, economically backward. They cannot be our enemies. These hardworking people are ULFA’s protection shield... Their contribution to the national income is immense... They can produce essential things from a small piece of land, sell without any profit, work hard for the betterment of Assam, sacrificing themselves for the future of the State. They are our real well wishers, our friends, better than the Indians earning at the cost of the Assamese people.”⁸⁰

During the AGP rule during 1996-2001, the infamous secret killings of Assam took place where unidentified assassins killed family members of ULFA leaders. The secret killings stopped with the fall of AGP government in 2011. Congress government under Tarun Gogoi constituted the Saikia Commission whose report was presented in the Assam State Legislative Assembly on November 15, 2007. The report found that the secret assassins were surrendered ULFA members who had nexus and cooperation with the Government.⁸¹ However, the Saikia Commission Report that accused Prafulla Kumar Mahanta, the then Chief Minister also in charge of Home, was declared as unconstitutional by the State High Court on September 3, 2018.⁸²

Clause 14 (a) and (d) provided that the Central and State governments agreed to “review with sympathy and withdraw cases of disciplinary action taken against employees in the context of the agitation and to ensure that there is no victimization” and also to review detention cases and other cases in connection with the agitation

⁸⁰ ULFA, *Ahombashi Purbabangiya Janaganaloy, Sanjukta Mukti Bahini Ahom*, 1992 quoted in Bibhu Prasad Routray, “ULFA: The ‘Revolution’ Comes Full Circle,” *Faultlines*, Volume 13, November 2002.

⁸¹ Jayanta Krishna Sarmah, Nirmala Devi and Amar Deep Pegu, “ULFA versus State - Unresolved Issue of Sovereignty : A Human Rights Perspective,” *The Indian Journal Of Political Science*, Vol. 69, No. 4 (Oct. - Dec., 2008): 825-831

⁸² “Secret Killings Case: KN Saikia Commission Declared Unconstitutional by High Court,” *The Sentinel* (September 4, 2018).

except heinous offences. During the Assam Agitation, several employees' unions such as the Sadau Asom Karmachari Parishad (All Assam Employees' Association), the All Assam Central and Semi Central Employees Association, Assam Secondary School Teachers and Employees' Association etc. took active role in the agitation. In the response of Union Minister of State for Home Affairs, S. Regupathy to the Lok Sabha unstarred question No.5667 by Sarbananda Sonowal and Moni Kumar Subba on May 3, 2005, disciplinary cases against employees in connection with the agitation were reviewed. National Security Act (NSA) detainees detained in connection with agitation were also released.⁸³

Clause 14 (b) of the Assam Accord provided that ex-gratia payment was to be made to the next of kin of persons killed in the course of the agitation according to a scheme made by the central and state governments. Ex-gratia is a lump sum amount granted to the next of kin (NOK) of a person killed in man-made violence or natural calamities. The Assam Disaster Management Manual, 2015 provides the guidelines and instructions for such payments.⁸⁴ The total number of martyrs during the six-year-long agitation as recorded by the AGP was 855 though the AASU later claimed it to be 860. A detailed table of the number of victims of the Assam Agitation of 1979-1985 was shown in Table 5 in the third chapter. The Department of Implementation of Assam Accord, Government of Assam recorded that an amount of Rs. 5 lakhs has already been provided by the Government of Assam to the next of kin (NOK) of martyrs on December 10, 2016 when *Swahid Divas* was observed in the State.⁸⁵

Academic and competitive examinations got disrupted during the agitation of 1979-1985. Its remedy was provided in Clause 14(c) where relaxation of upper age limit for employment in Assam public service was to be considered. For

⁸³ Lok Sabha, Unstarred Question No:5667, Answered on: May 3, 2005, Ministry of Home Affairs, Government of India.

⁸⁴ Department of Revenue & Disaster Management, Government of Assam, "Ex-Gratia Payment," <https://landrevenue.assam.gov.in/schemes/detail/ex-gratia-payment-0>

⁸⁵ Department of Implementation of Assam Accord, Government of Assam, "Martyrs of Assam Agitation", <https://assamaccord.assam.gov.in/information-services/martyrs-of-assam-agitation>

implementation of this clause, the Central Government issued orders for relaxation of upper age limit in recruitment upto a maximum of six years for candidates who had ordinarily resided in Assam from January 1, 1980 to September 15, 1985.⁸⁶

As per clause 15 of the Assam Accord, the Ministry of Home Affairs, Government of India is the nodal ministry for the implementation of the Assam Accord. To review the implementation of Assam Accord, Tripartite Meetings comprising of the Government of India, Government of Assam and AASU have been held time and again. Since the signing of the Assam Accord, there have been altogether 18 tripartite meetings on the basis of agenda fixed by the Ministry of Home Affairs. The dates of meetings are mentioned below:

Table 5.4: Tripartite Meetings to review the implementation of Assam Accord

1.	January 23, 1990
2.	August 11, 1997
3.	April 6, 1998
4.	September 23, 1998
5.	March 18, 1999
6.	July 1, 1999
7.	November 17, 1999
8.	May 31, 2000
9.	November 7, 2000
10.	November 6, 2001
11.	February 14, 2003
12.	May 5, 2005
13.	January 2, 2006
14.	July 29, 2006
15.	July 11, 2007
16.	April 22, 2010
17.	July 20, 2010

⁸⁶ Lok Sabha, Unstarred Question No:5667, Answered on: May 3, 2005, Ministry of Home Affairs, Government of India.

Source: Department of Implementation of Assam Accord

The Tripartite Meetings addressed key issues for implementation of the Assam Accord. These include *inter alia* amendment of the Citizenship Act, 1955, special incentive for economic development, employment generation, repeal of IMDT Act, 1983, functioning of Foreigner Tribunals in Assam, border management, constitutional safeguards under Clause 6 for the Assamese people, measures for economic development of Assam under Clause 7, *ex gratia* payments, flood control measures and update of NRC.⁸⁷

5.5.1 The Citizenship Conundrum: Assam Accord vis-à-vis NRC and CAA

The implementation of Clause 5 of the Accord has been the most complex due to several factors such as the presence of large number of foreigners in the State, the porous borders of Assam and the continuing influx of foreigners particularly from Bangladesh. The Citizenship Act, 1955 in Section 14A provided for the maintenance of National Register for Indian Citizens and established a National Registration Authority for this purpose. However, Assam is the only Indian state to have such register. The National Register of Citizens (NRC), 1951 was a register prepared after the Census of India, 1951 to record the list of *bona fide* Indian citizens in the state of Assam.

The leaders of the Assam Movement from the beginning desired the cut-off date for identifying foreigners on basis of the NRC of 1951. However, after a series of talks and negotiations, the Assam Accord of 1985 provided March 24, 1971 as the cut-off date to identify those who illegally migrated into Assam from Bangladesh. In the process of implementing the provisions of the Accord, the Implementation of Assam Accord Department is established as a Nodal Department which from time to time deals with the AASU and different Ministries of the Government of India. It was through these Tripartite Meetings that the recent update of NRC came to be

⁸⁷ Summary of Tripartite Meetings, Department of Implementation of Assam Accord, Government of Assam (1990-2010)

demanded by the AASU.⁸⁸ The maintenance and updation of the NRC was a regular feature of the Tripartite Meetings since the Fifth Tripartite Meeting on March 18, 1999. During the Tripartite Meeting of May 5, 2005, the then Chief Minister of Assam agreed to update NRC within a period of two years by including the names of persons from the electoral rolls upto 1971 and their descendents. The Prime Minister also agreed to give financial support to the State Government in this regard.⁸⁹

The Manmohan Singh Government in 2005 first announced the updation of the NRC but the Assam Government did not initiate the process. The Supreme Court ordered the NRC to be updated by the Registrar General of India (RGI) with assistance of the State Government and set December 31, 2017 as deadline for publication of the first updated draft of NRC. The update of the NRC was to identify illegal migrants particularly Bangladeshis in Assam and take necessary actions as provided by law. The Citizenship Act, 1955 and the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 were to be used during the updating process.⁹⁰ Since the updation process requires substantial expenditure, the State of Assam requested an amount of Rs. 489 Crores from the Central Government while an amount of Rs. 440 Crores was allotted.⁹¹ The NRC updation was closely monitored by a division bench of the Supreme Court comprising CJI Ranjan Gogoi (then Justice) and Justice Rohinton Nariman.⁹² It was a very complex process since applications for registration require verification of documents for proof multiple times. Since illegal migrants in Assam or any other state procured voters' ID cards, Aadhar cards, driving licenses, ration cards etc. through fraudulent means, special care was made to cross check these documents if either himself/herself or her parents

⁸⁸ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (March 18, 1999)

⁸⁹ Summary of Tripartite Meeting, Department of Implementation of Assam Accord, Government of Assam (May 5, 2005)

⁹⁰ Office of the State Coordinator of National Registration (NRC), Assam, "NRC: In a Nutshell," Government of Assam, <http://nrcassam.nic.in/nrc-nutshell.html>

⁹¹ Assam Public Works versus Union of India & ORS, Supreme Court of India, Writ Petition (Civil) No. 274 of 2009

⁹² Assam Public Works vs Union of India, "Assam's National Register of Citizens," No. Writ Petition (Civil) 274/2009. Source: *Supreme Court Observer*

or grandparents were featured in the electoral rolls upto March 24, 1971. Accordingly, out of over 3.29 crore applicants, the first draft published on December 31, 2017 included 1.9 crore names. Deadline for the second draft of NRC was set on June 30, 2018. After extension of the deadline, the complete draft published on July 30, 2018 included 2,89,93,677 in the list while it excluded approximately 40 lakh people according to officials.⁹³ The 40 lakh people whose applications were rejected were given the time to re-submit their documents for the final NRC update. The Final NRC published on August 31, 2019 excluded 19,06,657 persons out of 3,30,27,661 applicants meaning 3,11,21,004 making it into the list.⁹⁴

Table 5.5: Final update of NRC (August 31, 2019)

Applicants	Included	%	Excluded	%
3,30,27,661	3,11,21,004	94.23	19,06,657	5.77

Source: Compiled from news items⁹⁵

The recent NRC update based the cut-off date as March 24, 1971 for detecting illegal immigrants in line with the Assam Accord. Samujjal Bhattacharjya, Chief Advisor of AASU claimed that it is in accordance with the spirit of the Assam Accord and got the support of the AASU for solution of the problem of foreigners in Assam.⁹⁶ However, there are sections who are in opposition to this cut-off date as it implies that those who migrated to Assam after the NRC of 1951 till Bangladesh's independence in 1971 would be included in the register and would outnumber the indigenous people of Assam. One such organization in opposition to the base date is the Asom Sanmilita Mahasangha which claimed that with 1971 as the deadline of NRC update, the Bengalis and the Nepalis who migrated to Assam before 1971 will be registered and subsequently outnumber the indigenous people of Assam and

⁹³ Rinchen Norbu Wangchuk, "NRC Assam Final Draft Published: 9 Things Every Indian Should Know," *The Better India* (30 July, 2018)

⁹⁴ "NRC final list: Many genuine Indian citizens left out," *The Economic Times* (August 31, 2019)

⁹⁵ *Ibid.*

⁹⁶ Samujjal Bhattacharjya, "Northeast Tonight: The Assam Accord Debate with Wasbir Hussain," *NETV* (May 19, 2018)

reduce them to minority in their own land.⁹⁷ The NRC has also been criticized by some as defective regarding the inclusion and rejection of applicants in the updated list. To cite such case, a 74 year old victim of a suicide named Nirod Kumar Das was found to be excluded from the list while all other members of his family- his wife, three daughters and their husbands are included in the list.⁹⁸

The NRC update in Assam has caused alarms to the states bordering Assam with fears of exodus of unregistered people in their states. These states have tightened their borders with Assam in the aftermath of the NRC update. For instance, the Mizo Zirlai Pawl (students' organization) conducted a drive on detection of illegal immigrants who were not in possession of the Inner Line Permit (ILP) since August 17, 2018 at the State's capital and border check points in Bairabi, Saiphai and Vairengte and handed them over to concerned authorities. The students' body claimed that they have detected over 200 Bangladeshi immigrants who did not find their names in the updated NRC.⁹⁹ They therefore demanded that the Assam-Mizoram border be tightened by the State Government and not issue ILP to anyone whose names are not found in the updated NRC.¹⁰⁰

The NRC update in Assam also creates a demonstration effect to its neighbouring states. Three neighbours of Assam, namely Tripura, Mizoram and Nagaland have pressed for implementation of NRC in their own states within few months of the update of NRC in Assam. Like Assam, Tripura has been largely dominated by Bengalis and the tribals are reduced to a minority in their own State. Peace agreements were signed with insurgent groups, Tripura National Volunteers (TNV) in 1988 and All Tripura Tiger Force (ATTF) in 1993 to address the problem of illegal immigration and cultural safeguards. After three months of the publication of the NRC, a group of activists in Tripura petitioned to the Supreme Court for

⁹⁷ Manash Pratim Dutta, "Forum wary of NRC effect," *The Telegraph* (20 June, 2018)

⁹⁸ Rahul Karmakar, "Exclusion from NRC drives Assam lawyer to take extreme step," *The Hindu* (22 October, 2018)

⁹⁹ "Mizo students' body detect 200 illegal immigrants," *Northeast Today* (23 August, 2018)

¹⁰⁰ "MZO conducts drive against illegal settlers in Mizoram," *Northeast Today* (18 August, 2018)

conducting NRC in Tripura with the demand of the cut-off date to be July 1949.¹⁰¹ The anti-foreigners movement in Mizoram is targeted against the Chakmas and the Brus who the Mizos termed as Takam and Tuikuk from Bangladesh and Tripura respectively. Likewise, the largest voluntary organization in Mizoram, the Young Mizo Association (YMA), which has a total member of 4.27 lakhs pressed for NRC in Mizoram. The Nagaland Unit of the Janata Dal has also made similar demands.¹⁰²

In line with the NRC update in Assam, the Mizoram State Legislative Assembly on March 18, 2019, enacted the Mizoram Maintenance of Household Register Bill, 2019. It provided for the maintenance of registers of every resident of the State in an effort to detect 'illegal foreigners'. The Chief Minister of Mizoram, Zoramthanga commented, "Influx of foreigners into Mizoram through its porous borders has remained a serious concern for several decades. In many cases the benefit of development and welfare programmes are found eaten away to a large extent by such foreigners who clandestinely stayed back and got assimilated among the people of the State by taking advantage of the mistaken identity and of difficulties in detecting them." He also added that "large scale influx of foreigners and their *mala fide* assimilation" with the permanent residents in the villages of Mizoram has led to an "abnormal increase in the population" and poses a law and order threat.¹⁰³

While the implementation of the NRC update was underway, a controversial move of the Central Government took place with the introduction of the Citizenship Amendment Bill, 2016 also popularly known as CAB 16 in the Parliament. The Citizenship Act, 1955 provides provisions for the acquisition and determination of Indian citizenship by birth, by descent, by registration, by naturalization and by incorporation of territory into the Union of India. The Act in Section 2(b) identifies an illegal migrant as a foreigner who has entered India without a valid passport or

¹⁰¹ "By extension: NRC for Tripura," *The Hindu* (13 October, 2018)

¹⁰² "After Assam, now Tripura, Mizoram and Nagaland press for NRC," *The Sentinel* (31 August, 2018).

¹⁰³ Zoramthanga, Quoted in, "Mizoram: Assessment-2019," *South Asian Terrorism Portal*; accessed on 17 July, 2019: <https://www.satp.org/terrorism-assessment/india-insurgencynortheast-mizoram>

other authorized documents; or with a valid passport or other authorized documents but remains therein beyond the permitted period of time. The Act provided special provisions as to citizenship of persons covered by the Assam Accord in Section 6A. Accordingly, illegal migrants can be detected, imprisoned or deported under the Foreigners Act 1946 (31 of 1946) and the Foreigners (Tribunals) Order, 1964. It should be noted that there are no provisions for providing Indian citizenship to illegal migrants through naturalization.

The Ministry of Home Affairs, Government of India drafted the Citizenship (Amendment) Bill, 2016 which was introduced in the Lok Sabha on July 15, 2016 by the NDA Government. The Bill seeks to amend the Citizenship Act, 1955 by providing citizenship by naturalization to illegal migrants from Afghanistan, Bangladesh and Pakistan belonging to six religious communities namely Hindu, Buddhist, Sikh, Jain, Parsi and Christian. The Bill also seeks to reduce the required duration of continuous stay in the country from 11 years to six years for obtaining citizenship by naturalization. This implies that people belonging to the aforementioned religious communities from the aforementioned countries could be granted Indian citizenship if they had arrived in India on or before December 31, 2013.

A serious threat posed by the Citizenship (Amendment) Bill, 2016 was that it offers citizenship by naturalization to illegal migrants, which is contrary to the Citizenship Act, 1955 that seeks to punish such persons through legal provisions. If the Bill is passed, the Indian states bordering Afghanistan, Bangladesh and Pakistan will become pools of illegal migrants. This could intensify the already existing movements against foreign nationals in States such as Assam, Jammu and Kashmir, Punjab, Gujarat, Rajasthan, Mizoram, Meghalaya, Tripura and West Bengal and put them at the brink of outbreak of ethnic or political violence. Secondly, the naturalization process is hastened by reducing the required duration for continuous stay in India from 11 years to just six years. Thirdly, granting citizenship by naturalization to six religious communities while depriving Muslim community is a clear discrimination on the basis of religion and violates the secular framework

enshrined in the Constitution of India. The Preamble of the Constitution determined India to be a secular state. A secular state is one which is impartial towards all religions. Articles 14 and 15 enumerated in Part III of the Constitution also provided Fundamental Rights for equality before law and prohibition of discrimination on grounds of religion, race, caste, sex or place of birth. One may argue that the Fundamental Rights are exclusively for *bona fide* citizens of India. However, the essence of secularism and equality of the nation is at stake if the State partially favours any particular community on the basis of religion.

The Bill has triggered protests from political parties and different sections of the community not just in Assam but also in the States bordering Afghanistan, Bangladesh and Pakistan. Kumar (2017) *inter alia* criticized the bill to have been a threat to the unity and integrity of India by violating the provisions of the Assam Accord, violated the constitutional right to equality and is against secularism.¹⁰⁴ On May 29, 2018, the All Assam Students Union (AASU) supported by at least 28 other organizations including the Asom Gana Parishad (AGP), a coalition partner of the BJP Government in Assam organized a mass hunger strike in opposition of the Bill where thousands of people participated.¹⁰⁵ One of Assam's most active extremist group, ULFA maintained that legislation of the Bill would reduce the indigenous people of Assam to a minority.¹⁰⁶ Activist Akhil Gogoi of the Krishi Sangram Mukti Samiti also said that the law will "open floodgates for 1.2 crore Hindus of Bangladesh to swamp India".¹⁰⁷ The former Chief Minister of Assam, Tarun Gogoi has also slammed the Bill that its provisions go against the spirit of the Assam Accord.¹⁰⁸ This is particularly because while the Assam Accord and the recent NRC

¹⁰⁴ Sandeep Kumar, "Citizenship (Amendment) Bill, 2016: A Critique," *Paripex – Indian Journal of Research*, Vol.6, Issue 2: 227-229, February 2017.

¹⁰⁵ "Centre to Consider Concerns of Assam People before Citizenship Bill: Sonowal," *Northeast Today* (30 May, 2018)

¹⁰⁶ "Centre to Consider Concerns of Assam People before Citizenship Bill: Sonowal," *Northeast Today* (30 May, 2018)

¹⁰⁷ Akhil Gogoi, quoted in "It's Barak Valley versus Brahmaputra Valley over Citizenship Amendment Bill," *Hindustan Times* (11 May, 2018)

¹⁰⁸ "NRC will go waste, if Citizenship Bill passes, says Tarun Gogoi," *Northeast Today* (17 October, 2018)

update seek to detect and deport foreigners who illegally migrated to the State after 1971, the Amendment Bill seeks to give them citizenship through naturalization after just six years of their stay in India. This means shifting the deadline for detection and deportation of illegal migrants from 1971 to 2014.

Samujjal Bhattacharjya, AASU's Chief Adviser has taken a lead role in the anti-CAB protests in Assam. As former Secretary of AASU when the incumbent Chief Minister, Sarbananda Sonowal was President, Bhattacharya claimed in an interview that that Sonowal and the BJP government both at the centre and the state have betrayed the people of Assam. He held that the AGP which formed the government in the aftermath of the Assam Accord of 1985 has also betrayed the people of Assam by supporting the law. He added that the Congress ministry earlier enacted the controversial IMDT Act of 1983 for electoral gain. Stating the reason for the enactment of the CAA by the BJP government, he maintained that "they need the votes of the illegal Bangladeshis".¹⁰⁹ He also slammed the Central Government of trying to derail the process of NRC which is in accordance with the Assam Accord by amending the citizenship act.¹¹⁰ He said that the North East Students' Organization (NESO) and AASU will oppose the new law until it is scrapped.¹¹¹ The NESO has member-organizations in different Northeast States such as AASU in Assam, Mizo Zirlai Pawl (MZP) in Mizoram, Khasi Students' Union (KSU) and Garo Students' Union (GSU) in Meghalaya, All Arunachal Pradesh Students' Union (AAPSU) in Arunachal Pradesh, Naga Students' Federation (NSF) in Nagaland, All Manipur Students' Union (AMSU) in Manipur, Twipra Students' Federation (TSF) in Tripura. Subsequently, the NESO called an 11 hours Northeast Bandh on January 8, 2020 condemning the Bill as an imposition on the sentiments of the indigenous

¹⁰⁹ Samujjal Bhattacharjya, interview by Shantanu Nandan Sharma, "What lies ahead for Assam which is steadfastly, and often violently, protesting the new citizenship act," *The Economic Times* (15 December, 2019)

¹¹⁰ Samujjal Bhattacharjya, "Northeast Tonight with Wasbir Hussain: Assam Accord," *NETV* (January 5, 2019)

¹¹¹ "Citizenship Amendment Act: AASU plans protest against PM Modi," *The Hindu* (January 7, 2020)

people of the Northeast and that this move by the Government of India will reduce the indigenous people of the Northeast to a minority.¹¹²

Due to the speedy process of naturalization provided by the Citizenship (Amendment) Act, 2019, it causes concerns not just to the Assamese but also to the states sharing international borders with Afghanistan, Bangladesh and Pakistan. In Mizoram, the opposition to the Citizenship (Amendment) Bill, 2016 has been expressed by the ruling Congress government, as well as all other political parties, including the State BJP and the NGOs. The State bordering Bangladesh in the west has an incessant problem of influx of Buddhist Chakmas who will become citizens enjoying the right to vote and enjoy government services if the bill is passed. The State's Chief Minister, Lal Thanhawla expressed that his government had previously expressed to the Union Home Minister, Rajnath Singh its opposition to the Bill. The Council of Ministers in June 2018 also decided to introduce a resolution in the State Legislature in opposition to the said Bill.¹¹³ Lal Thanhawla alleged that the Citizenship Amendment Bill is an attempt to grant citizenship to illegal migrants especially Hindus and that the Central Government has no real intention of covering Muslims and Christians in the Bill.¹¹⁴ Providing citizenship to Hindus who were religious minorities in Bangladesh, Pakistan and Afghanistan is a showcase of Hindu favoritism as Hindus form a majority of these immigrants.

5.5.2 The Minority Problem

Bodos are the single largest tribal community in Assam and one of the earliest settlers of modern Assam. As plain tribals, they were long denied of their aspiration for district council autonomy because the original Sixth Schedule to the Constitution of India provides autonomy only for the hill tribals.¹¹⁵ It was discussed in the third chapter that the Bodos, along with other tribes, supported the Assam

¹¹² North East Students' Organisation (NESO), Call for bandh (January 8, 2020)

¹¹³ "Mizoram Govt to Bring Resolution Against Citizenship Bill," *Northeast Today* (13 June, 2018)

¹¹⁴ "Citizenship Bill an Attempt to Grant Citizenship to Illegal Migrants from Minority Communities: Mizoram CM," *Northeast Today* (9 June, 2018)

¹¹⁵ Subir Bhaumik, *Troubled Periphery*, 28.

Movement of 1979-1985. However, Weiner (1983) also accounted a contrasting argument that the Central Government's decision to forcibly hold elections polarized Assam where the Assamese and indigenous tribal groups, especially the Lalungs strongly opposed the elections, while Bengali Hindus and Muslims supported it. The Bodos who were members of the Plains Tribal Council of Assam (PTCA) also supported the elections and were against "the Assamization policy of the State Government".¹¹⁶

The Bodos consider themselves distinct and equal to the 'so-called Assamese'.¹¹⁷ With the provision of special safeguards for the Assamese inserted in Clause 6 of the Assam Accord, the Bodos felt that their distinct identity and culture is not adequately safeguarded in the Assam Accord. In fact they fear that the provision for safeguarding the cultural identity of the 'Assamese people' might give legitimacy to the imposition of Assamese language and culture.¹¹⁸

Against what they call 'Assamese chauvinism', All Bodo Students Union (ABSU) under the leadership of Upen Brahma started an agitation as early as 1987 under the banner of 'Divide Assam fifty-fifty' for creation of a separate state called Bodoland on the northern bank of Brahmaputra in Assam. With the emergence of Bodo movement for separate state, armed organizations such as the Bodo Volunteer Force (BVF) and the Bodo Security Force (BdSF) came into existence and supported the Bodo Movement.¹¹⁹ Thus, the Assam Accord was followed by an intense agitation for a separate Bodoland state.

It was in February 20, 1993 when a tripartite Memorandum of Settlement (MoS) or the First Bodo Accord was signed between the Government of India, the Government of Assam and the Bodos represented by All Bodo Students' Union and Bodo People's Action Committee. It provided for the creation of a 40-member

¹¹⁶ Myron Weiner, "The Political Demography of Assam's Anti-Immigrant Movement," *Population and Development Review*, Vol.9, No.2: 279-292 (Jun, 1983), 280.

¹¹⁷ Sanjib Baruah, *India Against Itself*, 180

¹¹⁸ Sanjib Baruah, *India Against Itself*, 174.

¹¹⁹ M. Amarjeet Singh, *Conflicts in Assam* (Bangalore: National Institute of Advanced Studies, 2010), 22

Bodoland Autonomous Council (BAC) with special powers to fulfill the economic, educational, and linguistic aspirations of the Bodos and other plains tribes. Here, the BVF merged with the ABSU and came overground to mainstream politics while the BdSF translated itself to National Democratic Front of Bodoland (NDFB) with an objective of securing 'Sovereign Bodoland'.¹²⁰ The First Bodo Accord was met with the complication of drawing an acceptable territorial boundary for the BAC which eventually led to the revival of the Bodo movement.¹²¹ After just three years of the Accord, ABSU revives the statehood movement and adopts a resolution demanding repeal of the Bodo Accord of 1993. In such a backdrop, another armed group, the Bodo Liberation Tigers (BLT) was formed in June 18, 1996 by a section of surrendered BVF cadres. After carrying out a series of violent attacks including bombing of trains and organized ethnic riots, the BLT was declared unlawful under the Unlawful Activities (Prevention) Act on October 3, 1997. The Second Bodo Accord was signed on February 10, 2003 for creation of Bodo Territorial Council (BTC) under which the jurisdiction of the BTC extends over 3082 villages and increases its legislative powers to over 40 subjects.¹²² Consequently, the Parliament passed the Constitution (99th Amendment) Act, 2003 in August 19, 2003 according to which the Sixth Schedule to the Constitution of India was amended to include the BTC in western Assam, and the Bodos have begun to enjoy autonomy with certain degrees of executive, legislative and judicial powers under Sixth Schedule which other Scheduled Tribes enjoy. In fact, the Bodos have enjoyed greater autonomous powers than any other autonomous district councils under the Sixth Schedule to the Constitution of India. This, in turn, has created a demonstration effect to the millions of *Adivasis* in Assam to demand Scheduled Tribe status.¹²³

The Bodo problem, however, continues with the persistent demand of the National Democratic Front of Bodoland (NDFB) for a sovereign Bodoland. The formation of the Bodoland Territorial Council (BTC) with enlarged autonomy under

¹²⁰ M. Amarjeet Singh, "Challenges before Bodo Territorial Council," *Economic and Political Weekly*, Vol. 39, No. 8 (Feb. 21-27, 2004): 784-785, 785

¹²¹ M. Amarjeet Singh (2010), *Op.Cit.*, 4.

¹²² M. Amarjeet Singh (2004), *Op.Cit.*, 785

¹²³ Subir Bhaumik, *Op.Cit.*, 28.

Assam was perceived as a desertion of the aspirations of the Bodos, “The creation of the Council was an exercise in futility and will go down in history as the day a group of opportunists surrendered the Bodo dream before New Delhi”.¹²⁴ The NDFB is the only active armed Bodo group today, though split into two factions, with one of factions observing a ceasefire/peace talks with the Government.¹²⁵

The Bodo movement also created an offshoot that increases the conflict situation in Assam. As per the 2011 Census, Muslims, constituting 34.22 per cent of the State’s population, are the second largest religious groups next to Hindus who constitute 61.47 per cent. In out of 27 districts then, Muslims are majority in nine districts while Hindus form majority in 18 districts. Since the Muslims became one of the targets of the Bodo militancy particularly in the northern districts of Udalguri and Darrang, the Muslims in their turn to protect themselves formed the Muslim United Liberation Front of Assam (MULFA). The organization demanded for a separate state comprising five border districts of the State that have a Muslim majority.¹²⁶ Besides MULFA there have been Islamist militant outfits such as Muslim United Liberation Tigers of Assam (MULTA), Students Islamic Movement of India (SIMI), Harkat-ul-Mujahideen (HuM) and several other Islamist groups under the All Muslim United Liberation Forum of Assam (AMULFA).

The Adivasi question, as pointed out earlier, arose out of a demonstration effect of the Bodos with demands for recognition as Scheduled Tribes in line with the Bodos. The Adivasis were brought to work in the tea gardens of Assam by the colonial rulers from the States of Bihar, Jharkhand and Madhya Pradesh. Their ethnic cousins in these States enjoy the status of Scheduled Tribes and they felt that they too must get it.¹²⁷ The Adivasis were also prime targets of the Bodo militants during

¹²⁴ M. Amarjeet Singh (2004), *Op.Cit.*, 785.

¹²⁵ “India- Terrorist, Insurgent and Extremist Groups: Assam,” *South Asian Terrorism Portal*, <https://www.satp.org/terrorist-groups/india-insurgencynortheast-assam>

¹²⁶ Tarun Gogoi, *Turnaround: Leading Assam from the Front* (Noida: HarperCollins Publishers in India, 2016), 101.

¹²⁷ Subir Bhaumik, *Op.Cit.*, 28.

1996 as a result of which they formed their own militant group, the Adivasi Cobra Militants of Assam (ACMA).¹²⁸

Concluding Observation

This chapter deals with the clause-by-clause assessment of the provisions of the Assam Accord of 1985: what are the key agreements for solution to the Assam Agitation, how the provisions of the accord have been implemented over the years as well as its offshoots. The Assam Accord may be regarded as a comprehensive peace accord as it not only addresses the problem of foreigners in Assam upon which the six-year-long Assam Movement (1979-1985) was founded. It also deals with constitutional, administrative and legislative safeguards for the Assamese as well as economic development of Assam. Nevertheless, there are certain ambiguities and complications particularly regarding the core provisions of the Assam Accord.

It has been mentioned that Clause 5 dealing with the problem of foreigners and Clause 6 dealing with constitutional, administrative and legislative safeguards are the heart and soul of the Assam Accord. While Clause 5 specifically provides for the determination of foreigners on the basis of their entry into Assam, it however does not suggest as to how such foreigners would be deported. It is can be found from the provisions of the Accord itself that Assam could only accept the pre-1971 batch of foreigners in Assam. Those persons that entered Assam post-March 24, 1971 were to be detected, deleted from electoral rolls and deported from Assam. Where more than 19 lakhs were identified as foreigners in Assam by the NRC update of 2019, the question of where these foreigners would be dumped has not been resolved. Thus, the problem of foreigners in Assam is far from being solved even after the updation of the NRC in 2019. The neighbouring States of Assam would never allow their States to be the dumping ground for illegal immigrants. As for the question of deporting them back to Bangladesh, the deportation process, however, is a difficult one and requires the mandate of the Government of Bangladesh which the Government of India has not taken up till today.

¹²⁸ *Ibid.*, 136.

Clause 6 of the Assam Accord provided provision for the constitutional, legislative and administrative safeguards for the protection, preservation and promotion of the cultural, social, linguistic identity and heritage of the Assamese people but without defining who an Assamese constitutes. As discussed earlier, the definition of who 'Assamese' constitutes remains an unresolved issue. Despite the several definitions proposed by different groups, arriving at a consensus has become a herculean task as such definitions are either too narrow or too broad among them.

The registration of citizens and determination of foreigners on the basis of the Assam Accord through the NRC update do not automatically mean that those citizens who reside in Assam before March 25, 1971 or even January 1, 1966 are accepted as Assamese. It only indicates that they are mandated as Indian citizens while the question of Assamese identity still remains. This issue was recently taken up through the constitution of a special Committee on Implementation of Clause 6 of the Assam Accord in July 2019 which submitted its report in February 2020. However, both the State and the Central Governments have been silent over the report of the Committee. This has raised doubts of the AASU, a key stakeholder regarding the political will of the Central and State Governments towards the implementation of the Assam Accord in letter and spirit.

The BJP promised the implementation of the Assam Accord in letter and in spirit. However, the recent Citizenship (Amendment) Act nullifies the exhaustive and comprehensive NRC update and also dilutes the spirit of the Assam Accord. The NRC update is an exercise undertaken on the direction of the Supreme Court in 2013 for registering bona fide citizens of India in the State of Assam. It is not an executive initiative or a government's decision but a court direction. By basing the cut-off year for update of the NRC in accordance with Clause 5 of the Assam Accord, it is in harmony with the Assam Accord. The CAA, however, invalidates the NRC by providing provision for granting Indian citizenship to illegal migrants on the basis of religion as well as country immigrated from. Thus, the CAA is slammed to have violated the Assam Accord of 1985 as well as the NRC update of 2019.

It is observed that the Central Government has not implemented many clauses of the Assam Accord. The new political party, Asom Gana Parishad which was born out of the Assam Movement, manned by the agitation leaders and had won the State Legislative Assembly elections of 1985 with the promise of eradicating the problem of illegal immigrants in Assam, could do little to implement the Assam Accord. Successive state governments too failed to effectively deport and push back foreigners resulting in continued influx of foreigners.

Along with the AGP, another prominent political party called the United Minorities Front (UMF) emerged in the aftermath of the signing of the Assam Accord which was to provide an opposition to the Assamese cause. It claims to represent the religious and linguistic minorities of the state and sought to bring all the minorities; Muslim of Bengali decent, Hindu Bengalis, Assamese Muslims, Nepalis and the tribals within its sphere. The demand of UMF right after its inception was to scrap the Assam Accord as it view that the Accord was not conducive towards the interest of the minorities in Assam.

It is clear from the above analyses that the Central Government plays the most important role for the integrity and peaceful co-existence of all people irrespective of their tribe, clan, religion, race, etc. The Government should not exercise excessive favour to anyone or any state and should always give highest priorities to its citizens rather than the immigrants. It may be safe to say that if the Government at the Union does its duties well, movements like this Assam Movement would never have to emerge, at the very beginning.

CHAPTER 6

THE MIZO ACCORD AND ITS DISCORDS

“Whereas, our State may be the youngest Indian State, we believe that we will surely put it as a model state within five years. This is not impossible, especially in regard to law and order, considering our social life, we will soon elate to become exemplary.”¹

- Laldenga

The Mizo Accord, 1986 is a tripartite Memorandum of Settlement signed by the Government of India, the Government of Mizoram and the Mizo National Front on June 30, 1986 to bring an end to the 20-year-long Mizo war of independence from 1966 to 1986.² While the much-coveted sovereign greater Mizoram was compromised with the award of full-fledged statehood, certain safeguards and other special privileges were incorporated in the Mizo Accord with the anticipation that it would foster peace and development in the state. Under the terms of the Accord, Mizoram state was inaugurated by the then Prime Minister, Rajiv Gandhi, on February 20, 1987 to become the 23rd Indian state with a 40-member State Legislative Assembly. It also has one Member of Parliament each in the Lok Sabha and the Rajya Sabha. An interim government was formed with the President of the MNF, Laldenga, becoming the first Chief Minister of Mizoram state while Congress leader, Lal Thanhawla, who stepped down as Chief Minister, became the Deputy Chief Minister. As provided in paragraph 5 of the Accord, the first General Election to the Legislative Assembly of Mizoram State was held on February 16, 1987 where the MNF, by securing 24 seats, formed the government. Since then, Mizoram has never picked up arms again to confront the Government of India in the post-accord phase. One may argue that there have been insurgent activities in the post-accord

¹ Laldenga, *Public Speech* (Vanapa Hall, Aizawl: July 14, 1987), extracted and translated by the Researcher from Isaac Zoliana, *Laldenga* (Aizawl: Isaac Zoliana, 2005), 262.

² Memorandum of Settlement (Mizoram Accord), New Delhi, June 30, 1986. Source: United Nations Peacemaker, accessed June 4, 2018,

https://peacemaker.un.org/sites/peacemaker.un.org/files/IN_860630_Mizoram%20Accord.pdf

period in Mizoram, citing the examples of the Hmar People's Convention-Democratic (HPC-D) and the Bru National Liberation Front (BNLF).³ However, these are minor and occasional incidents perpetrated in the border areas by armed insurgent groups from the neighboring states of Manipur, Assam and Tripura.

The heart and soul of the Mizo Accord of 1986 lie in paragraphs 3 and 4 that provide “restoration of normalcy” and “legal administrative and other steps,” respectively. The salient provisions of the Mizo Accord *inter alia* include: the coming overground of underground MNF with their arms, ammunition and equipment (paragraph 3.1); amendment of its Articles of Association by the MNF to conform to the provisions of law (paragraph 3.2); settlement and rehabilitation of underground personnel by the Central government as per the scheme proposed by the State government (paragraph 3.3); the award of full-fledged statehood to the Mizoram Union Territory (paragraph 4.1); legal immunity to central acts in respect of religious practices, Mizo customary law or procedure, administration of civil and criminal justice involving Mizo customary law, ownership and transfer of land [paragraph 4.3 (II)]; grant of special category state status [paragraph 6 (b)]; border trade subject to international agreement (paragraph 7); continuation of inner line regulation (paragraph 8); establishment of separate university [paragraph 12 (ii)]; establishment of separate high court [paragraph 12 (iii)]; *ex gratia* payments to dependents/heirs of martyrs [paragraph 13 (a)]; and payment of compensation for damage to crops and buildings, and rent for buildings and lands occupied by security forces [paragraph 13 (b)].

Looking at the salient provisions of the Accord cited above, it may be argued that the provisions that required the MNF to undertake actions were fulfilled by the MNF immediately with the signing of the Mizo Accord, while the governments, both at the Center and the State, failed to meet their obligations in letter and spirit. Despite implementation of most provisions of the Accord, there are certain key provisions that are either defective, unimplemented or under threat of violation, as will be

³ Swarna Rajagopalan, *Peace Accords in Northeast India: Journey over Milestones* (Washington, D.C.: East-West Center, 2008), 25-26.

elaborated later. For example, the ex-Mizo National Army (MNA) has repeatedly voiced their concerns over their settlement and rehabilitation, delay in the establishment of a separate high court, insufficient ex-gratia payment, payment of compensation, pending court cases of three returnees, among others.⁴ The boundary conflict with Assam, the challenges posed to the inner line regulation and special category status over the years are other issues. This chapter deliberates on the implementation of the clauses of the Mizo Accord as well as its offshoots.

6.1 The Preamble (Paragraphs 1 & 2)

The ‘disturbed condition’ cited in Clause 1 of the Mizo Accord of 1986 refers to the twenty-year-long insurgency resulting out of the Mizo national movement for independence from the Union of India. It started with the armed struggle on February 28, 1966 and ended with the signing of the Memorandum of Settlement on June 30, 1986. Following the outbreak of Mizo war of independence carried out by the MNA, the armed wing of the MNF in what was known as Operation Jericho, the whole of the Mizo District Council, then under the State of Assam, was declared a ‘Disturbed Area’ as per the Assam Disturbed Areas Act, 1955. AFSPA was also enforced on March 2, 1966. The activity of the MNF was declared “prejudicial to the security of the Mizo District in the State of Assam and the adjoining parts of the territory of India” in the Extraordinary Gazette Notification of the Government of India published on March 6, 1966. After necessary amendments, the central government ordered that Rule 32 of the Defence of India Rules 1962 would be applicable to the MNF which provides that, “Anyone who managed, promoted or attended meetings of this organization, publish any notice regarding such meetings and invited persons to support such organizations were liable to seven years’ imprisonment and a fine”.⁵

The retired Indian Administrative Officer, Lalkhama, who had earlier served as Chief Secretary and signatory to the Accord on behalf of the Government of

⁴ C. Zama, Interview by the Researcher, Chawnpui, July 18, 2020. C. Zama is Treasurer, Ex-Mizo National Army and author of *Untold Atrocity: The Struggle for Freedom in Mizoram 1966-1986*, See also, “Ex-MNA-in Kiren Rijiju an hmuh dan an sawi,” [Ex-MNA explains its meeting with Kiren Rijiju] *Vanglaini*, September 16, 2017.

⁵ Rule 32 of the Defence of India Rules, 1962

Mizoram, recalled that the agreement was possible only because of the people of Mizoram, who gave their mandate to the MNF through the role played by all major political parties, civil society organizations such as the conglomeration of different denominational churches and students' organizations in the peacemaking process. However, the preamble of the Accord (Paragraphs 1 and 2) gave all the credit to the late Prime Minister, Indira Gandhi, to have initiated the restoration of peace and harmony in Mizoram while the role of Mizo civil society went unnoticed.⁶ Peace would also be more honorable not only for the MNF but also for the Mizo people if the mandate of the people was expressed in the Preamble of the Mizo Accord.

The Mizo Accord was signed by Laldenga and was acceptable to the Mizo National Army solely due to the pressure of Mizo civil society, mandated by the people of Mizoram. The memorial stone laid in commemoration of the homecoming to the peace camp, laid by Peace Accord MNF Returnees' Association (PAMRA) at Luangmual in Aizawl, as cited above indicates the critical but neglected role of civil society. Laldenga himself acknowledged the role of the Mizo civil society in his address to the people of Mizoram on August 5, 1986 at Lammual, Aizawl following his return from New Delhi: "... [T]he church leaders, the students and the youth have worked really hard. It is due to your works that this peace accord could be signed today."⁷ MNF president and incumbent Chief Minister of Mizoram, Zoramthanga, also declared in an interview and in various public speeches, that the peace accord was signed because all the political parties, the people of Mizoram, non-governmental organizations and the churches had prayed for the coming of peace and it was through such a coalition that the Indian government and the underground MNF could sign an agreement on June 30, 1986. He explained that the agreement was neither perfect for the MNF nor for the Indian government and the people of

⁶ Lalkhama, IAS Rtd., former Chief Secretary, Govt. of Mizoram, "Remna Ni Thuchah," [Peace Day Speech], *Peace Day*, Vana Pa Hall, Aizawl, June 30, 2019.

⁷ Laldenga, quoted in Isaac Zoliana, *Laldenga* (Aizawl: Isaac Zoliana, 2005), 175.

Mizoram, but it was achieved because it was the belief of the MNF that this agreement was God's answer to the prayers of the Mizo people.⁸

6.2 The Restoration of Normalcy (Paragraph 3)

The Restoration of Normalcy enumerated in paragraph 3 of the Accord contains four sub-sections. They primarily deal with the anticipation against the underground MNF for the renunciation of violence and maintenance of peace and normalcy. It expected the submission of underground personnel of the MNF with their arms, ammunitions and equipments. It expected an internal restructuring in the MNF in conformity with the provisions of Law and to stop all links and support to other insurgent groups. The Central Government, on its part, was to take steps for their resettlement and rehabilitation.

6.2.1 The MNF Side

Three provisions out of four in paragraph 3 were to be fulfilled by the MNF, which includes the coming overground of all underground personnel with their arms, ammunition and equipment; the amendment of the Articles of Association of the MNF in conformity with the Constitution of India; and cessation of support to any underground group. The central government, in turn, was to take steps for the settlement and rehabilitation of the returnees according to a scheme proposed by the Government of Mizoram.⁹ Peace in Mizoram is not a result of surrender but rather because of the appeals and prayers of different sections of the Mizo society. While it is understood that the Indian army is relatively superior to the Mizo National Army (MNA), there are Mizo nationalists who are willing to fight for independence till the last drop of their blood. Throughout the Mizo Accord, the words "surrender" and "submit" were altogether avoided, and instead the phrases and words used were "bringing out" all underground personnel of the MNF and "deposit" of arms,

⁸ Zoramthanga, President of MNF, interview by the Researcher, Ramhlun Venglai, Aizawl, June 24, 2015.

⁹ Chief Secretary, Government of Mizoram, "Approved Scheme for Rehabilitation of MNF Personnel," D.O.No.7/49/85-MZ, August 6, 1986.

ammunition and equipment. This enabled the Mizo National Army (MNA) to return honorably to Mizoram from their hideouts where they were jubilantly greeted by the people with drums, dances and flowers. The underground personnel began coming out from their Capital Headquarters at Arakan in Myanmar and Tactical Headquarters at Sajek Valley in Bangladesh from July 23 and July 25, 1986, respectively. The arms submitted by both the headquarters numbered around 180, including light machineguns, Spandau guns, rocket launchers, self-loading rifles, 303 rifles, Chinese manufactured semi-automatic rifles (SAR), sten guns, 2” mortar, carbines, pistols and few local arms.¹⁰ According to the Home Minister of the Government of Mizoram, Lalchamliana, there were 581 underground personnel who came overground with the signing of the Peace Accord.¹¹ The General Secretary of the PAMRA, Lallungmuana, accounted for 572 peace accord returnees.¹² The ceremonial return of the MNF and laying down of arms were video captured and a documentary video, “Farewell to Arms: Mizoram Documentary Film,” could be viewed online.¹³

The Accord also required the MNF to amend its Articles of Association to conform to the provisions of law. The initial objectives of the MNF, which included “self-determination” or “highest sovereignty,” had to be dropped. The Defence Minister in the Provisional Government of Mizoram, R. Zamawia, an entity that was established in 1966, claimed that the objective of the MNF was put forward as “self-determination” at a meeting held at Laldenga’s residence at Tuikhuahtlang, Aizawl on October 28, 1961.¹⁴ The Vice President of the underground MNF, Tlangchhuaka, used the phrase, “highest sovereignty.”¹⁵ The MNF’s objective of self-determination

¹⁰ R. Zamawia, *Zofate Zinkawngah Zalenna Mei A Mit Tur A Ni Lo* [The torch of freedom must not lose flame in the journey of the Zo people] (Aizawl: Self-published, 2007), 937.

¹¹ “Inremna vanga kir mi 581 an awm, Returnee 667 hna pek an ni tawh,” [Out of 581 returnees of peace, 667 returnees have been given jobs] *Vanglaini*, June 24, 2019.

¹² “Mizoram Accord completes 17 years,” *rediff.com*, June 30, 2003, accessed July 11, 2019, <https://www.rediff.com/news/2003/jun/30mizo.htm>.

¹³ “Farewell to Arms: Mizoram Documentary Film,” *Youtube*, *K.C. Video Production* (July 7, 2017), <https://www.youtube.com/watch?v=RxcliH6LkLk>.

¹⁴ R. Zamawia, *Op.Cit.*, 169.

¹⁵ Tlangchhuaka, “Mizoram Politics” [in Mizo] (Mobile: MNF Headquarters, 1973), 19.

or highest sovereignty was amended to conform to the Constitution of India. While the exact date for this amendment could not be retrieved, the Union Minister for Home Affairs, S.B. Chavan, stated on April 19, 1993 in the Lok Sabha that the MNF had already amended its Constitution.¹⁶ The MNF Constitution amended and published in 2004 contained “Re-unification of all Mizo inhabited areas under a single administrative unit.”¹⁷ In this case, if re-unification under a single administrative unit was inclusive of the Zo people inhabiting neighboring sovereign countries like Bangladesh and Myanmar, then the amended Constitution of the MNF would still require highest sovereignty or self-determination.¹⁸

As agreed under paragraph 3.4, the MNF did not continue to extend its support to underground groups in its neighboring areas such as the Tripura National Volunteers (TNV), People’s Liberation Army (PLA) of Manipur and other such groups. It entered into the mainstream politics.

6.2.2 The Government Side

In regard to their settlement and rehabilitation, the central government organized “Remna Run,” a literal translation for a peace camp at Luangmual in Aizawl where 555 returnees moved in on August 2, 1986 following the signing of the Mizo Accord.¹⁹ A memorial stone commemorating the homecoming of the underground MNA to the peace camp in Mizoram was laid on August 2, 2018 in three different languages: Mizo, Hindi and English. The English version reads:

¹⁶ Dr. C. Silvera, Starred question no.573, X Lok Sabha Debates (Proceedings) Sixth Session (February 22-May 14, 1993), No. 27, April 19, 1993.

¹⁷ Mizo National Front, *Constitution* (Aizawl: Mizo National Front General Headquarters, 2004).

¹⁸ The word ‘Zo’, describing an ethnic group also known as the Mizo, the Kuki, the Chin and other names based on geographic distribution, refers to a large group of related Tibeto-Burman people spread throughout India’s Northeast, northwestern Myanmar, and the Chittagong Hill Tracts of Bangladesh. They trace their common origin from the mythological cave known by different names such as Chhinlung, Sinlung, Khul, Khur, Khurpui, Lungkua, Puk, Hurpi, Khurtu-bi-jur and Khor depending upon the ethnic tribe.

¹⁹ Major Khawhmingthanga, Senior Adviser of Peace Accord MNF Returnee’s Association (PAMRA), Telephonic Interview by the Researcher, August 14, 2020.

*“We, the brave young patriots who fought to unify all Zo peoples under one rule and ultimate sovereignty, and those who have laid down their lives for our people and our land, having laid down all our arms for peace, heeding to the call of the people and church leaders, pursuance to the peace treaty made by Central Government of India and Mizo National Front patriots on thirtieth day of June nineteen eighty-six, on second day of August June nineteen eighty-six, finally come home to peace camp. We today’s patriots put forward the freedom struggle to tomorrow’s patriots.”*²⁰

The implementation of the settlement and rehabilitation provision by the central and state governments have been lackadaisical to the PAMRA and the association has repeatedly lamented that they are languishing due to the apathetic attitude of the government. The first relief fund amounting to Rs. 20,000 each was granted to all the peace accord returnees in October 1986, another Rs. 10,000 each was granted for construction of houses in September 1988, followed by another Rs. 10,000 in 1995.²¹ A total of Rs. 114,820 each was granted to all returnees for the construction of houses till 2014.²² The leaders of PAMRA reiterated that the time lapses between such grants were too great that it was impractical to build houses. The Association even observed the anniversary of the Mizo Accord in 2003 as a Black Day for non-fulfillment of rehabilitation scheme. Then General Secretary of PAMRA, Lallungmuana said that out of Rs.60,000 promised to the underground returnees, Rs.20,000 was received within months of signing the Accord as first installment. The second and the third installments of Rs.10,000 each were given in 1988 and 1995. The Black Day was observed in demand of the remaining Rs.20,000 from the Government.²³ The PAMRA president, B. Zorampara, also lamented that

²⁰ Memorial Stone in Commemoration of Home Coming to Peace Camp laid by Peace Accord MNF Returnee’s Association (PAMRA) at Luangmual, Aizawl, August 2, 2018.

²¹ “Ex-Mizo rebels reiterate anguish ahead of Peace Day,” *oneindia* (June 29, 2007), accessed July 11, 2019, <https://www.oneindia.com/2007/06/29/ex-mizo-rebels-reiterate-anguish-ahead-of-peace-day-1183115539.html>.

²² “MNF Returnee 572 Zinga 555 in Hna Hmu Tawh,” [Out of 572 MNF Returnees, 555 granted jobs] *Zalen*, February 22, 2014.

²³ “Mizoram Accord completes 17 years” *rediff.com* (June 30, 2003); accessed July 11, 2019 <https://www.rediff.com/news/2003/jun/30mizo.htm>

the land allotted at Maumual by the government for construction of houses was not feasible for settlement as it was detached from electricity, water supply and roads.²⁴

The MNF returnees and their heirs were granted government jobs for their resettlement. A confidential letter of the General Administration Department of the government of Mizoram dated January 10, 2008 laid down the terms and conditions for provision of government jobs, according to which only MNF Peace Accord Returnees, exclusive of other returnees, were to be given jobs. Only one person was to be given a job from each family and in case such person had died or was physically unfit, the next of kin was to be considered. Also if any member of such family already has a regular job under the government of India or the state government or semi-government institutions, such families would not be covered by the scheme.²⁵ However, according to a statement of the Home Minister of Mizoram during the Assembly session of June 2019, 667 government jobs had been given to returnees with 29 in Group ‘B’ (non-gazetted), 312 in Group ‘C,’ and 326 in Group ‘D.’²⁶ Thus, under these groups, each of which signify a category of employment, many returnees or their kin are employed as clerks, peons, drivers, chowkidars etc. across various government departments. The jobs were not given at one time but spread over different ministries where over 100 returnees were given government jobs during the MNF ministry of Laldenga from 1986-1988, more than 100 during the Congress ministry of Lal Thanhawla from 1989-1998, and another 285 during the MNF ministry of Zoramthanga from 1998-2008, and so on.²⁷ This indicates that the number of government jobs were, in fact, more than the total number of MNF Peace Accord Returnees, or that more than one member had been provided jobs from each family.

²⁴ “Enkawl an nih danah PAMRA an lungawi lo” [PAMRA not satisfied over their treatment] *Vanglaini*, August 2, 2017.

²⁵ Letter, No. B.13015/1/2002-GAD/16, General Administration Department, Government of Mizoram (Confidential).

²⁶ “Inremna vanga kir mi 581 an awm Returnee 667 hna pek ni tawh,” [Out of 581 returnees of peace, 667 returnees had been given jobs] *Vanglaini*, June 24, 2019.

²⁷ “Enkawl an nih danah PAMRA an lungawi lo,” [PAMRA not satisfied over their treatment] *Vanglaini*, August 2, 2017.

6.3 Legal, Administrative and Other Steps (Paragraphs 4-8)

While the Mizo national movement strove for establishment of a sovereign greater Mizoram for twenty years long, a series of talks between the two sides since 1971 resulted in the insertion of paragraph 4 in the Mizo Accord for the award of full-fledged statehood as well as legal and administrative measures to Mizoram, which had been a Union Territory since 1972. With the conferment of full-fledged statehood to Mizoram, paragraph 4.1 was accomplished by enacting the State of Mizoram Act, 1986 vide. Act No.34 of 1986. Accordingly, the erstwhile Union Territory became the 23rd State in the Indian Union on February 20, 1987. Under Paragraph 4.3 (II), it also provided legal immunity from acts of Parliament in respect of religious or social practices of the Mizos, Mizo customary law or procedure, and ownership and transfer of land. Paragraph 4.2 provided for necessary legislative and administrative measures including the enactment of Bills and amendment of the Constitution. This was implemented *inter alia* through Constitution (Fifty Third Amendment) Act, 1986 by insertion of Article 371G “Special provision with respect to the State of Mizoram” under Article 371 in Part XXI entitled, “Temporary, Transitional and Special Provisions”. However, unlike Article 371A which mandates Nagaland ownership over both land and its resources, Article 371G for Mizoram lacks ownership over resources. The top MNF leader, Tawnluia, claimed that Prime Minister Rajiv Gandhi believed that the government had committed a mistake before by granting ownership over resources to Nagaland by pointing out that this subject falls under the Union List and that Nagaland did not utilize it anyway. The Prime Minister firmly asserted that his government would not commit the same mistake by granting ownership over resources to Mizoram.²⁸

Political parties and civil society organizations in Mizoram such as the Mizoram Kohhran Hruaitute Committee (MKHC) or Council of Churches in Mizoram, the Young Mizo Association (YMA) and students organizations such as the Mizo Zirlai Pawl (MZP) and Mizo Students’ Union (MSU) have raised concerns

²⁸ Tawnluia, Senior Vice President of Mizo National Front, interview by the Researcher, Kanaan, Aizawl, July 22, 2015.

over the years about several centre's policies in hurting the social and religious sentiments of the Mizos. One such policy was the observation of International Yoga Day. Prime Minister Narendra Modi during the General Debate of the General Assembly of the United Nations on September 27, 2014 proposed the adoption of International Day of Yoga.²⁹ Accordingly, the UN declared June 21 as International Yoga Day. When the first International Yoga Day was observed on June 21, 2015, the MKHC which is a conglomeration of 14 major churches as well as the ruling Congress party opposed it on the ground that it hurt the religious sentiments of the minority communities.³⁰ Reverend Lalrinsanga, Secretary of the MKHC said, "All of us know that yoga is associated with Hindu philosophy and thus it cannot be accepted. Yoga goes against the teachings and philosophy of Christianity."³¹ While the Government of Mizoram observes the Yoga Day year after year, the civil society bodies continue to oppose the move and ask their members to refrain from it. The Central YMA in 2017 also held that yoga is not compatible with Mizo society and Christian teachings.³² Another is the Modi government's decision in 2014 to observe Good Governance Day on December 25 which is the birthday of the former Prime Minister, Atal Bihari Vajpayee. As the same day falls on Christmas Day, the merriest and one of the most important festivals of the Christians who observe it on occasion of the birth of their Lord Jesus Christ, the MKHC wrote a letter to the Prime Minister to make alternative arrangements so that the sentiments of the Christian community is not hurt.³³ Yet another was the decision to observe *Digidhan Mela* or Digital India Day on April 14, 2017 which was Good Friday.³⁴ The Citizenship Amendment Bill, 2016 was also vehemently opposed by all major political parties and civil society organizations in Mizoram. The MZP is an affiliated body of the NESO that called an

²⁹ United Nations, General Assembly, Plenary, GA/11564 (September 24, 2014), accessed on June 21, 2018, <https://www.un.org/press/en/2014/ga11564.doc.htm>

³⁰ "Mizoram observes Yoga Day a day later," *The Hindu* (June 23, 2015)

³¹ Nilotpal Bhattacharjee, "Refrain from yoga: Mizoram church," *The Telegraph* (June 21, 2016)

³² "Yoga Day: YMA not to attend Healthy Mizoram Campaign," *Business Standard* (June 20, 2017)

³³ "Don't observe Good Governance Day on Christmas: Mizoram churches appeal to state government," *The Indian Express* (December 22, 2016)

³⁴ "Digidhan Mela, deferred in Meghalaya, Mizoram, Nagaland," *The Assam Tribune* (April 14, 2017)

11 hours Northeast Bandh on January 8, 2020 condemning the Bill as an imposition on the sentiments of the indigenous people of the Northeast and that this move by the Government of India will reduce the indigenous people of the Northeast to a minority.³⁵ The problem for Mizoram, however, is not the Hindu Bangladeshis who can be deported from the State through the Inner Line Regulation even if they have Indian citizenship, but the Buddhist Chakmas from Bangladesh as the Chakmas have their separate autonomous district council in Mizoram.³⁶ The Zo Re-unification Organisation (ZORO) also appealed to the United Nations Permanent Forum on Indigenous Issues and the United Nations Human Rights Commission in a Memorandum dated March 23, 2019 for redressing the grievances of the indigenous tribes whose identity, religion, culture and right to land were threatened by the Government of India's move to pass the Citizenship Amendment Bill, 2016 which would grant Indian citizenship to illegal immigrants present in their lands.

“The attempt of the BJP led NDA Government to introduce Citizenship Amendment Bill in Parliament itself can be assumed as threat to land, identity, religion and culture of the indigenous people.”³⁷

The Hindutva Agenda is thus felt by the Mizo civil society organizations who view these policies as an attempt of the BJP and Rashtriya Swayamsevak Sangh (RSS) to glorify Hinduism and dilute the culture, religious beliefs and faith of the religious minorities in India and also violating Article 371G of the Constitution of India.

³⁵ North East Students' Organisation (NESO), Call for bandh (January 8, 2020)

³⁶ Lalnundika Hnamte, “Citizenship (Amendment) Bill, 2016: Northeast Tana Bill Sakei” [Citizenship (Amendment) Bill, 2016: A Dangerous Bill for Northeast], *The Frontier Despatch* (January 14, 2019).

³⁷ Memorandum Submitted to the Chairperson, the United Nations Permanent Forum on Indigenous People and the Chairman of the United Nations Human Rights Commission by the Zo Reunification Organisation (ZORO), General Headquarters, Aizawl, Mizoram, No. ZORO/UN/2019/1, Aizawl, March 23, 2019.

6.3.1 Unresolved Border Conflict

Mizoram shares a 123-km-long border with southern Assam, their border dispute is over a 509 square mile stretch of inner line forest reserve at Zophai near Bairabi along the Assam-Mizoram border. As the Accord was signed in such haste, paragraph 4.3 (I) concerning the territory of Mizoram was to create a long-standing border conflict with its neighbor, Assam.³⁸ The territory of Mizoram as provided in paragraph 4.3 (I) of the Mizo Accord was ambiguously specified as the territory specified in Section 6 of the North Eastern Areas (Reorganisation) Act, 1971, but with no clear cut demarcation and instead provides that the newly formed Union Territory of Mizoram shall comprise “the territories which immediately before that day were comprised in the Mizo District in the existing State of Assam.”³⁹ The State of Mizoram Act, 1986 too provided that the new State of Mizoram was to consist of the territories “comprised in the existing Union Territory of Mizoram.”⁴⁰

In 1994, the Assam-Mizoram border dispute was alerted to the Union Home Minister, Shankarrao Chavan which was followed by a meeting between the two Chief Secretaries of Assam and Mizoram, H.N. Das and Lalfakzuala. Assam argued that its claim was supported by the 1933 Inner Line Notification No.2106 A.P. dt.9.3.1933 which it claimed to have superseded all earlier notifications and was also supported by the North Eastern Areas (Reorganization) Act, 1971, the Mizo Accord of 1986, and the State of Mizoram Act, 1986. On the other hand, the Mizoram side claimed that the area falls under the 509 square mile inner line forest reserve specified by the 1875 Notification No.2299P, dt.20.8.1875 which demarcated the southern frontier of the district of Cachar by drawing the ‘inner line’ between the tribals and the plains.⁴¹

³⁸ R. Zamawia, Defence Minister of underground MNF, interview by the Researcher, Beer-Seba, Aizawl (July 16, 2020).

³⁹ Part II Paragraph 6 of the North-Eastern Areas (Reorganization) Act, 1971.

⁴⁰ Part II Paragraph 3 of the State of Mizoram Act, 1986.

⁴¹ Robert Hrangdawla, *Assam-Mizoram Ramri* [Assam-Mizoram Border] (Aizawl: Robert Hrangdawla, 2018), 3.

During the period of British colonial rule, the ‘inner line’ separating the boundary between the hill tribes and the neighboring plains people was drawn under the Bengal Eastern Frontier Regulation, 1873. Prior to this, a peace agreement called ‘Sanad’ was signed between Edgar, the then Deputy Commissioner of Cachar on behalf of the British Government and Lushai chief, Suakpuilala, on January 14, 1871.⁴² The boundary line demarcated under the Sanad was strictly adhered to by the British Government because any alteration would lead to misunderstanding and suspicion of the Mizo chiefs.⁴³ Former Chief Secretary of Mizoram and signatory to the Mizo Accord of 1986 held that while the inner line regulation was revised in 1933 and came into effect on March 9, 1933, Mizoram (then Lushai Hills) which falls under the backward tracts specified under the Government of India Act, 1919, did not have any representative in the Provincial Legislature of Assam. Thus, to unilaterally alter the boundary was a violation of the peace agreement of 1871.⁴⁴ As for the question of supersession of all earlier acts, the 1933 Notification clearly states, “In supersession of Government Notification No.9104 A.P., dated the 28th August, 1930, and in the exercise of the powers conferred by Section 2 of the Bengal Eastern Frontier Regulation, 1873 (V of 1873)...” This indicates that the 1933 Notification superseded only the 1930 Notification while other earlier acts such as the Bengal Eastern Frontier Regulation, 1873 are still in force. R. Zamawia, the first Defence Minister of the underground MNF known as Provisional Government of Mizoram or Mizoram Sawrkar, claimed that he had personally sent a letter to Laldenga to resolve the border issue before the signing of the Mizo Accord but the haste to sign the peace accord left the border issue unresolved as further discussion would require the participation of the government of Assam and thus create a deadlock.⁴⁵

⁴² Lushai is another word for Mizo. It is a term used by the British administrators to refer to the tribals inhabiting the Lushai Hills.

⁴³ S.N. Singh, *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative* (New Delhi: Mittal Publications, 1994), 95-97.

⁴⁴ Lalkhama, IAS Rtd., Former Chief Secretary, Govt. of Mizoram, Telephone Interview by the Researcher, August 20, 2020.

⁴⁵ R. Zamawia, Defence Minister of underground MNF, interview by the Researcher, Beer-Seba, Aizawl, July 16, 2020.

A recent timeline of the dispute runs as follows. On March 8, 2006, the Mizoram Legislative Assembly passed a private resolution of the Former Minister of Land Revenue and Settlement, B. Lalthlengliana, for setting up a Boundary Commission by the Central Government but was never pursued by the State Government.⁴⁶ In March 2018, the Assam-Border stand-off erupted when the students' body, Mizo Zirlai Pawl (MZP), accused the Assam Forest Department of occupying the disputed area and responded by trying to build a resting shed in the area which they claimed belonged to the first Chief Minister of Mizoram, Ch. Chhunga, and was donated by his widow, Lalrothangi, to the MZP. The current MNF ministry at its cabinet meeting on July 8, 2019 also declared that it accepted the Bengal Eastern Frontier Regulation, 1873 as the territory of Mizoram.⁴⁷ As seen from recent developments in Mizoram, Clause 4.3(i) pertaining to the territory of Mizoram was not acceptable to both the political and civil society organizations. Paragraph 8 of the same Accord also provided that the Inner Line Regulation, as now in force in Mizoram, shall continue to be used and not amended or repealed without consulting the State Government. So, the provisions of the Mizo Accord themselves are in conflict with one another because the territory specified according to the Bengal Eastern Frontier Regulation of 1873 and that of the territory specified in the North Eastern Areas (Reorganization) Act of 1971 are discordant. While Mizoram claims the disputed area on the basis of the 'Inner Line' specified in paragraph 8 of the Mizo Accord, Assam too defends its claim on the basis of paragraph 4.3 (I) of the same accord. All major political parties including the MNF have accepted the 1875 Inner Line Notification as the Assam-Mizoram border. Therefore, solution of the Assam-Mizoram border dispute requires the intervention of the Central Government to review and find a permanent resolution.

⁴⁶ "MPYCC-in ramri zuzisan lo turin sorkar phut," [MPYCC expects government not to abandon border issue], *Vanglaini*, July 11, 2019.

⁴⁷ "MPYCC-in ramri zuzisan lo turin sorkar phut," [MPYCC expects government not to abandon border issue], *Vanglaini*, July 11, 2019.

6.3.2 Elections

Initially after the signing of the Accord, an interim government headed by the MNF leader, Laldenga as the Chief Minister and Congress leader, Lal Thanhawla as Deputy Chief Minister was formed. As Paragraph 5 of the Accord provided for the conduct of free and fair elections to the Legislative Assembly of Mizoram, the interim government lasted only for six months. The first election to the Mizoram State Legislative Assembly was held on February 16, 1987. As seen from the table below, the MNF won by securing 24 seats out of 40 while the Congress secured 13 and the PC three. Mizoram was inaugurated as a full-fledged state by the then Prime Minister, Raiv Gandhi on February 20, 1987 and Laldenga was sworn in as Chief Minister and Hiteswar Saikia as Governor. Due to the split of the MNF into MNF (Democratic) and political defection of nine MLAs due to disappointment over Laldenga's selection of ministers, the Assembly was dissolved and put under President's rule on September 7, 1988.⁴⁸

Table 6.1: First Mizoram State Legislative Assembly, 1987

Party	No. of candidates	No. of elected	No. of votes	Percent
INC	40	13	76,152	32.99%
PC	36	3	54,717	23.70%
Independents	69	24	99,996	43.31%
Total	145	40	2,30,865	

Source: Chief Electoral Officer, Mizoram⁴⁹

6.3.3 Special Category Status

Paragraph 6 (a) contains provisions for the transfer of resources from the erstwhile Union Territory to Mizoram State. Paragraph 6 (b) puts Mizoram under Special Category State where Central Assistance for Plans will be fixed taking note

⁴⁸ P. Lalnithanga, *Political Developments in Mizoram* (Aizawl: P. Lalnithanga, 2006), 177.

⁴⁹ Chief Electoral Officer, Mizoram, accessed December 15, 2019

<http://ceomizoram.nic.in/ELECTIONS/StatisticalReports.html>

of the residuary gap in resources. Special Category States are those certain disadvantaged states with preferential treatment in the form of central assistance and tax breaks. It was introduced by the Fifth Finance Commission in 1969 with three states, Assam, Jammu & Kashmir and Nagaland being granted the status. Subsequent with the reorganization of states, eight more States namely Himachal Pradesh, Manipur, Tripura, Meghalaya, Sikkim, Mizoram, Arunachal Pradesh and Uttarakhand have been included. According to the Thirteenth Finance Commission, “hilly terrain, sparsely populated habitation and high transport costs leading to high delivery cost of public services” form the basic characteristics of these States. For these States, 90 per cent of Central Assistance are treated as grant while the remaining 10 per cent are treated as loan.⁵⁰

Another threat to the Mizo Accord pertains to the Special Category Status enjoyed by Mizoram under paragraph 6 (b). This status does not have any constitutional basis and is dependent upon the government of India, particularly the National Development Council. So when the first Modi government was formed in 2014, Special Category States did not appear in the plan expenditure the following year. The Union Finance Minister, Arun Jaitley, commented: “After the Fourteenth Finance Commission recommendations, the era of Special Category Status to states has ended.”⁵¹ The MNF president, Zoramthanga, sent a letter to the Prime Minister, Narendra Modi, requesting that the Special Category Status should not be ended, and attaching a copy of the Mizo Accord. Zoramthanga stressed that the economies of the Special Category States, in comparison to other states in the Indian Union, were comparatively less developed and needed assistance, and that a backward economy was often the cause of not only financial problems but also administrative and political difficulties and even insurgency in these states. He explained that the peace accord between the government of India and the MNF clearly stated that “Mizoram will be given central financial assistance as a Special Category State.” He added: “If the provision of the Accord is violated, it could break the trust on the commitments

⁵⁰ B.L. Fadia and Kuldeep Fadia, *Indian Government and Politics, 12th Revised Edition* (Agra: Sahitya Bhawan, 2016), 496-497.

⁵¹ “Era of special category status to states over: Arun Jaitley,” *The Times of India*, October 30, 2015.

made by India from within and outside the country in the future.”⁵² Mizoram still enjoys the Special Category Status and receives funds in the ratio of 90:10, and for some schemes the ratio is 80:20. In 2016, at the 11th Inter State Council Meeting in New Delhi, the then Chief Minister, Lal Thanhawla, proposed a separate package for 100 percent funding for the North East, stating that due to its proximity to the international border and the Golden Triangle, its borders needed to be secured because the states did not have sufficient funds to meet this requirement. Referring to Mizoram’s shortage of money and to the Seventh Pay Commission, the Chief Minister said, “The financial health of the government would not allow implementation of the Pay Commission recommendations unless additional financial assistance is received from the Centre.”⁵³

6.3.4 Border Trade

Section 7 provided provision for border trade in locally produced or grown agricultural commodities according to a scheme formulated by the Central Government in this regard. In fact, trade and commerce with foreign countries fall under the Union List in the Seventh Schedule to the Constitution. In pursuance of the Look East Policy, Border Trade Agreement was signed between India and Myanmar on January 21, 1994. Accordingly, three Land Customs Stations (LCS) were established in the Northeastern Region (NER): Moreh in Maipur, Zokhawthar in Mizoram and Nampong in Arunachal Pradesh.⁵⁴ The Zokhawthar LCS in Champhai District of Mizoram was opened on April 12, 1995 by P. Chidambaram, Indian Minister of State for Commerce and his Myanmar counterpart, Lt. Gen. Tun Kyi, the Minister of Trade, Myanmar.

⁵² “Special category state titawp lo turin Zoramthanga'n Narendra Modi a ngen,” [Zoramthanga requests Narendra Modi not to end special category state] *Vangliani*, June 24, 2015.

⁵³ “Mizoram CM Lal Thanhawla says not possible to implement recommendations made by 7 CPC panel,” *Financial Express*, September 9, 2016.

⁵⁴ Zokhawthar is in Champhai District of Mizoram bordering Tedim District in the Chin State of Myanmar. The District covers 3185 sq.km. with a population of 1,25,745 persons.

In pursuance of the view to promote Indo-Myanmar border trade, the Director General of Foreign Trade, in terms of the provision contained in the table below permits the import/export of the following locally-produced commodities by people living along both side of the Indo-Myanmar border as per the prevailing customary practices. As seen from the table below, 22 items were first agreed upon for border trade in 1995. Additional items were included over the years. However, majority of Indo-Myanmar border trade takes place through Moreh in Manipur.

Table 6.2: List of locally-produced commodities permitted for Indo-Myanmar border trade

Sl. No.	Old items (DGFT Public Notice No. 289(PN)/92-97 dated April 10, 1995)	Sl. No.	Additional items (DGFT Public Notice No. 106 (RE-2008)/2004-2009 dated 07.11.2008)	Sl. No.	Additional items (Commissioner of Customs Public Notice No. 30/2012 dated 16.11.2012)
1	Mustard/rape seeds	23	Bicycle's spare parts	41	Agricultural Machinery
2	Pulses and beans	24	Life-saving drugs	42	Bicycle
3	Fresh vegetables	25	Fertilizers	43	Bleaching Powder
4	Fruits	26	Insecticides	44	Coal
5	Garlic	27	Cotton fabrics	45	Edible Oil
6	Onion	28	Stainless steel utensils	46	Electric & Electrical Appliances
7	Chilies	29	Menthol	47	Fabricated Steel Product
8	Spices (excluding nutmeg, mace, cloves and cassia)	30	Agarbatti	48	Garment/readymade/cloths
9	Bamboo	31	Spices	49	Handlooms and handicrafts
10	Minor forest produce (excluding teak)	32	Cosmetics	50	Hardare/minor construction materials & electrical fittings
11	Betel nuts and leaves	33	Leather footwear	51	Lime
12	Food items for local consumptions	34	Paints and varnishes	52	Medicines

13	Tobacco	35	Sugar and salt	53	Milk, Powder, Tea, Edible Oil, Beverages
14	Tomato	36	Mosquito Coils	54	Motorcycle & Spare Parts
15	Reed broom	37	Bulbs	55	Electronic/Musical Instruments, Stationery Item, Torch Light
16	Sesame	38	Blades	56	Plastic Items, Water Tank, Buckets, Chairs, Plastic Pipes & Briefcase
17	Resin	39	X-ray paper and Photo paper	57	Rice, Wheat, Maize, Millets & Oats
18	Coriander seeds	40	Imitation jewellery	58	Scented Tobacco
19	Soya bean			59	Semi-precious Stone
20	Roasted sunflower seeds			60	Sewing Machines
21	Katha			61	Textile Fabrics
22	Ginger			62	Three Wheelers, Cars below 100cc

Source: Ministry of DONER ⁵⁵

In Delhi Dialogue VIII focusing on “ASEAN-Indian Relations: A New Paradigm” on 17-19 February, 2016, the then Chief Minister of Mizoram, Lal Thanhawla remarked that even after 20 years of India’s Look East Policy, the Northeastern Region (NER) has not reaped benefits due to lack of infrastructure. He stressed the importance of the Kaladan Multi-Modal Transit Transport Project (KMMTTP), railway connecting Bairabi and Sairang, railway connecting Lawngtlai in Mizoram and increasing river connectivity for successful border trade between India and Myanmar through Mizoram.⁵⁶ Sustainable peace in the State is also a comparative advantage against its neighboring states which have been infested with several insurgent groups.

⁵⁵ “Border Trade,” *Ministry of DONER*; <http://mdoner.gov.in/content/border-trade#b>; accessed April 23, 2015.

⁵⁶ “Look East Policy-ah hlawkna hmuh tur a la awm lo: Hawla,” [No visible benefits yet under the Look East Policy: Hawla] *Vanglaini* (February 20, 2016)

6.3.5 The Inner Line Regulation

The Inner Line Regulation as mentioned at Paragraph 8 in the Mizo Accord, is a fragile provision as it lacks any constitutional basis. The ILR is a unique law mandated by the Bengal Eastern Frontier Regulation of 1873 according to which the British Raj drew a line between the plains of Assam and the hill areas of the North East inhabited by the tribals of Arunachal Pradesh, Mizoram and Nagaland. It required British subjects and plainsmen, desiring to cross the inner line, to obtain prior possession of an Inner Line Pass (ILP) from a competent authority. The law continues to be used in post-independent India to safeguard the identity and the lands of the hill tribals. The Mizo Accord provided that the ILR “will not be amended or repealed without consulting the State Government.”⁵⁷ It is widely believed that the ILR had protected the indigenous tribals from assimilation by their neighboring plainsmen.

However, the ILR has faced several challenges over the years with the first of its kind coming from the Union Home Ministry itself during a meeting of the chief ministers of North Eastern states on July 19, 1994 in Shillong. The Union Home Minister, S.B. Chavan, raised the issue of lifting the ILR for three main reasons: first, ILR hampers industrial development in Northeast; secondly, ILR impedes general development among the people of the North East; and lastly, ILR offers fertile ground for secessionism.⁵⁸ Following this, students’ organizations in the North East such as the Mizo Zirlai Pawl (MZP), Naga Students Federation (NSF) and All Arunachal Pradesh Students Union (AAPSU), organized total bandhs in their respective states on Independence Day in 1994.⁵⁹ The ILR was also challenged by

⁵⁷ Paragraph 8, Memorandum of Settlement (Mizo Accord), June 30, 1986.

⁵⁸ Lalrintluanga, “Inner Line Regulation (ILR) in North East India with Special Reference to Mizoram” in *Socio Economic Development and Governance in North Eastern Region of India*, ed. Jagadish K. Patnaik, Jangkhongam Dounge and Ayangbam Shyamkishor (Aizawl: Department of Political Science, Mizoram University, 2014), 298-299.

⁵⁹ Ngurthansanga, “Inner Line Regulation in North East with Special Reference to Mizoram,” in *Governance and Civil Society in NE India*, National Seminar organized by Department of Political Science and Department of Public Administration, Government J. Buana College, Lunglei, July 20-21, 2017.

the North East Plains People Traders & Youth Federation at the Gauhati High Court in 2008 through a public interest litigation, PIL No.29/2008. It also petitioned for the release of all persons held by the police in relation to the ILR and pushed for free trade with Mizoram.⁶⁰

Despite contestations from several quarters, the ILR has only gained popularity and has been extended recently to Manipur where it came into effect from January 1, 2020. In fact, all the other North Eastern states, including Assam, have demanded the implementation of the ILR in their states. Nevertheless, the fact that the ILR lacks constitutional sanction makes it a fragile provision.

6.4 Other Matters (Paragraphs 9-13)

Sections 9-13 deals with other matters including the rights and privileges of minorities in Mizoram, customary laws and practices, unification of Mizo-inhabited areas, official language of the State, separate university, separate High Court and compensations. These are post-accord peacebuilding measures for the sustenance of peace and harmony in Mizoram.

6.4.1 The Minority Problem

Paragraph 9 deals with the preservation and the protection of the rights and privileges of the minorities in Mizoram and their social and economic advancement. While the Accord in itself does not specify the names of the minorities, some of the largest minority tribes in Mizoram as per the Census 2011 records are Chakma, Pawi (Lai), Lakher (Mara), Kuki and Hmar. Scheduled tribe population in Mizoram according to the Census 2011 records was 10,36,115 against the total population of 10,91,014 constituting 94.96 per cent. Of this Any Mizo (Lushai) tribes constitute 70.9 percent while Chakma constituting 9.3 per cent, Pawi (Lai) 4.9 per cent, Lakher (Mara) 4.1 per cent, Any Kuki tribes 4.4 per cent, Hmar 2.8 per cent, Paite 2.2 and

⁶⁰ Ngurthansanga, *Op.Cit.*, July 20-21, 2017.

others form the minority tribes.⁶¹ The minorities in Mizoram may be broadly divided into Zo ethnic minorities and non-Zo ethnic minorities. The term 'Zo' here is used as an inclusive name for the different ethnic group of people also known as the Mizo, the Kuki, the Chin and other names based on their geographical inhabitation. They are a large group of related Tibeto-Burman peoples spread throughout India's Northeast, northwestern Myanmar, and the Chittagong Hill Tracts of Bangladesh. They traced their common origin from the mythological cave known to them by different names such as Chhinlung, Sinlung, Khul, Khur, Khurpui, Khurtu-bi-jur, Lungkua and Puk. In this case, Zo ethnic minorities refer to Lai, Mara, Hmar, Paite, any Kuki tribe and other indigenous people of Mizoram. On the other hand, non-Zo ethnic groups refer to Chakma and other generic tribes who do not trace common ancestry, culture and place of origin.

The Sixth Schedule to the Constitution of India provides provisions for the establishment of autonomous governments to certain hill tribals in Northeast with certain amounts of executive, legislative, financial and judicial powers. The Lai (Pawi) and the Mara (Lakher) were granted autonomous government in the form of Pawi-Lakher Regional Council (PLRC) within the Mizo District Council under the Sixth Schedule to the Constitution of India in 1953. Following the award of Union Territory status to the Mizo District Council of Assam in 1972, the PLRC was also trifurcated and elevated to the Lai, the Mara and the Chakma Autonomous District Councils (ADCs). When Mizoram attained statehood in 1987, certain sections of these tribes believed that Union Territory is their rightful status while other sections aspire greater autonomy within the Sixth Schedule. Also other ethnic minorities in Mizoram, such as the Hmar and the Bru who were not included in the Sixth Schedule, eventually started their own movements for autonomy. Thus, the award of full-fledged statehood to Mizoram awakened fresh political aspirations to minority groups.

⁶¹ Census of India Reports, 2011, accessed August 1, 2019
<http://censusindia.gov.in/2011census/SCST-Series/ST14/ST-15-00-014-DDW-2011.XLS>

The Lai, the Mara and the Chakma ADCs of Mizoram have made repeated proposals for the amendment of the Sixth Schedule to the Constitution of India in relation to the State of Mizoram. Firstly, the ADCs seek higher political status by elevating Autonomous Districts to “Autonomous Territorial Councils (ATCs)” in line with the Bodo Territorial Council (BTC) by amending sub-paragraph (1) of Paragraph 1 of the Sixth Schedule. Secondly, the expansion of powers are proposed in line with sub-paragraph 3B concerning powers of the BTC of Assam. It proposed the insertion of a new sub-paragraph, 3C in Paragraph 3 which concerns “Additional Powers of the Chakma Autonomous Territorial Council, the Lai Autonomous Territorial Council and the Mara Autonomous Territorial Council”. The proposed ATCs of Mizoram will have power to make laws with respect to 46 subjects.⁶² This implies that the newly created ATCs will have more powers than even the BTC which has power to make laws over 40 subjects.

Former legislator in the State Assembly, S. Hiato held that during the mid-1990’s, civil societies such as the Young Mizo Association (YMA), the Mizo Zirlai Pawl (MZP) and the then Zoramthanga’s MNF government’s intentions to abolish Chakma ADC compelled the ADC’s to join hands to protect and to demand Union Territory for the Sixth Schedule areas of Mizoram because they feel that everyone was at stake. But the termination of the Chakma ADC was not acceptable to the Central Government and eventually, the demand for UT withered away. However, even in the recent years, the Mara Democratic Front (MDF) still use it as a vote-winning manifesto particularly in the rural areas.⁶³ The MDF, a regional party in the Mara Autonomous District Council (MADC) established on January 25, 1996 has a long-standing objective of attaining a Union Territory status. Its President, M. Laiko asserted that the party has sent memoranda to every head of the governments in claiming their political right of Union Territory for the Maras. He stated that when in 1995 a public opinion poll was held in the three autonomous district councils of

⁶² “Para-wise Proposed Amendment of the Sixth Schedule to the Constitution of India in relation to Mizoram State,” General Administration Department (GAD), Mara Autonomous District Council, October 18, 2013.

⁶³ S. Hiato, Former Member of Legislative Assembly, Interview by the Researcher (Siaha: October 16, 2013)

Mizoram on the question of Union Territory status for the Sixth Schedule areas of Mizoram, 87 percent of the respondents supported the demand for attainment of Union Territory. He claimed that MDF does not believe in the Sixth Schedule nor does it believe in amendment of the Sixth Schedule. It finds that a Central direct administration is the only solution.⁶⁴

As per 2011 Census of India, the Hmar population in Mizoram is 29,587 constituting a 2.2. per cent of the State's population. Upset with the provisions of the Mizo Accord of 1986 which failed to grant Greater Mizoram through integration of the contiguous Hmar-inhabited areas of Mizoram, Assam and Manipur, the Hmar People's Convention (HPC) came into existence. A secret meeting of some discontented Hmar namely J. Laldinlana, Thanglianchhunga, L. Sungte, J. Thanzuala, Suoklien and some others on July 19, 1986 decided to hold a Mizoram Hmar Conference at Vaitin Village in Aizawl District of North Mizoram with a proposed theme of "Hmar Political Future". Following this, a convention of Hmar was held on December 9, 1986 at Sakawrdai in Aizawl District of North Mizoram which marked the formation of a new political party on ethnic lines, the Hmar People's Conference (HPC).⁶⁵ The HPC contested in the Mizoram Legislative Assembly elections of 1987 in three constituencies: J. Laldinlana at Suangpuilawm, Thanglianchhunga at Ratu and Malsawma Renthlei at Bilkhawthlir. All three HPC candidates were not only defeated but also forfeited their security deposits.⁶⁶

The first Memorandum representing the Hmar for creation of Hmar Autonomous District in Mizoram under the Sixth Schedule was submitted to the Governor of Mizoram on October 5, 1987 citing backwardness of the Hmar-inhabited areas in North Mizoram bordering Assam and Manipur, the need for speedier economic development, efficient administration and protection of the rights and privileges of minorities as envisaged in the Sixth Schedule to the Constitution of

⁶⁴ M. Laikaw, President of Mara Democratic Front, Interview by the Researcher (Siaha: October 18, 2013)

⁶⁵ Lalsiamhnuna, *Political Problems of Mizoram: A Study of Ethnic Politics with Special Reference to the Hmar People's Movement* (Saitual: Rose Pari, Ebenezer Home, 2011), 130-131.

⁶⁶ *Ibid.*, 131.

India and Paragraph 9 of the Mizo Accord, 1986.⁶⁷ The Second Memorandum was submitted to the Prime Minister of India on March 17, 1988. Again, the HPC demanded ADC under the Sixth Schedule in line with the Lai, Mara and Chakma for the protection and promotion of Hmar culture, tradition, custom and language.⁶⁸ Memorandum after Memorandum, the Hmar grievances fell on deaf ears following which the HPC delegates met Chief Minister Laldenga on June 20, 1988. However, the MNF ministry collapsed on September 7, 1989 due to defection of nine MLAs.⁶⁹ Upset with the inaction of the Congress ministry of Lal Thanhawla despite promising discussion of the Hmar problem in his Cabinet Meeting and formal talks with the Hmar leaders, the first phase of the 24-hour bandh was organized on March 28, 1989. The second phase of the 144-hour North Mizoram Bandh was called again on April 16, 1989 and witnessed the random arrest of Hmar people by the Mizoram Police as well as lathi charge and injuries. According to the HPC (D), this reign of terror compelled hundreds of Hmar youths to pick arms and go underground.⁷⁰ One of the most horrendous activities of the HPC include the blasting of Mizoram State Transport (MST) bus near Vairengte on September 28, 1991 resulting in four casualties.⁷¹

On the initiative of the Peace Committee of Mizoram, peace talks at the ministerial level started in 1992. After nine rounds of talks, a Memorandum of Settlement (MoS) was signed between the Government of Mizoram and the HPC on July 27, 1994 to bring to an end the five-year long Hmar armed national movement for autonomy.⁷² The Hmar Accord of 1994 provided for adequate autonomy to the Hmar people in Mizoram by establishing Sinlung Hills Development Council

⁶⁷ Memorandum submitted to the Governor of Mizoram by Hmar People's Convention (October 5, 1987).

⁶⁸ Memorandum submitted to the Prime Minister of India by Hmar People's Convention (March 17, 1988).

⁶⁹ Hmingchungnunga, *Aw Kan Hmar Ram* [Oh! Our Hmar Land] (Churachandpur: Hranglienkhum Sinate, 1999), 59-60.

⁷⁰ Letter to Shri Lal Krishna Advani, Union Home Minister of India by the Hmar People's Convention (Democratic) (Sinlung: July 1, 2001).

⁷¹ Lalsiamhnuna, *Op.Cit.*, 170.

⁷² Letter to Shri Lal Krishna Advani, Union Home Minister of India by the Hmar People's Convention (Democratic) (Sinlung: July 1, 2001).

(SHDC) for social, economic, cultural and educational advancement for the Hmar people.⁷³ Dissatisfied with the implementation of the Hmar Accord, a breakaway faction of the HPC formed the HPC (Democratic) in 1995. Since its formation, it aligned itself with several insurgent organizations in Northeast including National Socialist Council of Nagaland (NSCN), People's Liberation Army (PLA) of Manipur, Indigenous People's Revolutionary Alliance (IPRA) and others.⁷⁴ Another underground outfit called Mizoram Accord Implementation Demand Army (MAIDA) also came into existence in 1998 to press the Government of Mizoram to implement the Hmar Accord of 1994.⁷⁵ However, the then MNF ministry under Zoramthanga persuaded the MAIDA to lay down its arms on April 7, 1999 with the promise of full implementation of the Hmar Accord of 1994.⁷⁶ The HPC (D) headed by H. Zosangbera signed a Memorandum of Settlement (MoS) with Arvind Ray, Chief Secretary on behalf of the Government of Mizoram on April 2, 2018. Accordingly, 114 armed cadres surrendered and submitted 44 weapons.⁷⁷ However, it should be noted that the HPC (D) was divided into Zosangbera faction and Senate faction.

Paragraph 10 empowers the Government of Mizoram to review and codify customary laws and practices. Accordingly, *Mizo Hnam Dan (Mizo Customary Law)* was published in the Mizoram Gazette on April 6, 2005. It provides customary laws on social administration, Mizo marriage, divorce, *saphun* or changing of one's clan, adoption, guardianship, death, inheritance and others.⁷⁸

⁷³ Memorandum of Settlement between the Government of Mizoram and the Hmar People's Convention (HPC), (Aizawl: July 27, 1994)

⁷⁴ "Hmar People's Convention- Democracy," *South Asian Terrorism*, accessed July 18, 2019 https://www.satp.org/satporgtp/countries/india/states/mizoram/terrorist_outfits/HPC_D.htm

⁷⁵ Letter to the Governor of Mizoram from H.A. Dawngliana Khawlhing (Vaitin, N. Mizoram: May 31, 2001)

⁷⁶ Lalsiamhnuna, *Op.Cit.*, 244-245.

⁷⁷ Ministry of Home Affairs, *Annual Report 2018-2019*, Government of India, 26.

⁷⁸ *Mizo Hnam Dan (Mizo Customary Law)*, *Mizoram Gazette*, Extra Ordinary No. Vol. XXXIV, Aizawl: Wednesday 6.4.2005, Chaitra 16, S.E. 1927 Issue No. 66.

6.4.2 Unification of Mizo-inhabited Areas of Other States

Paragraph 11 deals with the question of unification of Mizo-inhabited areas of other States to form one administrative unit. This was one of the core objectives of the MNF movement. When the question of unification of Mizo-inhabited areas of other States was raised during the negotiation process, it was responded that the issue falls under the purview of the Parliament under Article 3 of the Constitution of India and that the Government could not make any commitment in this respect. Thus, the Mizo-inhabited areas today fall under Mizoram, Assam, Tripura and Manipur within the Indian State and Bangladesh and Myanmar.

Re-unification or just unification of Mizo tribes scattered in three sovereign countries have become a regular election manifesto of all major political parties in Mizoram. While cultural unification thrives particularly due to the role of civil society organizations such as the Young Mizo Association (YMA) and the Mizo Zirlai Pawl (MZP), territorial unification is only desirable but impracticable. Furthermore, the philosophy of territorial unification under one administrative unit is not too far from the original MNF objective of “self-determination” or “highest sovereignty” if the said administrative unit were to include Mizo-inhabited areas of Bangladesh and Myanmar.

Unification movement of the Zo-ethnic tribes of India, Myanmar (Burma) and Bangladesh has been revived with the formation of Zo Reunification Organization (ZoRO) on May 18-19, 1988 at Champhai, Mizoram. The ZoRO claims that the Zo people were divided by British Colonial Government in the Chin-Lushai Conference held on January 29, 1892 into Assam, Burma and East Bengal which gradually led to their division into three sovereign countries, India, Burma (Myanmar) and East Pakistan (Bangladesh) at the end of the colonial rule. Till today, the political unification of the Zo people is still spearheaded by ZoRO.⁷⁹

⁷⁹ Jangkhongam Dungal, “Genesis and Functioning of the Zo Reunification Organisation (ZORO),” *SKWC Journal of Social Sciences*, Volume VI, Issue 1, Jan-June, 2014.

As explained in the previous section, the failure of the MNF movement in attaining Greater Mizoram or political unification of Zo people under a single administrative system immediately served as the root cause of Hmar Movement spearheaded by the Hmar People's Convention (HPC) and later on by the Hmar People's Convention- Democratic (HPC-D) in Mizoram.

6.4.3 Official Language

Paragraph 12(i) empowers the newly created Mizoram to adopt any one or more languages as official language of the State. Consequent upon this, the Mizoram Official Language Act, 1974 enacted by the Mizoram Union Territory (UT) Assembly on February 17, 1975 continued to be adopted with Mizo as official language with the scope of use of English in official purposes where required. It extends to the whole of Mizoram except the Autonomous District Councils under paragraph 2 of the Sixth Schedule.⁸⁰

According to the Census of 2011 on Languages and Mother Tongue in Mizoram, 73.1 percent of the population in Mizoram speaks Mizo while Bengali speakers comprise 9.8 percent, Lakher (Mara) 3.81 percent, Tripuri 2.97 percent, Pawi (Lai) 2.6 percent, Hmar 1.63 percent, Hindi 0.97 percent, Nepali 0.81 percent and Manipuri 0.2 percent.⁸¹

The family-wise grouping of the 121 scheduled and non-scheduled languages in India as per the Census of India 2011 categorized five language families namely Indo-European, Dravidian, Austro-Asiatic, Tibeto-Burmese and Semito-Hamitic. The Mizo/Lushai language falls under the Tibeto-Burmese family along with Hmar, Lakher (Mara), Pawi (Lai), Kuki, Garo, Bodo, Paite and several others.⁸²

⁸⁰ Government of Mizoram, *Mizoram Official Language Act, 1974* (Aizawl: The Mizoram Gazette, Vol. 4, Issue No. 14, April 4, 1975)

⁸¹ Census of India, 2011, "Population by Mother Tongue," Source: Office of the Registrar General & Census Commissioner, India.

⁸² Census of India, 2011, "Language: India, States and Union Territories," Source: Office of the Registrar General & Census Commissioner, India.

6.4.4 Separate University

Paragraph 12 (ii) provided for the establishment of a separate university in the State and put the responsibility upon the State in accordance with the prescribed procedure. This has been implemented when Mizoram University, a Central University was established by an Act of Parliament (No.8 of 2000) which became functional on July 2, 2001 under the University Grants Commission, Government of India at the State's capital, Aizawl. Mizoram University was accredited with an 'A' grade by National Assessment and Accreditation Council (NAAC) in 2019 and has become one of the top universities in the country. It was ranked as one of the Top 100 universities in India by the National Institute Ranking Framework (NIRF) for three consecutive years in 2016, 2017 and 2018. There are 33 academic departments functioning under eight schools of study. It has 36 affiliated colleges spread over different districts of Mizoram and one constituent college, Pachhunga University College.⁸³

The university has contributed a lot to the economy of the State. Firstly, it generates employment. The university has employed 318 Teaching and Group A (Non-Teaching) Officers, against the sanctioned strength of 394 and 460 Non-Teaching staff against the sanctioned strength of 503.⁸⁴ Secondly, it provides skilled workforce in the State. In the academic session of 2018-19, 2380 students were enrolled while 199 research scholars were admitted.⁸⁵ Thirdly, through its various research projects, both major and minor, the university receives large amount of funds from different agencies in the country. During the said period, there are 109 ongoing research projects, out of which 101 are major and 8 are minor with a sanctioned amount of Rs. 5178.81 lakhs from different funding agencies such as UGC, World Bank, Indian Council of Social Science Research (ICSSR), Asian

⁸³ Mizoram University, Annual Report 2018-2019, i.

⁸⁴ *Ibid.*, vi

⁸⁵ *Ibid.*, vi

Development Bank (ADB), Indian Council of Medical Research (ICMR) and other governmental and non-governmental agencies.⁸⁶

6.4.5 Separate High Court

In regards to the implementation of Paragraph 12(iii) which relates to the establishment of separate High Court for Mizoram if the State wishes, this has not yet been fulfilled. The State of Mizoram Act, 1986 in Part IV Clause 15 provided for a common High Court for the Northeastern States of Assam, Nagaland, Meghalaya, Manipur, Tripura and Mizoram. Accordingly, the Aizawl Bench of Gauhati High Court was established on July 5, 1990. It was inaugurated by the then Chief Justice of India, Justice S.B. Mukherjee in the presence of the then Governor of Mizoram, Swaraj Kaushal; the then Chief Minister of Mizoram, Pu Lal Thanhawla and Chief Justice of Gauhati High Court, Justice A. Raghuvir.

The establishment of a separate High Court for Mizoram—under Para 12 (iii)—still remains on the state’s wish-list as it is yet to be fulfilled. The Lok Sabha in May 1993 pointed out the reasons for the delay of setting up of separate High Court for Mizoram when Dr. C. Silvera, Member of Parliament (Lok Sabha) for Mizoram asked a starred question regarding the reasons for delay in the implementation of certain provisions of the Mizo Accord. The Union Minister for Home Affairs, S.B. Chavan, replied, “Pending creation of infrastructural facilities for setting up of High Court,” adding that “the Ministry of Law and Justice have informed that formation of separate High Court for each of the State in Northeast region would be taken up after the permanent bench of the Gauhati High Court have been set up in each of these States and have functioned for some time.”⁸⁷ In fact, the Constitution Seventh Amendment Act, 1956, by amending Article 231, enables the Parliament “to establish a common High Court for two or more States or for two or more States and a Union Territory.”⁸⁸ Accordingly, the State of Mizoram Act, 1986 - under Part IV

⁸⁶ *Ibid.*, v

⁸⁷ Dr. C. Silvera, Starred question no.573, X Lok Sabha Debates (Proceedings) Sixth Session (February 22-May 14, 1993), No. 27, April 19, 1993.

⁸⁸ Constitution of India, Part VI, Article 231 (1).

Clause 15 - provides for a common High Court for the North Eastern States of Assam, Nagaland, Meghalaya, Manipur, Tripura and Mizoram. Accordingly, the Aizawl Bench of the Gauhati High Court was established on July 5, 1990. However, even after thirty years of the functioning of the Gauhati High Court's Aizawl Bench, a separate high court has not yet been established.

R. Zamawia, the first Defence Minister of the Provisional Government of Mizoram established by the MNF, argued that Para 12 (iii) of the Mizo Accord for a separate High Court for Mizoram was a redundant provision as other states without peace accords were entitled to have a State High Court under the provisions of the Constitution of India.⁸⁹ The senior advocate in the Gauhati High Court's Aizawl Bench, L.H. Lianhrima, also believes that with or without a provision for a separate high court in a peace accord, all states were entitled to have a separate high court as provided in Article 214 under Part VI of the Constitution of India. He mentioned that Manipur, Meghalaya and Tripura which once had benches of Gauhati High Court had already established a separate high court because they had the infrastructure, while the judicial infrastructure of the Aizawl Bench of Gauhati High Court at Luangmual is by no means presentable to be upgraded to a separate high court. In this regard, the Mizoram Bar Association had successfully pressured the state government headed by Lal Thanhawla back in 2008 to allot a plot of land for the construction of court infrastructure. Lianhrima believed that once the physical infrastructures were completed, establishment of a separate high court will happen automatically.⁹⁰

The ex-MNA led by the MNF president, Pu Zoramthanga, and the MNF treasurer, Pu Vanlalzawma, appealed to the Union Minister of State for Home Affairs, Kiren Rijiju, on September 7, 2017 in New Delhi for the establishment of

⁸⁹ R. Zamawia, Defence Minister of underground MNF, interview by the Researcher, Beer-Seba, Aizawl, July 16, 2020.

⁹⁰ L.H. Lianhrima, Senior Advocate of Gauhati High Court, Aizawl Bench, interview by the Researcher, August 17, 2020.

separate high court, stating that several previous demands had not been fulfilled.⁹¹ However, when the MNF formed the state government in 2018, the state's Home Minister, Lalchamliana, stated at an assembly session in June 2019 that the present Gauhati High Court's Aizawl Bench catered to the needs of the state and, considering the recurring burden on the state, there were currently no plans for the establishment of a separate High Court for Mizoram.⁹² Owing to a lack of financial resources for the development of court infrastructure, neither the MNF nor the Congress has shown real political will for the implementation of separate high court during the last thirty-four years.

R. Zamawia, Defence Secretary of the MNF commented that Paras 11 and 12 are redundant provisions included in the Memorandum as these provisions are already a part of established laws and that they are mere restatement of already existing laws.⁹³ These provisions pertain to procedure for unification of Mizo inhabited areas of other States, liberty to adopt one or more languages for official purposes, establishment of separate university and entitlement to have a separate High court. Article 214 provided for the establishment of a High Court for each State. However, the Constitution Seventh Amendment Act, 1956 by amending Article 231 enables the Parliament "to establish a common High Court for two or more states and a Union Territory."

6.4.6 Ex Gratia and Compensation

Section 13 (a) and (b) containing provisions for *ex gratia* payment to heirs/dependents of martyrs and compensation for damages during the disturbance has been repeatedly voiced by the Peace Accord MNF Returnee Association (PAMRA). According to the MNF President and incumbent chief minister of Mizoram, Zoramthanga, there were about 2,000 to 3,000 people who had lost their lives either in Mizoram, Manipur, Bangladesh or Myanmar during the 20-year-long

⁹¹ "Ex-MNA-in Kiiren Rijiju an hmuh dan an sawi," [Ex-MNA explains its meeting with Kiren Rijiju] *Vanglaini*, September 16, 2017.

⁹² "Inremna vanga kir mi 581 an awm, Returnee 667 hna pek an ni tawh," [Out of 581 returnees of peace, 667 returnees had been given jobs] *Vanglaini*, June 24, 2019.

⁹³ R. Zamawia, 934.

Mizo disturbance, whom the MNF calls “Mizo martyrs.”⁹⁴ A sanction of Rs. 31.1 million was made by the government of India in 2005 for payment of ex-gratia to 2,075 dependents of persons killed during the Mizo uprising at Rs. 15,000 per person.⁹⁵ Khawlhmingthanga, a major in the Mizo National Army who had lost his wife during the disturbance stated that ex-gratia of Rs. 10,000 was also received in 1985 before the signing of the Accord but the returnees lamented that it was not sufficient and demanded additional ex-gratia payment from the Central Government.⁹⁶

6.5 Concluding Remarks

Mizoram that once had undergone a 20-long-year of disturbance have turned out to be one of the most peaceful states in not just Northeast India but the whole of the country and has indeed become a model of peace. This enabled the State to receive a Peace Bonus, one-time non-plan grant of Rs.82.45 crores from the Prime Minister in 2000 to tide over its financial problems and to discharge its committed non-plan liabilities.⁹⁷

For any peace agreement to be durable, it can be conventionally held that the provisions of the peace accord and its proper implementation are required. The case of Mizoram as discussed in this chapter tells otherwise. It has been mentioned that the preamble of the Mizo Accord (Paragraphs 1 and 2) neither acknowledged the civil societies who were the main mediators for peace nor the MNF for the return of peace and normalcy in Mizoram. The MNF itself was seeking for honourable peace as early as 1971. However, the Accord gave all the credit to the Government and the

⁹⁴ “MNF-ten Martarte Ni an hmang,” [MNF Observes Martyrs’ Day] *Vanglaini*, September 21, 2018.

⁹⁵ Disaster Management & Rehabilitation Department, “Sanction of Rs. 3,11,00,000/- for payment of Ex-gratia to 2075 dependents of persons killed during insurgency from 1966 onward @ Rs. 15,000/-,” Letter No.7/19/2001-MZ/W.E.II from Government of India, Ministry of Home Affairs, March 28, 2003.

⁹⁶ Major Khawlhmingthanga, Senior Adviser of Peace Accord MNF Returnee’s Association (PAMRA), telephone Interview by the Researcher, August 14, 2020.

⁹⁷ Letter to Shri. H.V. Lalringa, Chief Secretary, Govt. of Mizoram from G.K. Pillai, DO No.7/1/99-MZ dated June 12, 2000.

late Prime Minister Indira Gandhi, to have initiated the restoration of peace and harmony in Mizoram. The Mizo Accord of 1986 would be more honourable not only for the MNF but for the Mizo people as well if it were expressed of their initiative and mandate for peace. As discussed throughout this chapter, several provisions of the Mizo Accord are lackadaisical of constitutional basis and implementation. The Accord also lacks substance in several provisions as they are mere restatement of the powers and functions of a state such as establishment of separate High Court, separate university and so on. Moreover, while central university has been established in 2000, a separate high court for Mizoram has not been established till today. There are certain concerns over the years that have posed threats to the Mizo Accord of 1986 such as attempts to scrap the Inner Line Regulation, central initiative such as observance of International Day of Yoga, imposition of government programmes on important religious festivities, the Citizenship Amendment Act etc. that could affect the demography and social and religious life of the Mizo people.

With a weak peace accord and slow implementation of its provisions, the most logical explanation for the sustenance of peace in Mizoram is the role of the civil society organizations in socializing peaceful values and non-violence. It was explained in the previous chapter that during the disturbed period, the church condemned the use of force and violence through its numerous notifications holding that they are incompatible with the teachings of Christianity. It organized prayer meetings and encouraged mass prayers in local churches where the people directly participated. This initiative socialized the Mizo people politically to detest violence and force. The Christian culture of denouncing violence to achieve political interests seems to have been successfully shaped during the insurgency and passed on to the following generations.

In assessing the role of the churches in Mizoram, it should be noted that the total number of church members from the Presbyterian and the Baptist churches alone amounting 7,59,122 constitutes 69.2 percent against the total population of Mizoram 10,97,206 according to the Census of India Report 2011. The largest church in the state, Mizoram Presbyterian Church Synod is headquartered in the

state's capital, Aizawl. According to the Synod Statistics of 2014-15, the Church has 5,98,778 members. According to the Baptist Church of Mizoram (BCM) Statistics of 2013-14, the BCM headquartered at Serkawn, Lunglei has 1,60,344 members and is the second largest church in the State.⁹⁸ The church assumes a significant position in the State's politics due to huge membership and influential role in the lives of the people.

The Church, however, did not input any of its wishes in the provisions of the Mizo Accord. Reverend Chuauthuama, senior pastor of the Presbyterian Church Mizoram Synod expressed that the church was solely interested in the restoration of peace and less concerned about the contents of the peace accord. He further asserted that after the return of peace, the church did not intervene for the implementation of the provisions of the peace accord. The reason for this non-intervention was based on the logic of separation of religion and politics. He asserted that implementation of these provisions is a political affair that is shouldered by the government.⁹⁹

The post-accord Mizoram is indeed a model of peace while the accord itself cannot be considered a model peace accord. Peace in Mizoram may truly be attributed to the role of the civil society and the social administrative system of the Mizos as often hailed in the political and academic fora. The extract from the speech of Laldenga as quoted in the beginning of this chapter may be recollected here.

⁹⁸ *Baptist Church of Mizoram*, accessed 25 Sep, 2016. <https://www.mizobaptist.org>

⁹⁹ Reverend Chuauthuama, Former Synod Executive Secretary (Senior), Interview by the Researcher (Aizawl: June 15, 2017)

CHAPTER 7

CONCLUSION

Conflicts are endemic in all societies. India's Northeast which is characterized by geographical isolation, distinct culture, economic backwardness, ethnic assertions as well as political aspirations for greater powers has witnessed the rise of violent conflicts in India's post-independence nation-building. These several characteristics have also acted and interacted in a vicious circle for the emergence and sustenance of conflicts. However, studies on conflicts have asserted that conflicts are not necessarily an evil in a society. Rather they are seen as a constructive process through which change in society takes place. Thus, this study proposes a positive approach to conflicts that they are natural and are essential means through which society progresses from one state to another.

This study particularly focuses on conflict resolution through comparative analyses of the peace accords of Assam and Mizoram. This requires not only analyses of the implementation of the provisions of the peace accords but also the roots and nature of conflicts upon which these peace accords were signed. It also analyzes the peace processes in Assam and Mizoram and brings out the key points of negotiations.

The study employs a qualitative method through descriptive analysis of both primary data and secondary data. The study is a causal research as it analyzes the causal relationship between the causes and the effects: of the genesis between the rise of nationalism and national movements, and the provisions of peace accords and their outcomes. Primary data includes interview of key stakeholders, government acts, regulations and legislations, organizational documents and records, speeches and autobiographies. Secondary data, on the other hand, includes existing literature from published and unpublished books, journals, magazines, newspapers, and online sources.

Key Findings

This section provides a brief summary of the answers to the research questions asked in the first chapter. Firstly, the fundamental bases of the conflicts in Assam and Mizoram are discussed in chapters two and three. Conflicts in Assam and Mizoram in this study refer to the Assam Movement of 1979-1985 and the Mizo National Movement of 1966-1986. The Assam Movement was the six-year-long agitation spearheaded by the All Assam Students' Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) against the presence of foreign nationals in Assam and the alarming increase of influx of foreigners in Assam particularly from Bangladesh. The neglected problem of foreigners came to the public eye before the 1978 by-election to Mangaldoi Constituency with the discovery of extraordinary growth in the number of voters. The process of immigration dated back to the colonial era where the British promoted import of outsiders to sustain colonial economy. The partition of the country at the time of Indian independence as well as the Bangladesh War of Liberation in 1971 too triggered large scale immigration. This not only led to great demographic change in Assam but also posed a threat in reducing the indigenous people in becoming a minority in their own State. As for the Mizo National Movement, it refers to the twenty-year-long armed struggle for the independence of Mizoram from the Union of India. Mizo nationalism as found in the writings of Laldenga, Founder President of the Mizo National Front (MNF) that commanded the Mizo struggle for independence, asserted that the Mizos prior to the British rule were sovereign rulers in their own lands and were colonized against their will by the British and the Indians, and that independence is their birth-right. The British Raj followed a policy of segregating the hill tribals including the Mizos from the Indian mainland through its special administrative devices such as Inner Line Regulation, Backward Tracts, Excluded and Partially Excluded Areas among others. This led to the feeling of alienation and the emergence of Mizo nationalism in India's post-independence nation-building with degrees of demonstration effect from Naga nationalism. In both the movements of Assam and Mizoram, a colonial legacy of the British rule is found.

The core demands of the leaders of both the movements are identified in the fourth chapter. The core demand of the Assam Movement as found in the Memorandum submitted to the Prime Minister by the AASU on February 2, 1980 was the detection, the deletion and the deportation of foreigners from Assam which may be called as the Three D's of the Assam Movement. The agitation leaders wanted the National Register of Citizens, 1951 to be the basis for identification of foreigners in Assam. They demanded that NRC should be compared with successive electoral rolls of Assam. The Mizo National Movement, on the other hand, has the ultimate goal of achieving a sovereign status for the Mizos through a struggle for the independence of Mizoram from the Union of India. The Memorandum submitted to the Prime Minister of India by the MNF on October 30, 1965, the MNF Declaration of Independence on March 1, 1966 and the philosophy of MNF leader, Laldenga all pointed towards sovereignty as the birthright of the Mizos. Both these movements were originally intended to be non-violent movements but the Assam Movement led to a violent communal clash while the Mizo National Movement led to an armed struggle for independence.

The core demands of both movements were greatly compromised. The original stance of the AASU-AAGSP leadership was greatly compromised but an agreement was reached for solution of the problem of foreigners with the signing of the Assam Accord, 1985. Clause 5 of the Assam Accord, 1985 provided January 1, 1966 to be base date and year for detection and deletion of foreigners. All entrants who settled in Assam before the cut-off including those that were enrolled in the electoral rolls of 1967 were to be regularized. Entrants after the base year and date upto March 24, 1971 were to be detected as per the Foreigners Act, 1946 and the Foreigners (Tribunals) Order, 1939 and their names were to be deleted from the electoral rolls for a period of ten years. After the expiry of ten years, their names were to be restored in the electoral rolls. Entrants after March 24, 1971 were to be deported from Assam. The government on the other hand promised to guarantee constitutional, legislative and administrative safeguards for the Assamese people and secure the international border from future infiltration. The Mizo Accord of 1986 too compromised the original demand of the MNF from independence to statehood under

the Union of India. The MNF underground personnel were to come overground and submit their arms and ammunitions while the government was to arrange for their settlement and rehabilitation. An agreement was made within the framework of the Constitution of India for establishment of Mizoram State with special provisions provided in the Constitution. The state of Mizoram was inaugurated on February 20, 1987. The Mizo Accord also provided special provisions for safeguarding the social and religious practices of the Mizos, Mizo customary law or procedure, and ownership and transfer of land by inserting Article 371G through the Constitution (Fifty Third Amendment) Act, 1986. The new State also retained the Inner Line Regulation which requires non-tribals or plainsmen to obtain Inner Line Permit (ILP) from a competent authority prior to their entry to Mizoram. Special Category Status, a privilege enjoyed by certain disadvantaged states was also given to Mizoram. Thus, conflict resolution takes place under compromise where both sides gain some and lose some.

The discords of the Assam Accord, 1985 and the Mizo Accord, 1986 are discussed in fifth and sixth chapters respectively. The key agreement in the Assam Accord, that is, the solution to the problem of foreigners in Assam requires a continuous and extensive exercise. Despite fixing the cut-off year for the detection, deletion and deportation of foreigners, it is identified that the first discord lies in the Illegal Migrants (Determination by Tribunal) Act, 1983 that hindered effective implementation of Clause 5 of the Assam Accord for two decades. The AASU held that the Act made the deportation process cumbersome. The IMDT Act was however struck down by the Supreme Court in 2005. A comprehensive exercise for the solution of problem of foreigners in Assam was undertaken in Assam after the Supreme Court ordered update of the NRC in 2013. The final update of the NRC in 2019 as per the Assam Accord identified more than 19 lakhs foreigners in Assam. The deportation process has been complicated however by different factors such as deportation of foreigners to Bangladesh requires the mandate of the Government of the Bangladesh, Assam is not willing to bear the burden of accommodating the foreigners alone and urged the Central Government that if the burden is to be shared, it should be shared with all Indian States and has also raised fear among Assam's

neighbouring States that the foreigners of Assam might migrate into their State. The question of Assamese identity has also not been resolved till today which puts a halt on the proper implementation of Clause 6 of the Assam Accord dealing with constitutional, legislative and administrative safeguards for the Assamese. Special provision for the Assamese causes concern to the Bodos in Assam who felt that it would lead to imposition of Assamese language and culture, and thus lead to assimilation of Bodos. The Bodo movement for separate state rocked the State for more than 30 years now. Meanwhile, the definition of Assamese has not been resolved and reports of committee after committee have become mere paper works. The key agreement in the Mizo Accord, on the other hand, is immediate and direct. The coming out of underground personnel and the deposit of arms and ammunition as well as the establishment of a separate state of Mizoram were fulfilled immediately after the signing of the Accord. The major discords found in the post-accord period are the peace accord returnees' lamentations over the inadequate rehabilitation and settlement schemes, inter-state border dispute with Assam, delay in the establishment of separate high court for Mizoram, the position of minorities in the State and apprehensions over central policies and acts that hurt the social and religious sentiments of the Mizos. Several initiatives of the Government of India such as the Citizenship Amendment Bill, 2016, the observation of Good Governance Day on Christmas Day, the imposition of International Day of Yoga and the observation of *Digidhan Mela* or Digital India Day on the Good Friday of 2017 were seen as an attempt to glorify Hinduism by the forces of Hindutva at the cost of minority religion and culture.

Lastly, peace is sustainable for Mizoram and not for Assam. While the Mizo Accord, 1986 has often been hailed both in the academic and political fora as a 'model accord' and the most successful peace accord, the numerous post-discords mentioned earlier state otherwise. Thus, the only logical explanation for the sustenance of peace in Mizoram is the role of civil society organizations. The Assam Accord, as stated earlier requires a continuous and extensive exercise for its implementation. This fell in the hands of the key stakeholders, the Government of India, the Government of Assam and the AASU, who through their tripartite

meetings make plan of action and review their implementation from time to time. The Assam Accord has only provided the framework for the resolution of conflict arising out of the problem of foreigners in Assam. Though the agitation has ended in 1985, the conflict has not ended in the last 35 years because the problem of foreigners in Assam has not been resolved till today despite the repeal of the IMDT Act, 1983 and the update of NRC in 2019. The AASU has been actively pushing for the implementation of the Assam Accord in letter and in spirit. However, the highly heterogeneous nature of society in Assam makes unified resolution of conflicts a complex one. During the Assam Movement, different tribes such as the Bodos and others supported and participated in the movement. The accord, however, provided provision particularly for the safeguards of Assamese, and naturally the tribes who did not want to identify themselves as Assamese but chose to remain distinct from Assamese identity felt left out of the Assam Accord. This has led to the proliferation of conflicts triggered by militant organizations such as the National Democratic Front of Bodoland (NDFB), the Muslim United Liberation Front of Assam (MULFA) among others. On the other hand, the immediate implementation of the core provisions of the Mizo Accord, the highly homogenized Mizo society and the presence of influential civil society organizations, particularly the church are found to be the causes for the non-recurrence of violent conflicts in Mizoram. Though there have been minor and occasional insurgent activities in the border areas of Mizoram by armed insurgent groups such as the Hmar People's Convention-Democratic (HPC-D) and the Bru National Liberation Front (BNLF), yet Mizoram is relatively the most peaceful state in the Northeast. Since the disturbed years, the church through its various agencies such as the Peace Mission, the Christian Peace Committee, the Zoram Kohhran Hruaitute Committee (ZKHC), the Mizoram Kohhran Hruaitute Committee (MKHC) and the Mizoram People's Forum (MPF) have assumed a central position in the political life of Mizoram. It is found that the Mizo disturbance had given a hegemonic position to the Council of Churches in Mizoram in influencing and controlling the social and political life of the Mizo people. Two factors make the church a legitimate and hegemonic body in state politics of Mizoram. One is its large membership and the other is sacredness. In the former, it is found that the total number of church members from the Presbyterian

and the Baptist churches alone amounting 7,59,122 constitutes 69.2 percent against the total population of Mizoram 10,97,206 according to the Census of India Report 2011. In the latter, religion occupies a sacred space in the lives of the people: individual, social, economic and political. With 87 percent Christianity in the State as in the Census of India Report 2011, the people belong to any one of the denominational churches. The churches are highly organized, governed by their own constitutions and rules. Through its channels of influence such as mass prayers, declarations, statements, messages and direct intervention as mediator, it shapes and forms political culture of peace and non-violence in the State.

The issue of representativeness during the signing of the Accords was another difference. It could be said that Laldenga, leader of the MNF enjoyed unquestioned authority over the MNF. When peace was agreed, Laldenga was truly representative of the decision of not only the MNF but also the Mizo people. It is found that Laldenga had the mandate of all major political parties, civil society organizations and the Mizo people for signing the peace agreement within the framework of the Constitution of India. In the case of the Assam Accord, there were dichotomies between the AASU and the All Assam Muslim Students Union (AAMSU) since the agitation. The peace accord meant a victory for one side and a defeat for the other. The Assam Accord also did not enjoy the confidence of the Bodo Students' Union and the United Liberation Front of Assam (ULFA) which led to the Bodo Movement for a separate state and ULFA's quest for independent *Swadhin Asom*.

From the study of the conflicts and subsequent signing of accords of both Assam and Mizoram, it may be proposed that conflict passes through nine phases to for the resolution of conflict and the attainment of peace. This is represented in the diagram below:

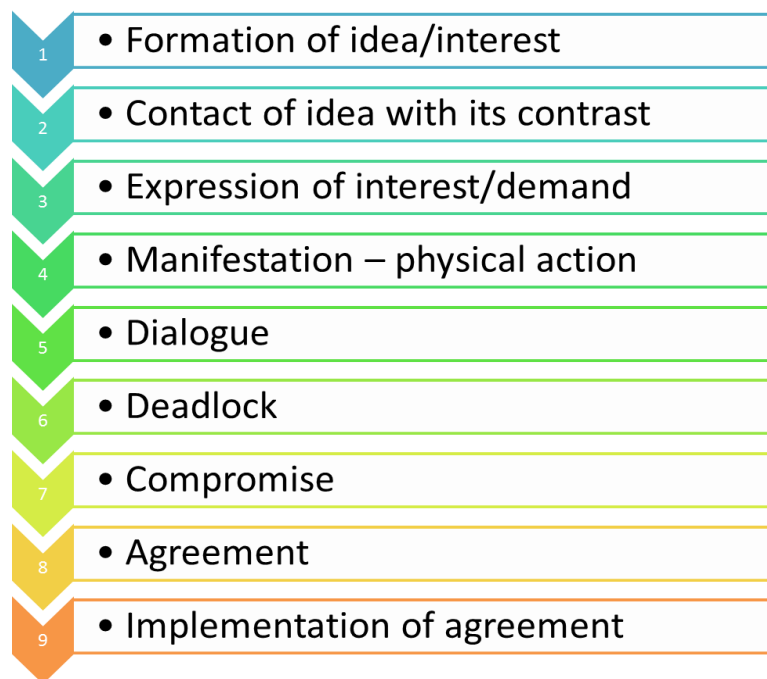


Figure 7.1: The 9 Phases of conflict resolution

Justification of Hypotheses

The first chapter proposes four main hypotheses. Hypotheses are conjunctural statements or theoretical assumptions which further needs to be tested or proven. The word, ‘justification’ is employed in this study because it adopts neither experimental nor quantitative approach where results may be tested by changing the variables. But in descriptive and qualitative approach, propositions are critically analyzed and justified. The justifications of the hypotheses are discussed in the following paragraphs.

The first hypothesis states that national movements in the Northeast are a colonial effect, a legacy of the British colonial administration. To justify this point, the third chapter analyzes the sources of conflicts in Assam and Mizoram, and how the conflicts in these States manifest. Examining the root causes of both the Assam Movement of 1979-1985 and the Mizo National Movement of 1966-1986, colonial legacy could be found in both Assam’s agitation against the massive influx of foreigners and the Mizos’ struggle for independence against the domination of the plains people who they called *vai*. The memoranda submitted by both the All Assam

Students' Union (AASU) and the Mizo National Front (MNF) traced the roots of their assertions back to the British colonial administration. Influx of foreigners in Northeast, particularly Assam was encouraged by the British colonizers to sustain colonial economy which led to a demographic change in the State. The colonial geography that was demarcated with little or no local considerations but rather for administrative convenience of the colonizers has invited numerous problems in post-colonial India. Segregationist administrative measures adopted by the British Raj for the tribals, though it offers protection from assimilation by the Hindu majority and preserve tribal culture and identity, did not result in creation of separate government for the tribals at the time of Indian independence and the hill areas inhabited by these tribals were left into the hands of whom they protected from, the plainsmen. Their integration into the Indian Union was viewed as forced integration as seen in the case of the Mizos. Special administrative measures such as the Sixth Schedule to the Constitution of India, the continuation of the Inner Line Regulation and certain other constitutional safeguards have created demonstration effect in the region and have become the foundation of ethnic assertions and sub-nationalisms. Hence, the first hypothesis is proved true.

The second hypothesis proposed that peace accords are attained only with compromised solutions. In other words, compromise precedes conflict resolution and in this case, the signing of peace accords. The core demands of conflict parties are moderated through successive conflict resolution measures. The fourth chapter comprehensively describes the peacemaking processes and how the parties in conflict negotiate and compromise until they arrive at an agreeable solution. The Indian method of conflict resolution under the Constitution of India and special acts such as AFSPA at times invite a ricochet of violent conflicts rather than ending them. It is only through peaceful negotiation and compromise, favourably with the presence of third-party mediators, that peace agreements are concluded. Peacemaking in both Assam and Mizoram as deliberated in this study is characterized by articulation of demands and compromises. The agitators in the Assam Movement of 1979-1985 greatly compromised their original stance for determination of foreigners from the National Register of Citizens of 1951 to March

24, 1971 as the cut-off year. In this regard, the original stance of Prime Minister Indira Gandhi was undeterred. However, the Government of India *inter alia* agreed to provide certain constitutional, administrative and legislative safeguards for the Assamese and provide provisions for economic development of Assam. In the case of Mizoram, the Mizo National Front (MNF) dropped its original demand for independence from the Indian Union and agreed to settle for separate State of Mizoram under the framework of the Constitution. The Government of India, on the other hand, provided special provisions to the new State of Mizoram which was incorporated into Article 371G by the Constitution (Fifty-third Amendment) Act, 1986.

The third hypothesis states that non-implementation of peace accord results in recurrence of conflicts. In order to justify this hypothesis, an attempt was made to examine the causal relationship between implementation of the provisions of the peace accords of Assam and Mizoram and the discords, if any. This is done so in the fifth and sixth chapters dealing separately with the case of Assam and Mizoram respectively. The hypothesis draws on the view that peace accords are only the starting points for peace; they provide the framework for peace that needs to be institutionalized. This also implies that non-implementation of the provisions of a peace agreement amounts to dishonouring the peace agreement itself which invites the recurrence of conflicts. Taking into account the Assam Accord of 1985, Clauses 5 and 6 which are considered as the heart and soul of the peace accord have not been implemented in letter and spirit by successive governments both at the Centre and the State during the 35 years of the post-accord period. Clause 5 which provides for the detection, deletion from electoral rolls and deportation of foreigners was greatly hampered by the Illegal Migrants (Determination of Tribunals) Act of 1983 for 20 years until it was struck down as unconstitutional by the Supreme Court in 2005. The update of the NRC that followed was completed only in 2019 and identified 19,06,657 foreigners. This indicates that the process of illegal migration into Assam continued at a large scale even after the signing of the Assam Accord in 1985. As for the deportation of foreigners, the matter has not been taken up by the Government of India with the Government of Bangladesh. Instead, the Citizenship Amendment Act

(CAA), 2019 provides for granting citizenship to foreigners which the AASU and other organizations in the Northeast vehemently opposed. While the NRC update of 2019 based the cut-off-date to March 24, 1971 which is in the spirit of the Assam Accord, the CAA of 2019 reduces the naturalization process for foreigners to just five years. The AASU resolved to fight the CAA until it is scrapped. Clause 6 which provides for constitutional, administrative and legislative safeguards for Assamese too has not been implemented despite establishment of committee after committee to implement this clause. The question of 'Assamese' or who the Assamese constitute has not been resolved till today. The Report of the Committee for Implementation of Clause 6 of the Assam Accord submitted in February 10, 2020 has not even reached the Ministry of Home Affairs, Government of India as the recommendations of the high committee are under the examination of the State Government. In the case of Mizoram, the heart and soul of the Mizo Accord of 1986 lie in Paragraphs 3 and 4. The former dealing with restoration of normalcy, the Peace Accord MNF Returnees' Association (PAMRA) lamented that they have done their part in coming overground and submitting their arms while the Government have been apathetic towards their resettlement and rehabilitation. The latter which provides for legal administrative and other steps guarantees special provision for Mizoram with respect to religious practices, Mizo customary law or procedure, administration of civil and criminal justice involving Mizo customary law, ownership and transfer of land and gives constitutional safeguard by inserting Article 371G through the Constitution (Fifty Third Amendment) Act, 1986. The Special Category Status and the Inner Line Regulation (ILR) has faced contestations not only from the plainmen but from the Union Government itself as discussed in the sixth chapter. There is a separate department to supervise the implementation of Assam Accord known as the Department of Implementation of Assam Accord as well as Tripartite Meetings involving key stakeholders regarding the implementation of Assam Accord. In Mizoram, besides the establishment of Peace Accord Review Committee in 2017 at the initiative of Lt. Gen. Nirbhay Sharma, the then Governor of Mizoram, no significant effort has been made regarding the implementation of the Mizo Accord, 1986.

The fourth hypothesis assumes that the presence of a moderating agency in the form of civil society organization makes peace durable in Mizoram which is absent in Assam. This was discussed in the fourth chapter on the role of the churches in Mizoram as a mediator. The churches in Mizoram from the beginning of the disturbance intervened as a third-party mediator between the MNF and the Government of India by starting the Peace Mission and later the Christian Peace Committee. The Council of Churches, the ZKHC also took a lead role in the final stages of negotiations. Its role as a third-party mediator during the disturbed period, along with its teachings and messages to the people, has inculcated a political culture of peace. Political leaders and academicians have acknowledged the role of the church in this regard. The Mizo Accord, 1986 is not a model accord given its several shortcomings and non-implementation. It is rather the mandate of the different sections of Mizo society who, prior to the signing of the Mizo Accord, resolved to accept any kind of peace agreement to bring an end to the Mizo disturbance. In the post-accord period too, the religious institutions continue to assume a hegemonic role in the social and political life of the State. Religious conglomerations, the MKHC or the Council of Churches in Mizoram and the MPF are today civil society organizations in Mizoram that firmly stood for peace and good governance. It however maintains the separation of religion and politics by distancing itself from party politics. Despite the participation of some church elders and retired pastors in active politics, no denominational churches in Mizoram put up candidates nor endorse any political party during elections. As far as politics is concerned, the main concern of the church in Mizoram is on good governance and peaceful conduct of elections. But when it comes to failure of law and order situation, the Biblical verse “Blessed are the peacemakers: for they shall be called the children of God” is highly revered and as followers of the teachings of Christ, the church continues to act as a peacemaker.

The role of the key stakeholders is not undermined. In the case of Mizo Accord, the core agreements were immediately implemented by all key stakeholders, the Government of India, the Government of Mizoram and the MNF. As far as secessionist and autonomist movements are concerned, the answer to India’s conflict

resolution lies in its federal design. The Indian Government has three main policy options: that is to grant separate statehood, union territory or greater autonomy. Through the Mizo Accord of 1986, Mizoram attained the highest level of India's conflict resolution measures. However, there are shortcomings in the implementation of certain provisions of the Mizo Accord too, such as non-establishment of separate High Court for Mizoram, lackadaisical implementation of rehabilitation and resettlement schemes, status of minorities and others. It is found that the role of the church in molding the political culture of the State has prevented the recurrence of violent conflicts. In the case of Assam Accord, the key stakeholders have not successfully implemented the core agreements even after 35 years. The recent policy to implement Clause 5 for the detection, deletion and deportation through the NRC update, 2019 has been diluted by the Citizenship Amendment Act, 2019 and has resulted in the polarization of Assam on ethnic and religious lines. Thus, the problem of Assam is a complex and unique one and requires specific solutions.

Markers for Future Research

Much of the existing studies on peace and conflict in the Northeast focus on the pre-accord ethno-national conflicts, while there is petite studies on the post-accord conflict resolution. Peace accords are not the endpoints in conflict resolution but only laid the foundations for peace. As can be seen in the present study of Assam Accord and Mizo Accord, the post-accord peacebuilding is an ongoing process. Thus, there are ample issues and events that require attention to add to the existing literature. Fresh and repeated events concerning the provisions of the peace accords such as the border stand-offs between Assam and Mizoram added to the need of historical and in-depth research on these issues.

India's post-independent nation building has witnessed resounding conflicts which is even more evident in the context of the Northeast. The demonstration effects of these conflicts will make an interesting study. Several parallels can be drawn from the case of the Nagas and the Mizos such as independence movements, formation of Peace Committees by the churches and special provisions within the Constitution. The issues of cross-border migration, anti-foreigners movement and

assertion of the rights of indigenous people or sons of the soil also have parallels in the Northeastern states.

The Rajiv era was a period of significant peace accords namely the Punjab Accord of 1985, the Assam Accord of 1985 and the Mizo Accord of 1986. Studies on the peace and conflict resolution policies of the late Prime Minister, Rajiv Gandhi will contribute significant knowledge and policy perspectives to the subject.

Taking the elite theory into consideration, conflicts and peace in the Northeast like elsewhere are largely determined by the attitudes and behaviour of political elites in the region. It is found, however, that biographical research and behavioural research on political elites are quite limited in this respect. This calls for the attention of scholars to fill this research gap.

Recent political events such as the Assam-Mizoram border conflict, the NRC update and the amendment of citizenship laws have opened the Pandora's box for scholars of the subject to investigate the issues of citizenship crises, the problem of immigration, xenophobia and chauvinistic politics, national consciousness and other issues in the region.

Lastly, this study proposes the Nine Stages of Conflict Resolution which represent the phases through which the conflicts of both Assam and Mizoram pass through: formation of idea/interest, contact with its contrast, expression of interest/demand, manifestation of physical action, dialogue, deadlock, compromise, agreement and implementation. This framework may be applicable to other social and political conflicts not just in India's Northeast but also to other parts of the world. It is, therefore, up to future research to test and determine the validity and relevance of the Nine Stages of Conflict Resolution to social and political conflicts.

Conclusion

Peace accords are not the endpoints to social and political conflicts, they rather provide the framework for conflict resolution. For peace to be sustainable, it is imperative that the terms of agreement and provisions enshrined in peace accords are

honoured and implemented in letter and in spirit. India may be integrated not through assimilation of the identities of minorities by majorities. The threat of assimilation has only led to the rise of ethno-national conflicts. Instead, integration through recognition and provisions for adequate constitutional, administrative and legislative safeguards should be in place for the preservation and promotion of distinct identities.

Appendix 1

Letter to the Prime Minister of India by AASU (January 18, 1980) on the problem of presence of foreign nationals in Assam and continued influx of foreigners into Assam from Bangladesh and Nepal

Guwahati
January 18, 1980

To
The Prime Minister of India
New Delhi

Subject : Problem of presence of foreign nationals in Assam and continued influx of foreigners into Assam from Bangladesh and Nepal.

Honourable Madam,

I take this opportunity to congratulate you on becoming the Prime Minister of India again.

I am writing this letter to draw your attention to the alarming situation created by the unabated infiltration from the neighbouring countries, particularly Bangladesh and Nepal. The problem, in fact, requires no introduction. It exists from the days of independence. It is now agitating the minds of the people of the entire N.E. Region. The situation has assumed such magnitude that the very existence of the indigenous population is threatened. But we are determined to preserve our identity, our history, our culture and our heritage. The Constitution of India certainly guarantees each Indian nationality to do so.

The huge extent of the problem and the serious threat to the territorial integrity of the nation this influx of foreign nationals poses is clearly revealed by the following figures:-

Percentage of increase of population per decade :::: Assam & India

Year	Population of Assam	% increase Assam	% increase India
1951	8,028,856
1961	10,837,329	34.98%	21.64%
1971	14,625,152	34.95%	24.80%

Commenting on this huge increase of 34.95% per decade compared to the national figure of 24.80% (one of the highest in the world), no less a person than the Chief Election Commission of India said at Ootcamund during the conference of the Electoral Officers held from 24th to 26th September, 1978:

"The influx has become a regular feature. I think that it may not be a wrong assessment to make on the basis of this increase of 34.95% between the two censuses, the increase that is likely to be recorded in 1991 census would be more than 100% over the 1961 census. In other words a stage would be reached when the state may have to reckon with the foreign nationals who may in all probability constitute a sizeable percentage, if not the majority population in the state".

There is absolutely no other explanation for this extremely high increase of population other than that of influx of foreigners. If unabated, Assam will have to reckon with perhaps 50 lakh foreign nationals in 1981, and the Assamese in Assam shall become a minority.

We are not prepared to face such a situation at any cost. We cannot remain silent spectators when the sovereignty of India is attacked. We cherish our Indian Constitution. Our Constitution clearly defines who is an Indian and who is not. But the provisions of the

Constitution have been blatantly violated by the politicians of the state. This is again testified to by the following remarks of the CEC.

“Another disturbing factor in this regard is the demand made by the political parties for the inclusion in the electoral rolls of the names of such migrants who are not Indian citizens, without even questioning and properly determining their citizenship status.”

We are now firm to free Assam and India from the grip of the foreign nationals. The number of foreign nationals in Assam has already become explosive. The problem must be tackled. The problem, Madam, does not defy solution. The foreign nationals must be removed from the voters list. It is our duty to prevent foreign nationals from determining the destiny of our state and our country. Electoral roll of every constituency must be thoroughly revised before the ensuing elections. This is a ‘must’ for the interest of a free, fair and democratic election.

For the effective solution of the problem, we submit some broad proposals which we believe, must be implemented to detect, delete and deport the foreign nationals.

1. The National Register of Citizens (NRC) of 1951 should be made up-to-date by including the additions to the number of each family since the time of the compilation of the Register.
2. The comparison of the NRC with the successive electoral rolls since 1951 may also be helpful in making it up-to-date.
3. The entire Indo-Bangladesh border must be demarcated at the earliest and a free zone devoid of trees and houses should be created all along the border and anyone crossing it from either side must be shot at. We attach great importance to this suggestion. We have reached a stage when threat to the state of Assam and to the country can no longer be ignored.
4. Identity Cards must be issued throughout the N.E. Region. The process should start immediately and in all the states and union territories simultaneously. This has been successful in Sikkim and we insist upon its implementation in the N.E. Region. We are glad that the Chief Election Commissioner of India has recommended this step to the Home Ministry. We urge the concerned Ministry to immediately implement it.
5. Birth and Death Register at all Block and village level should be strictly maintained in order to prevent future infiltration into Voters' list.
6. Additional number of armed battalions should be raised to help the BSF to check fresh infiltration into our territory. A River Police Force may also be raised to check infiltration through the riverine portion of the border.

Madam, the problem demands immediate attention of the Central Government. Firm and strong decision to detect and deport foreign nationals from Assam can only ease the minds of the people. We believe, you will not allow the people of Assam to feel neglected any more.

We look forward to discuss the problem in detail. Your personal visit to Assam will facilitate the people of Assam to express their determination to work for a lasting solution of the problem.

We firmly believe that his problem of foreign nationals is a national problem and we strongly condemn the communal forces who are trying to discredit the movement.

With regards,

Yours sincerely,
Sd/- P. Mahanta
President
All Assam Students' Union

Source: Home & Political Department, Government of Assam, *White Paper on Foreigners' Issue*, October 20, 2012.

Appendix 2

Memorandum Submitted to the Prime Minister of India by All Assam Students' Union on February 2, 1980

MEMORANDUM

TO THE PRIME MINISTER OF INDIA

Feb, 2, 1980

To
The Prime Minister of India,
NEW DELHI.
Hon'ble Prime Minister,

We, on behalf of ALL ASSAM STUDENTS' UNION, hereby submit for your urgent attention the following Memorandum on the explosive issue of influx of foreign nationals into the North East Region, particularly Assam.

The problem which is agitating the minds of people of the entire North East Region is the problem of influx of foreigners from the neighbouring countries particularly Bangladesh and Nepal. The influx of foreign nationals into Assam is not a recent phenomenon. The problem exists from the days of independence. The problem has become so alarming that the very existence of the indigenous population is threatened. But we are determined to preserve our identity, our history, our culture and our heritage in our strive to maintain the ethnic beauty of the people of North East Region.

The huge magnitude of the problem and the serious threat to the territorial integrity of the nation that this influx of foreign nationals poses is clearly revealed by the following figures:

TABLE 1
Percentage of increase of population per decade:
ASSAM AND INDIA

Year	Population of Assam	% increase Assam	% increase India
1951	10,28,856	19.94	31.31
1961	108,37,329	34.98	21.64
1971	146,25,152	34.95	24.80

Assam tops the list of states which registered more than 50% increase during 1911-1961.

TABLE 2

State	Rate of Increase
Andhra	67.8
Assam	174.0
Bihar	64.1
Gujarat	110.5
Jammu & Kashmir	55.3
Kerala	136.5
Madhya Pradesh	66.5
Madras	61.2
Maharashtra	84.2
Mysore	74.5
Orissa	54.2
Punjab	70.0
Rajasthan	83.5
Uttar Pradesh	53.2
West Bengal	94.0

ASSAM'S POSITION REMAINED UNCHANGED TILL 1971, WE HAVE EVERY REASON TO APPREHEND THAT THE NEXT CENSUS WOULD DEFINITELY MAINTAIN THE SAME TREND IF NOT INCREASE IT.

As early as the 1930 important leaders like Nehru and Rajendra Prasad had expressed their concern at the continuing influx into Assam. They must have been alerted by the following table:

TABLE 3
TREND IN POPULATION : ASSAM AND INDIA
% decadal variation

Year	Assam	India
1911	16.99	5.73
1921	20.47	6.30
1931	19.92	11.00

But that was a different story. India was then not divided. Following partition of India, illegal immigration particularly from Bangladesh (then East Pakistan) and Nepal began on a scale larger than ever before (Table-1).

The people of Assam have reasons, based on real experience to be apprehensive of being swamped by foreign nationals in the near future. Commenting on this large increase of 34.95% per decade compared with the national figure of 24.80% (one of the highest in the world), the Chief Election Commissioner (CEC) said at duty during the Conference of the Electoral Officers held on 24-26 September, 1978:

"The influx has become a regular feature. I think that it may not be a wrong assessment to make on the basis of this increase of 34.95% between the two census, the increase that is likely to be recorded in 1991 census would be more than 100% over the 1961 census. In other words, a state would be reached when the state may have to reckon with the FOREIGN NATIONALS who may in all probability constitute a sizeable percentage, if not majority population in the state."

INFERENCES FROM TABLE 1

- (a) Only influx of foreign nationals can account for this extremely high percentage of increase of population in Assam.
- (b) India is definitely exposed to dangerous moves by foreign nationals in North East Region.

CASE OF KARBI ANGLONG & NORTH CACHAR :

	Percentage of Growth Rate			
	1941	1951	1961	1971
Karbi Anglong	-	30.06	79.21	68.28
North Cachar	-	6.16	36.95	40.0

As the above figures show the situation is more frightening in the districts of Karbi Anglong and North Cachar.

The unbelievable rise in population only glorifies the determination of the people of Karbi Anglong which made the election that was imposed impossible. Every one, except the foreign nationals and their sympathizers contributed to the success of the non-cooperation movement launched to prevent the election. Intensity of belongingness and unity shown by people of Karbi Anglong would remain a memorable event. The above figure naturally leads to the demand of detection and deportation of foreign nationals on a war footing.

A silent invasion by foreign nationals from the neighbouring countries particularly BANGLADESH and NEPAL is taking place. We cannot remain silent spectators when sovereignty of India is attacked. The problem has been deliberately neglected by the leaders leaving the destiny of Assam at the mercy of foreign nationals. The foreign nationals pose challenge to the integrity of India.

The first thing foreign nationals try is to enroll their names in the voters' lists with the connivance of antisocial elements, politicians, and officials on this side of the border. The motive is crystal-clear. The infiltrators vote for the politicians who protect them in all respects. In fact politicians encourage infiltration to ensure their political survival. Therefore naturally the rapid growth in populations of Assam as a result of large scale influx from the neighbouring countries is bound to be reflected also in the increasing number of electors in Assam from 1957 to 1979. The following figures fully reveal it.

TABLE 4

Year	No. of electors	Increase	% of increase during the years	
1957	44,93,359			
1966	49,42,816	4,49,457	10%	(in 5 years)
1970	55,85,056	6,42,240	12.99%	(in 4 years)
1971	57,01,805	1,16,749	2.09%	(in 4 years)
1977	62,96,198	5,95,393	10.42%	(in 1 year)
1978	72,29,543	9,33,345	14.82%	(in 6 years)
1979	79,74,476	7,44,933	13.30%	(in 1 year)
	85,37,497	5,63,021	6.06%	(in 1 year)

A comparison of percentage increase in electorate of different states also demonstrates the gravity of the problem confronted by the people of Assam. According to the draft electoral rolls prepared for the just concluded mid-term Parliamentary election, the increase in the electorate is worked out to be 12.63% on average. Against this all-India average, the increase in Assam was 18.15%.

TABLE 5

States	Electorate in draft rolls in 1979	Electorate since 1977	increase %
Assam	8,537,497	1,311,881	18.15
Bihar	39,536,456	4,540,054	12.98
J & K	2,813,164	255,742	10.00
Madhya Pradesh	24,266,988	2,484,055	10.91
Manipur	8,696,86	81,463	10.34
Orissa and etc.	13,804,670	1,159,235	9.18

It is true that percentage increases of states like Punjab and Haryana are comparable to, though less than, the percentage increase of Assam.

It is not difficult to explain migration of India from other states into an industrially developed or developing state. Haryana alone has 208 large scale and 22,000 small scale industrial units.

On the other hand Assam is economically backward. Infrastructure for industrialization is virtually nonexistent. Resources have only been drained out. Economic stagnancy rules out too large scale migration from other states into Assam to account for the staggering growth rate of population. The dangerous trend is conveyed by the following Government compiled statistics also:

TABLE 6

Year	Duration (years)	Increase in electorate (Lakhs) approx	Rate (per year) (Lakhs)
1957-1970	13	12	0.92
1971-1979	8	28	3.5

Inferences from Table 1, Table 4 and table 6

- (1) Growth in the number of electorate in Assam has been very large.
- (2) Since the prominent rise in population is due to large scale influx of foreign nationals and the number of electorate has also increased correspondingly, clearly the constitutional provisions have been blatantly violated in Assam by allowing the foreign nationals to exercise franchise.

Indian Constitution defines in unambiguous terms who can be a voter. A FOREIGN NATIONAL CANNOT CERTAINLY PARTICIPATE IN INDIAN ELECTIONS. But the sovereignty of the country has been openly insulted by the political parties. This is amply told by CEC.

"Another disturbing factor is the demand made by the political parties for the inclusion in the electoral rolls of the names of such migrants who are not INDIAN CITIZENS, without even questioning and properly determining their citizenship status".

The number of foreign nationals in Assam has already become explosive. The problem must be tackled with utmost speed. Foreign nationals whose presence is of grave concern to the people of Assam, are mainly from Bangladesh and Nepal. In addition to Bangladeshis, Nepalis who have entered Assam WITHOUT Restrict Area Permits either from Nepal or from Bhutan account for a sizeable number of foreigners. The increase of Nepali immigrants in the last two decades cannot be ignored. (Table -7)

TABLE 7
NEPALI IMMIGRATION

Year	Persons	Decade variation	General variation Assam
1951	101,335	-	-
1961	182,925	48.1%	34.98%
1971	352,673	48.2%	34.95%

Inference of Table 7:

The percentage of increase of the Nepali population is higher by about 13% than the percentage of increase in the general population during the period 1951-1971.

The conclusion from all these figures is obvious. Variations in population and electorate have been abnormal. Only influx of foreign nationals from neighbouring countries can account for such consequential changes.

The Central Government and the Election Commission have been in full knowledge of alarming situation arising out of unabated infiltration of foreigners into the North Eastern Region, particularly into Assam. In the year 1950 the Immigrant (Expulsion from Assam) Act,

1950 was passed by the Parliament. In the statements of objects and Reasons of the said Act it was mentioned that:

"During the last few months a serious situation had arisen from the immigration of a very large number of East Bengal residents into Assam. Such large migration is disturbing the economy of the province besides giving rise to a serious law and order problem".

Therefore the problem existed, and was officially recognized to have existed, as early as the birth of Indian Republic. But unfortunately no positive steps were taken either by the Union Government to prevent infiltration of foreigners into the North Eastern territories of India or by the Election Commission to prevent inclusion of the names of these infiltrators into the Electoral rolls. The directive sent by the Union Government on 2.8.75 to check the Electoral Rolls to the State Governments and the Union Territories of the North East Region was also ignored by the State Government. According to the Seventh Schedule to the Constitution the subject "Citizenship naturalization" aliens "and" admission into and emigration and expulsion from India - "Passports and visas"- are subjects related to the Central list vide entry 17 and 19 of the said list. Therefore, it is the constitutional duty of the Central Authority to stop influx of foreign nationals. But Central Government have so far completely failed to tackle the problem.

Similarly, preparation of electoral rolls is directly within the purview of Election Commission. We reiterate that, inclusion of a single name of a foreign national in the voters, list is unconstitutional.

Consequences of Unbridled Immigration

The harmful effects of continuous immigration are evident in every sphere of life. Tensions in the social, political, economic and cultural fields have already surfaced and both Central and State Governments must act before it is too late. Attempts to develop the region industrially cannot succeed unless the record population growth due to influx is fully halted. Immigrants have created pressure, unprecedented in the modern World history, on every resource of the region.

The immigrants have gathered enough strength to influence many major decisions of the State Government overlooking the security of the State and the country. An innocent looking newspaper report that appeared in Statesman on January 16, 1979 throws sufficient light on the threat to our sovereignty.

It reads

"An off-shoot of this population explosion has been a sudden change in the composition of the district's (Goalpara) electorate. The immigrants are in absolute majority in seven of the nineteen Assembly Constituencies in the district. In five ore constituencies they are numerous enough to be crucial for an electoral victory. There is almost a similar transformation in the smaller border district of Cachar, which returns 15 legislators to the 126 members State Assembly".

It is quite possible that majority of immigrants and the leaders behind them are determined to create instability in the region to serve the interest of the foreign powers. Nobody can deny such a possibility. We are apprehensive of the political realities since VOTE is central to our democratic structure.

Those who vote and those who are elected are deemed to be invested with power and responsibility to safeguard Assam's political future within the framework of Indian Constitution.

The people of Assam have genuine reasons to believe that foreign nationals would injure REGIONAL and NATIONAL interest. Our neighbours in the Hill states share our fears.

Threat to Tribal Existence

The problem has badly hit the tribal populations. All the 33 blocks and belts reserved for the tribal people are on the verge of extinction. Pressure on economy has reduced sizes of the reserved tribal blocks. Forest resources are fast disappearing due to indiscriminate felling of trees and occupation of the area by the foreign nationals.

The very identity of tribal population is in danger of extinction. The recent history of Tripura provides a good example to substantiate our belief. People of Assam cannot afford to ignore the warning.

Why the Present Movement was started

As already stated, that the existing electoral rolls are Contaminated by the presence of foreign nationals mostly Bangladeshi, was openly admitted by Sri Shaktidhar in 1971. The CEC further acknowledged pressure from different political groups to include foreigners in the electoral rolls of North Eastern States. To check the process effectively CEC suggested to the Home Ministry of introduction of identity cards. The entire population of North Eastern States welcomed the suggestion and hoped for the best. But regrettably, we have noticed no positive response from the Central Government so far.

Then in March, 1979, a bye-election had to be held in the Mangaldoi constituency due to death of sitting member of a large number of foreigners' names was discovered. Objections were raised against some 70000 names in the constituency. But of this, 45,000 were declared as foreigners by competent courts. It was then the dark force behind the whole conspiracy against Assam rose their ugly heads. The political parties who would have benefitted by these foreigner's votes used all their influence and forced the authorities to stop deletion of foreigners names from the electoral rolls. Out thoughts were provoked. Then came mid-term Parliamentary election. The experience of burial of Indian democracy in Mangaldoi constituency was too fresh to be forgotten. What was true for Mangaldoi became true for whole of Assam. How could the people of Assam let their fate be determined by lakhs of foreigners in the electoral rolls? Everybody in Assam expected the CEC to delete the names of the foreigners from the voters list. Unfortunately, contrary to all his previous statements CEC directed the authorities to stop deletion foreigners' names and said:

"A person whose name has been included shall be presumed to be citizen of India....Scrutiny of electoral rolls can be taken up after the election is over...."

The people of Assam could not the argument put forward by the CEC. Dignity of the Constitution must not be lowered. Foreign nationals cannot be allowed to participate in Indian politics at any cost. CEC believed that the anomalies in the existing list would be removed on the basis of the objection filed by the Indian against the non-Indians. That was a false belief. For example: in Assam the number of objections field against non-Indians was about 3.5 lakhs. But the actual number is bound to be much greater. Reason is simple. In Assam, there are many areas where detection of foreign nationals is possible only with the

help of the Government machinery. But for reason best known to the CEC only, Section 22 of Peoples' Representation Act was made inoperative in Assam.

This open disregard to the security of the state could no longer be tolerated and the ALL ASSAM STUDENTS' UNION took the lead in launching a State-wide movement on a massive scale.

Different Phases of the Movement

When appeals and requests to the State Government, Central Government and the President of India failed to evoke any response, the people of Assam had to come out to the streets.

Thousands of meetings were organized throughout the State to educate the people. Rallies were held. Mass picketing and Mass Satyagraha received support of everybody with a sense of belongingness to the region. Non-cooperation was extremely successful. Will of the people made election in twelve constituencies impossible. Determination of the people prevailed over the unconstitutional directive of CEC. However, election machinery forced the election on the indigenous population in the two constituencies of Cachar. The representatives who are declared to be elected from Cachar district have natural obligation to protect the interest of foreigners. Foreign nationals have already out-numbered the Indians in Cachar district. The people of Assam registered due protest on January 21 by observing it as a BLACK Day.

The students of Assam have been agitating on the issue since 1974. The detection and deportation of foreign nationals were – our demands included in the 21 point Charter which was submitted to the State Government in 1974. Now we are determined to correct the mistakes of our previous generations.

Character of the Movement

We are committed to pursue the cause of the present movement with sense of deep conviction on the principle of non-violence, democracy and secularism. The people of Assam spontaneously responded to our call with a sense of discipline, solidarity with the movement is evident in every phase. Determination to maintain peace and harmony is written on the face of every body participating in the movement.

We condemn all Types of Violence and Stand by our Chosen Path

About the charter of the movement, said Editor, *Illustrated Weekly of India* in a Radio interview:

"I am one of those who believe things can be done constitutionally. But if things have to be done, I would rather say that they were done as here (In Assam) now. I see no violence, no buses being burnt. What strikes me most about Assamese people is a certain element of softness, and certain element of gentleness.....If Gandhiji could not keep his people under control, student leaders are trying to keep everybody under control."

Active Conspiracy

But conspiracy has been on. This only roves that foreign nationals are very active in the state politics. Political elements patronizing the foreign nationals are inflaming communal passions among the innocent people in the name of language and religion. Our firm answer

has been a foreigner is a foreigner; a foreigner shall not be judged by the language he speaks or by the religion he follows.

Conspirators in collusion with a section of anti-Assam politicians and bureaucrats are active in their attempts to frustrate the movement by indulging in anti-social activities at Lumding, Pandu, Maligion and Digboi. These conspirators raised their ugly heads in Bhawanipur, Gauhati Medical College and Dham Dhama and stretched their design to Morigaon Soalkuchi and Bijni. The same happened in North Kamrup. Army took advantage of the situation, tortured innocent people and raped helpless women and girls. At Duliajan many peaceful picketers were brutally killed by CRP. It is unparalleled in the history of India. Even Cachar was not excluded. But we are clear about our aims and objectives.

ANOTHER UNDESIRABLE FACTOR

There is another disturbing factor that has complicated the problem. Many infiltrators once deported by Assam Government have been detected again. But most surprisingly now they are armed with citizenship certificates issued by West Bengal and Tripura Governments. Assam Government, however, has no power to cancel these certificates in spite of the previous record that these people are foreign nationals. Only the Central Government can nullify such illegal certificates. Feeling helpless, the Assam Government was reported to have forwarded the cases to the Central Government. However, Central Government has not taken any immediate action against those anti-national officials. Though these factors have complicated the issue, the problem is not beyond permanent solution. Peoples, representatives also must play the constructive role expected of them. In Assam, it is surprising that no member of Legislative Assembly has demanded that the foreign nationals in his/her constituency should be detected and deported. What does it indicate? It is not very difficult to find the answer.

FINALLY

The district authorities, the State Government, the Election Commission, the Central Government – very component of administration knows the problem very well. But the immigration continues. For us, it has become a mystery.

Do we not have Constitution providing security to every part of the Country?

Why the North Eastern Region then is subjected to such extreme negligence?

Why the Defence Ministry if so indifferent to the security that is threatened by the foreign nationals?

The mystery is deepening as the days pass.

Are we to be written off from the map of India?

The problem has assumed alarming proportion in Assam and tomorrow it would engulf the whole Region.

OUR DEMANDS

- (1) Foreign nationals must be detected and deported from our country.
- (2) (a) Names of foreign nationals must be removed from the concerned electoral roll before holding any election in Assam.
- (b) Inclusion of foreign nationals' names in the electoral rolls in future must be made impossible with the help of an adequate and strong election machinery.

- (3) Border of India with the neighbouring countries must be fully protected to electively check infiltration.
- (4) Indian voters residing in Assam should be issued identity cards with photograph affixed.
- (5) Necessary constitutional safeguards should be provided to the people of North Eastern Region for the next 15/20 years by making necessary constitutional provisions for the protection of the identity of the indigenous people in this Region.
- (6) The Government of Assam should be free to reject any certificate issued by the district authorities of West Bengal and Tripura.
- (7) We demand that the authority to grant citizenship certificate delegated to the State Government should be withdrawn by Central Government immediately from all State Governments, so that those foreigners who are detected and deported from Assam do not come back armed with citizenship certificates issued by other States.

ADDITIONAL DEMAND

Fresh nominations must be invited when election for Karbi Anglong and North Cachar is announced after detection of foreigners and their deportation.

SOME OF OUR PROPOSALS

- (1) The National Register of Citizens (NRC) of 1951 should be made up-to-date by taking into consideration the additions to the number of each family since the time of compilation of the Register.
- (2) The comparison of the NRC with the successive electoral rolls since 1952 will also be helpful in making it up-to-date.
- (3) A free zone devoid of trees and houses should be created all along the border and any one crossing it without valid travel documents from either side must be shot at. We attach great importance to this suggestion. We have reached a stage when treat to the State of Assam and to the country can no longer be ignored.
- (4) Birth and Death Register at all Block, Village, Town etc. level should be strictly maintained in order to prevent future infiltration into voters' list.
- (5) The number of check posts should be increased so as to enable one check post to be visible from the other.

In this connection, we would like to add a few lines about the ROLE OF THE B.S.F. We have come to know of the proposal to employ more B.S.F. Personnel in the border areas to check infiltration. But, Madam, effectiveness of the B.S.F. has been very disappointing. The following figures are sufficient to drive home the points.

NUMBER OF INFILTRATORS INTERCEPTED BY THE B.S.F. AND BORDER DIG (State Government)

Year	B.S.F.	Border D.I.G. (State Govt.)
1973	104	5171
1975	405	18068
1977	1 (one)	5074

We earnestly request you to look into the cause of the definite failure of the B.S.F. in the past. Central Home Ministry must remove suspicion from the minds of the people regarding the role of the B.S.F.

LASTLY

Madam, the problem demands immediate attention of the Central Government. Firm and strong decision and its implementation to detect and deport foreign nationals from Assam can only ease the minds of the people. We know of your association with Assam from your early days. We all look forward to a speedy and just solution. Loss of so many lives must not go in vain. We hope, you would feel the pangs of our bleeding hearts.

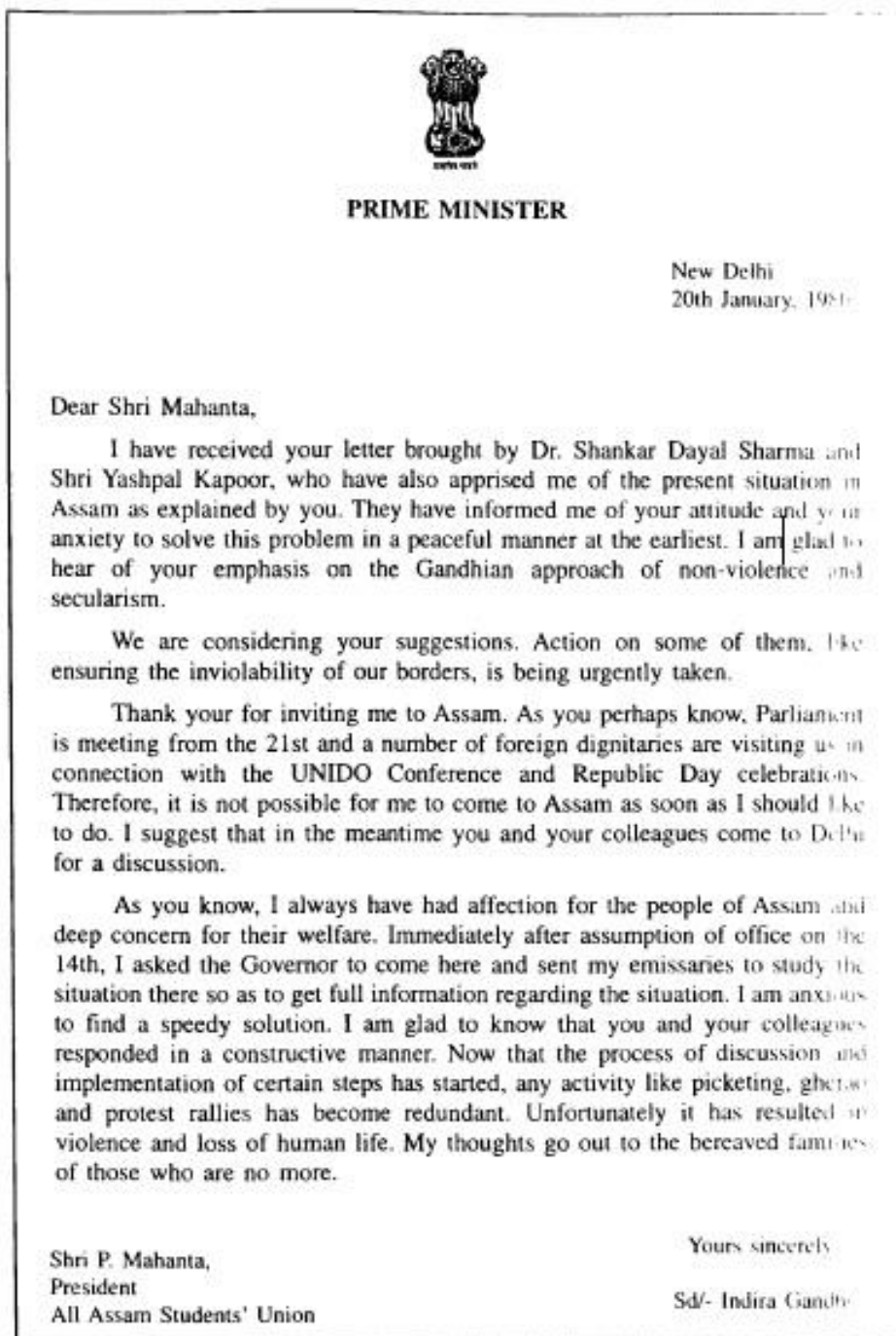
We once again request you to pay a visit to Assam and meet the people and different Organisations.

With regards,
Yours Sincerely,
Sd/- Prafulla Mahanta
Presidnet AASU
Sd/- Brigu Kr. Phukan
Secretary AASU

This part constitutes core of the memorandum. The full memorandum included three chapters entitled 'Camera speaks about the movement', 'Our Appeals, Response and Comments' and 'Diary of the Movement'.

Appendix 3

Prime Minister's Letter to the President, All Assam Students' Union (New Delhi: January 20, 1980)



Source: Shree Hitesh Deka, *All Assam Students' Union and its Impact on the Politics of Assam since 1979*. Ph.D. Thesis (Guwahati University: Department of Political Science, 2004), 112.

Appendix 4

Photos of AASU's Meeting with Prime Minister Indira Gandhi (February 22, 1980)



Source: Shree Hitesh Deka, *All Assam Students' Union and its Impact on the Politics of Assam since 1979*. Ph.D. Thesis (Guwahati University: Department of Political Science, 2004), 113.

Appendix 5

Memorandum of Settlement, 1985 on Problem of Foreigners in Assam

MEMORANDUM OF SETTLEMENT

Government have all along been most anxious to find a satisfactory solution to the problem of foreigners in Assam. The All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) have also expressed their keenness to find such a solution.

2. The AASU through their Memorandum dated 2nd February, 1980 presented to the late Prime Minister Smt. Indira Gandhi, conveyed their profound sense of apprehensions regarding the continuing influx of foreign nationals into Assam and the fear about adverse effects upon the political, social, cultural and economic life of the State.

3. Being fully alive to the genuine apprehensions of the people of Assam, the then Prime Minister initiated the dialogue with the AASU/AAGSP. Subsequently, talks were held at the Prime Minister's and Home Minister's levels during the period 1980-83. Several rounds of informal talks were held during 1984. Formal discussions were resumed in March, 1985.

4. Keeping all aspects of the problem including constitutional and legal provisions, international agreements, national commitments and humanitarian considerations, it has been decided to proceed as follows :-

Foreigners Issue :

- Sd/-
(Biraj Sarma)
- Sd/-
(P. K. Mahanta)
- Sd/-
(B. K. Phukan)
- 5.1. For purposes of detection and deletion of foreigners, 1.1.1966 shall be the base date and year.
 - 5.2. All persons who came to Assam prior to 1.1.1966, including those amongst them whose names appeared on the electoral rolls used in 1967 elections, shall be regularised.
 - 5.3. Foreigners who came to Assam after 1.1.1966 (inclusive) and upto 24th March, 1971 shall be detected in accordance with the provisions of the Foreigners Act, 1946 and the Foreigners (Tribunals) Order 1964.
 - 5.4. Names of foreigners so detected will be deleted from the electoral rolls in force. Such persons will be required to register themselves before the Registration Officers of the respective districts in accordance with the provisions of the Registration of Foreigners Act, 1939 and the Registration of Foreigners Rules, 1939.
 - 5.5. For this purpose, Government of India will undertake suitable strengthening of the governmental machinery.

- 5.6. On the expiry of a period of ten year following the date of detection, the names of all such persons which have been deleted from the electoral rolls shall be restored.
- 5.7. All persons who were expelled, earlier, but have since re-entered illegally into Assam, shall be expelled.
- 5.8. Foreigners who came to Assam on or after March 25, 1971 shall continue to be detected, deleted and expelled in accordance with law. Immediate and practical steps shall be taken to expel such foreigners.
- 5.9. The Government will give due consideration to certain difficulties expressed by the AASU/AAGSP regarding the implementation of the Illegal Migrants (Determination by Tribunals) Act, 1983.

Safeguards and Economic Development :

Sd/-
(Biraj Sarma) 6. Constitutional, legislative and administrative safeguards, as may be appropriate, shall be provided to protect, preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people.

Sd/-
(P. K. Mahanta) 7. The Government take this opportunity to renew their commitment for the speedy all round economic development of Assam, so as to improve the standard of living of the people. Special emphasis will be placed on education and science & technology through establishment of national institutions.

Other Issues :

- 8.1. The Government will arrange for the issue of citizenship certificates in future only by the authorities of the Central Government.
- 8.2. Specific complaints that may be made by the AASU/AAGSP about irregular issuance of Indian Citizenship Certificates (ICC) will be looked into.
9. The international border shall be made secure against future infiltration by erection of physical barriers like walls, barbed wire fencing and other obstacles at appropriate places. Patrolling by security forces on land and riverine routes all along international border shall be adequately intensified. In order to further strengthen the security arrangements, to prevent effectively future infiltration, an adequate number of check posts shall be set up.

9.2. Besides the arrangements mentioned above and keeping in view security considerations, a road all along the international border shall be constructed so as to facilitate patrolling by security forces. Land between border and the road would be kept free of human habitation, wherever possible. Riverine patrolling along the international border would be intensified. All effective measures would be adopted to prevent infiltrators crossing or attempting to cross the international border.

10. It will be ensured that relevant laws for prevention of encroachment of government lands and lands in tribal belts and blocks are strictly enforced and unauthorised encroachers evicted as laid down under such laws.

11. It will be ensured that the relevant law restricting acquisition of immovable property by foreigners in Assam is strictly enforced.

12. It will be ensured that Birth and Death Registers are duly maintained.

Restoration of Normalcy :-

Sd/-
(Birej Sarma)

Sd/-
(P. K. Mahanta)

Sd/-
(B. K. Phukan)

13. The All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) call off the agitation, assure full co-operation and dedicate themselves towards the development of the country.

14. The Central and the State Government have agreed to :-
- (a) review with sympathy and withdraw cases of disciplinary action taken against employees in the context of the agitation and to ensure that there is no victimization;
 - (b) frame a scheme for ex-gratia payment to next of kin of those who killed in the course of the agitation;
 - (c) give sympathetic consideration to proposal for relaxation of upper age limit for employment in public services in Assam, having regard to exceptional situation that prevailed in holding of academic and competitive examinations, etc. in the context of agitation in Assam;
 - (d) undertake review of detention cases, if any, as well as cases against persons charged with criminal offences in connection with the agitation, except those charged with commission of heinous offences;
 - (e) consider withdrawal of the prohibitory orders/notifications in force, if any.

4

1.5. The Ministry of Home Affairs will be the nodal Ministry for the implementation of the above.

Signed/-
(P. K. Mahanta)
President
All Assam Students Union

Signed/-
(R. D. Pradhan)
Home Secretary
Govt. of India

Signed/-
(B. K. Phukan)
General Secretary
All Assam Students Union

Signed/-
(Biraj Sharma)
Convenor
All Assam Gana Sangram Parishad

Signed/-
Smt. P. P. Trivedi)
Chief Secretary
Govt. of Assam

In the presence of

Signed/-
(RAJIV GANDHI)
PRIME MINISTER OF INDIA

Date : 15th August, 1985
Place : New Delhi.

1. Election Commission will be requested to ensure preparation of fair electoral rolls.
2. Time for submission of claims and objections will be extended by 30 days, subject to this being consistent with the Election Rules.
3. The Election Commission will be requested to send Central Observers.

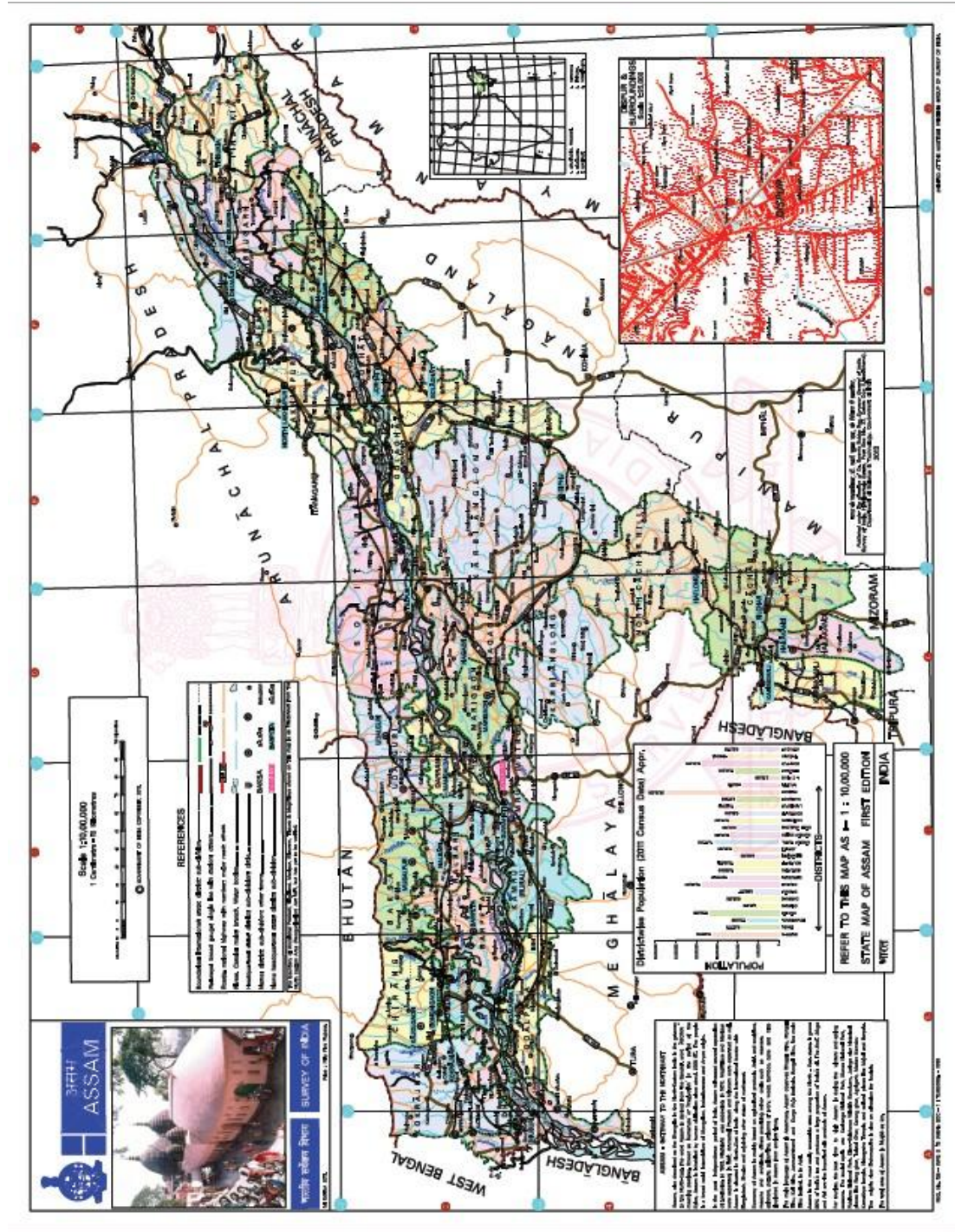
Signed/-
HOME SECRETARY

1. Oil refinery will be established in Assam
2. Central Government will render full assistance to the State Government in their efforts to re-open :-
(i) Ashok Paper Mill. (ii) Jute Mills
3. I. I. T. will be set up in Assam.

AGP.318/15 LA.A-3000-1/10/2015

Appendix 6

Assam Map



Source: Survey of India, 1st Edition 2013.

Appendix 7

MEMORUNDUM SUBMITTED TO
THE PRIME MINISTER OF INDIA
BY THE MIZO NATIONAL FRONT GENERAL
HEADQUARTERS : AIZAWL, MIZORAM
ON THE 30TH OF OCTOBER, 1965.

This Memorandum seeks to represent the case of the Mizo people for freedom and independence for the right of territorial unity and solidarity and for realisation of which a fervent appeal is submitted to the Government of India.

The Mizos, from time immemorial lived in complete independence without foreign interference. Chiefs of different clans ruled over separate hills and valleys with supreme authority and their administration were very much like that of the Greek City State of the past.

Their territory or any part thereof had never been conquered or subjugated by their putes and frontier clashes with their neighbouring states. However, there had been border disputes and frontier clashes with their neighbouring people which ultimately brought the British Government to the scene in 1844. The Mizo country was subsequently brought under the British political Control in December 1895 when a little more than half the country was arbitrarily carved out and named Lushai Hills (now Mizo District) and the rest of their land was parcelled out of their hands to the adjoining pool for the sole purpose of administrative convenience without obtaining their will or consent. Scattered as they are divided the Mizo people are inseparably knit-

ted together by their strong bond of tradition, custom, culture, language, social life and religion wherever they are. The Mizos stood as a separate nation even before the advent of the British Government having a nationality distinct and separate from that of India.

In a nut-shell, they are a distinct nation, created, moulded and nurtured by God and nature.

When British India was given status by promulgation of the Constitution Act of 1935 the British Government having fully realised the distinct and separate nationality of Mizo people decided that they should be excluded from the purview of the new Constitution and they were accordingly classed as an 'EXCLUDED AREA' in terms of the Government Order 1936. Their land was then kept under the special responsibility of the Governor general-in-Council in his capacity of the Crown representative, and the legislature of the British India had no influence whatsoever.

In other words the Mizos had never been under the Indian Government and never had any connection with the politics and the policies, of the various groups of Indian opinion. When India was in the threshold of independence the relation of the Mizos with the British Government and also with the British India were fully realised by the Indian National Congress Leaders. Their top leader and spokesman Pandit Jawaharlal Nehru released a press statement on the 19th August 1946 and stated: "The Tribal areas are defined as being those along the frontier of India which are neither part of India, nor of Burma, nor of any Indian state, nor of any foreign power." He further stated, "The

Important Documents of Mizoram

areas subsidised and the Governor General's relation with the inhabitants are regulated by sanads, customs or usage. In the matter of internal administration the areas are largely left to themselves" Expressing the view of the Indian National Congress he continue "Although the tribal areas are technically under the sovereignty of his Majesty's Government, their status, when a new Constitution comes into force in India, will be different from that of Aden over which the Governor-General no longer has executive authority. Owing to their inaccessibility and their importance to India in its defence strategy, their retention as British possession is most unlikely. One view is that with the end of sovereignty in India the new GOVERNMENT OF INDIA (i.e. Independent Government of India) will enter into the same relations with the tribal areas as the Governor-General maintains now, unless the people of these areas choose to seek integration with India"

From the foregoing statement made by Pandit Jawaharlal Nehru and the Constitution Act of 1935, it is quite clear that the British Government left the Mizo Nation free and Independent with the right to decide their future political destiny,

Due solely to their Political immaturity, ignorance, and lack of consciousness of their fate, representatives of the Mizo Union, the largest political organisation at that time and fifty accredited Mizo Leaders representing all political organisations including representatives of religious denominations and social organisation that were existing, submitted their demand and choose integration with free India imposing condition

Important Documents of Mizoram

interalia, "THAT THE LUSHAI HILLS WILL BE ALLOWED TO OPT OUT OF INDIA UNION WHEN THEY WISH TO DO SO SUBJECT TO MINIMUM PERIOD OF TEN YEARS,"

The political immaturity and ignorance which lead the Mizo people to the misguided choice of integration with India was direct result of the banning by the British Government of any kind of political organisation till April 1946 within Mizo land which was declared a political area.

During fifteen years of close contact and Association with India, the Mizo people had not been able to feel at home with Indian or India, nor have they been able to feel that their joys and sorrows have really ever been shared by India. They do not, therefore, feel Indian. Being created a seperated nation they cannot go against the nature to cross the barriers of nationality. They refuse to occupy a place within India as they consider it to be unworthy of their national dignity and harmful to the interest of their prosperity. Nationalism and Patriotism inspired by the political conciousness has now reached its maturity and to cry for political self-determination is the only wish and aspiration of the peoples, neplus ultra, the only final and perfect embodiment of social living for them, The only aspiration and political cry is the creation of Mizoram, a free and sovereign state to Govern herself to work out her own destiny and to formulate her own foreign policy.

To them independence is not even a problem or subject of controversy, there cannot be dispute over the subject nor could there be any difference of opinion in the

Important Documents of Mizoram

matter. It is only a recognition of human rights and to let others live in the dignity to human person.

While the present world is strongly committed to freedom and self determination of all nations, large or small and to promotion of fundamental human rights wedded to that principle taking initiative for and championing the cause of Afro-Asian countries, even before the World Body, particularly deploring domination and colonisation of the weaker nations by the stronger, old or new, and advocating peaceful co-existence settlement of international dispute of any kind through the medium of non-violence and in condemning weapons that can destroy the world and in general wishing of good will towards mankind the Mizo people firmly believe that the Government of India and their leaders will remain true to their policy and that they shall take into practice what they advocate blessing the Mizo people with their aspiration for freedom and independence per principle that no one is good enough to govern another man without that man's consent.

Though known as head-hunters and a martial race, the Mizos commit themselves to a policy of non-violence in their struggle and have no intention of employing any other mean to achieve political demand. If on the other hand the Government of India brings exploitive and suppressive measures into operation, employing military might against the Mizo people as in the case of the Nagas which God forbid it would be equally erroneous and futile for both the parties a soul cannot be destroyed by weapons.

Important Documents of Mizoram

For this it is in good will and understanding that the Mizo Nation voices her rightful and legitimate claim of full self determination through this memorandum. The Government of India, in their turn and in conformity with the unchallengeable truth expressed and resolved among the text of HUMAN RIGHTS by the United Nations in its august Assembly that in order to maintain peace and tranquility among mankind every nation may of rightable free and independent, shall set Mlizo nation free to work out her own destiny to the formulate her own internal and external policies and shall accept and recognise her political independent. Would it not be a selfish motive and design of India and would it not amount to an act of offence against humanity if the Government of India claim the Mizoram as a part of their territory and try to retain her as their possession against the national will of the Mizo people simply because their land is important for India's defence strategy.

Whether the Mizo Nation should shed her tears in joy to establish firm and lasting friendship with India in war and in peace or in sorrow and in anger, is up to Government of India to decide.

S.Lianzuala
General Secretary

Laldenga President
Mizo National Front

30th Oct. 1965.

Appendix 8

MNF Declaration of Independence, March 1, 1966

DECLARATION OF INDEPENDENCE

In the course of human history it becomes invariable necessary for mankind to assume their social, economic and political status to which the Law of Nature's God entitle them. We hold this truth to be self-evident that all men are created equal, and that they are endowed with inalienable fundamental human rights. Governments are instituted among men deriving their just power from the consent of the governed and whenever any form of government becomes destructive of this end, it is the right of the people to alter, change, modify and abolish it, and to institute a new government laying its foundation on such principles, and organising its powers in such forms as to them shall seem most likely to effect their right and dignity. The Mizo, created and moulded into a nation and nurtured as such, by Nature's God have been intolerably dominated by the people of India in contravention of the Law of Nature.

The Leaders of Mizo Nation had, many a time, verbally and in writing, put forward to the Government of India, their desire of self-determination for creation of free and independent Mizoram for bringing about protection of Human Rights and Dignity, which the Mizo, by nature, ought to have; but the Government of India violating the Charter of the United Nations and its Universal Declaration of Human Rights re-affirmed in the Principles of the Bandung Conference, have ignored the voice of the Mizo people and are determined to continue domination and colonisation ruling over us with tyranny and despotism by instituting self-designed administrative machinery with which they endeavour to mislead the world to win their confidence.

Our people are despised, persecuted, tortured, manhandled, and murdered without displaying justice while they preach and profess before us and throughout the world that they have instituted for us a separate administrative set up in conformity with the principles of Democracy. To conceal their evil and selfish design, religious assimilation and Hindu indoctrination, they preach to have established which we cannot accept as it leads to suppression of Christianity.

To prove this, let facts be submitted to the candid world that:

1. They have instituted government to rule over us in our own country without any respects for Human Rights and Dignity even in the face of the present candid world, which is committed to these rights and dignity.
2. They have been pursuing a policy of exploitive measures in their attempt to wipe out Christianity, our sole religion,

and no consideration has even been paid to our national way of life.

3. They have been preaching throughout the world as if they have instituted a separate administrative machinery in conformity with the principles of Democracy to conceal their policy of generation of our national morality and of assimilation while what had been instituted for us is a pattern of colonial administration.
4. They refuse not only to procure supply of food and arrange other forms of assistance in times of famine, but also prohibited us from seeking and receiving assistance from friendly countries, which resulted in the death of many people.
5. They have established a multitude of Offices and sent hitherto swarms of Indian Officers, who lead an immoral life cruelly appealing our womenfolk to commit immorality with them by taking advantages of their official capacity and of the position they occupy in the administrative machinery.
6. Taking the advantage of economic frustration of the people they subject us to economic slavery and force us to enter into the door of poverty.
7. Curbing freedom of expression, our patriots are arrested and kept in jails without displaying any form of justice.
8. The export facilities which we used to enjoy during the pre-Indian domination, has been totally closed.
9. Without exploring our country's economic resources in agriculture, industries and mining and giving no consideration for their development, they maintain suppressive measure against our economic rights.
10. Realising the importance of our country to India in its defence strategy, the Government of India is establishing military bases throughout our country and thereby creating an atmosphere of cold war while nothing is done for its economic and social development.
11. In spite of our repeated appeal for peaceful settlement of our rightful and legitimate demand for full self-determination, the Government of India is bringing exploitive and suppressive measures employing their military might and waging war against us as done in the case of the Nagas and the Kashmiris.
12. Owing to absence of Medical facilities in our country, our people died without having medical treatment and attention.

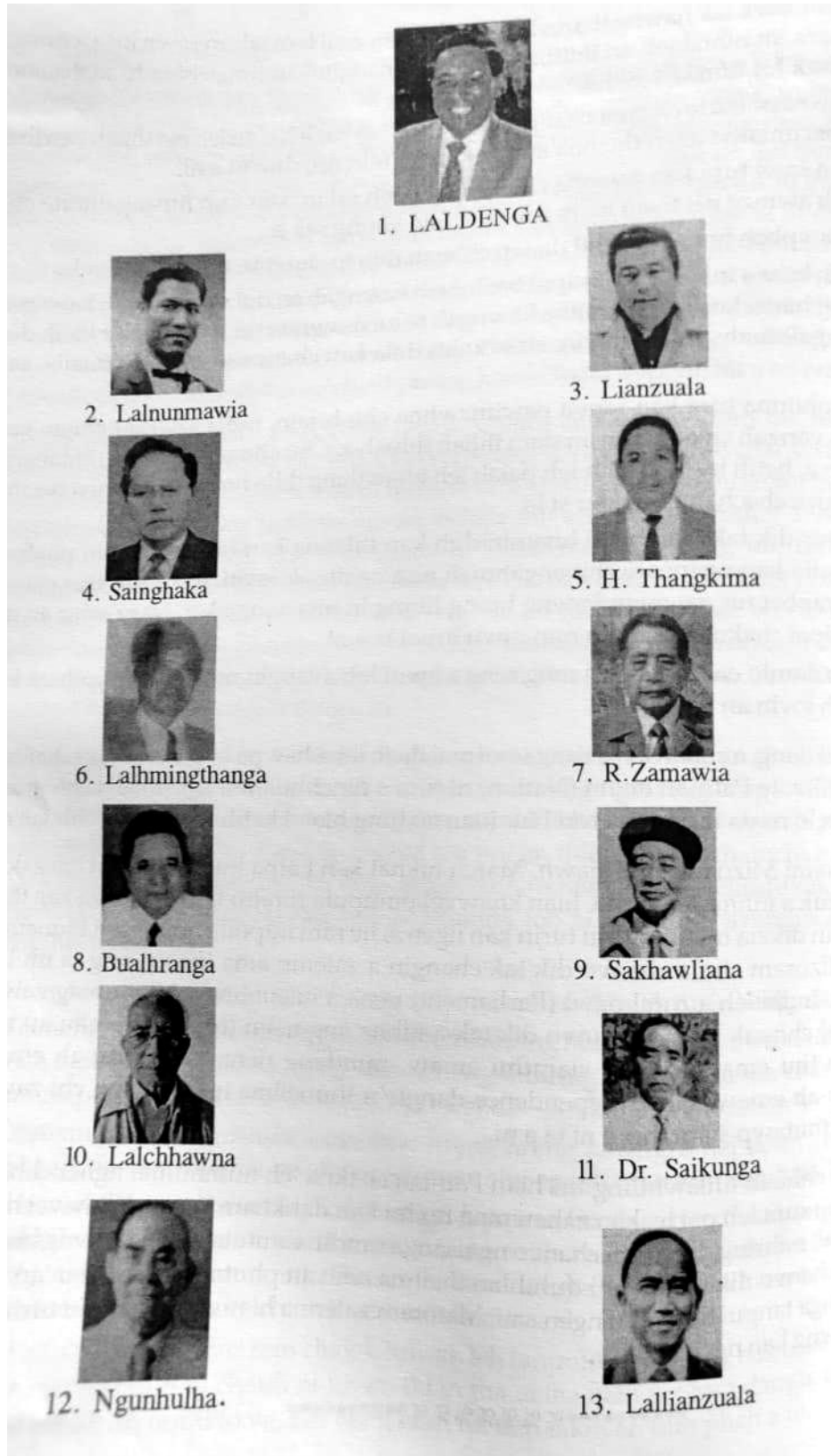
For these and all other innumerable causes, we declared to the candid world that India is unworthy and unfit to rule over the civilised Mizo people who are created and moulded into a Nation and nurtured as such and endowed with territorial integrity by Nature and Nature's God.

We, therefore, the Representatives of Mizo people, meeting on this day, the first of March, in the year of our Lord, 1966 appealing to the Supreme Judge of the World for the rectitude of our intentions, in the name and by the authority of the good people of this country, solemnly publish and declare, that Mizoram is and of rights ought to be free and independent; that they are absolved from all allegiance to India and its Parliament and all Political connections between them and to Government of India is and ought to be dissolved and that as free and independent State, they have full power to levy war, conclude peace, contract alliances, establish commerce and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, we mutually pledge to each other with a firm reliance on the Protection of Divine Providence, our Lives, our Fortunes, and our Sacred Honour. We appeal to all freedom loving nations and individuals to uphold Human Rights and Dignity and to extend help to the Mizo people for realisation of our rightful and legitimate demand for self-determination. We appeal also, to all independent countries to give recognition to the Independence of Mizoram.

- | | | |
|-------------------|--------------------|--------------------|
| | 1. LALDENGA | |
| 2. Lalnunmawia | 3. Lianzuala | 4. Sainghaka |
| 5. Lakhawliana | 6. Thangkima | 7. Lalhmingthanga |
| 8. Zamawia | 9. Ngurkunga | 10. Bualhranga |
| 11. Sakhawliana | 12. Lalchhawna | 13. Lalhmuaka |
| 14. Saikunga | 15. Ngunhulha | 16. Lallianzuala |
| 17. Malsawma | 18. Tlangchhuaka | 19. Vanmawia |
| 20. Ngurchhina | 21. Hrangchhinga | 22. Thangmawia |
| 23. Chuailokunga | 24. V.L. Nghaka | 25. Zoramthanga |
| 26. Thangzika | 27. Khawlremthanga | 28. Hlunsanga |
| 29. Chhonzawna | 30. Vala | 31. Thanghuta |
| 32. Dokhuma | 33. Rosanga | 34. Thangkhuma |
| 35. Hnuna | 36. Thangbuaia | 37. Lamputa |
| 38. Thanghuaia | 39. Lalluta | 40. Lalchuanga |
| 41. Vansiama | 42. Thatthiauva | 43. Vanhnuaithanga |
| 44. Lalchhawna | 45. Vanlalzika | 46. Kapthanga |
| 47. Challiana | 48. Pachhunga | 49. Zamanthanga |
| 50. Rochhinga I | 51. Rochhinga II | 52. Vankunga |
| 53. Rohmingthanga | 54. Vanlalliana | 55. Thanglawra |
| 56. Rangkhuma | 57. Lalhruaia | 58. Duma |
| 59. Zanenga | 60. Lalnundawta | 61. Lalkhawhena |

Appendix 9

Photos of MNF leaders who signed the Declaration of Independence of Mizoram on March 1, 1966





14. R. Thangmawia



15. Vanmawia



16. Ngurchhina



17. Tlangchhuaka



18. Chuailokunga



19. V.L. Nghaka



20. Thangzika



21. Kawlremthanga



22. Hlunsanga



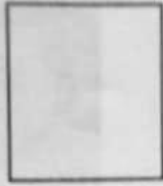
23. Vala



24. Thanghuta



25. James Dokhuma



26. Thangkhuma



28. Thangbuaia



30. Lalluta



32. Thatthiauva



34. Vanlalchhawna



36. Challiana



27. Hnuna



29. Thanghuaia



31. Lalchuanga



33. Vanhnuaithanga



35. Kapthanga



37. Pachhunga



38. Rochhinga I



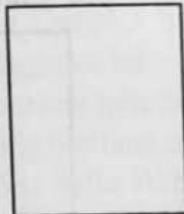
39. Rochhinga II



40. R. Vankunga



41. C. Vanlalliana



42. Thanglawra



43. Rangkhuma



44. Duma



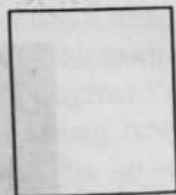
45. Zanenga



46. Lalnundawta



47. Lalkhawliana



48. Ngurkunga



49. Lalhmuaka



50. Malsawma Colney



52. Zoramthanga



54. Rolala



56. K. Vansiama



58. Zamanthanga



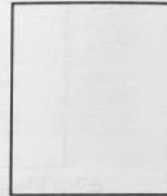
60. Vanlalhraia



51. K. Hrangchinga



53. Chhunzawna



55. Lamputa



57. Vanlalzika



59. K. Rohmingthanga



61. Lalkhawhen

Source: MNF General Headquarters, *Documentary of Mizoram War of Independence: 1966 to 1986*. Aizawl: MNF General Headquarters, 2017.

Appendix 10

Mizoram Accord - 1986
(Government of India and Mizo National Front)
Memorandum of Settlement

Preamble

1. Government of India has all along been making earnest efforts to bring about an end to the disturbed condition in Mizoram and to restore peace and harmony.
2. Toward this end, initiative was taken by the late Prime Minister Smt. Indira Gandhi on acceptance by Shri Laldenga on behalf of the Mizo National Front (MNF) of the two conditions, namely, cessation of violence by MNF and to hold talks within the framework of the Constitution. A series of discussions were held with Shri Laldenga. Settlement on various issues reached during the course of talks is incorporated in the following paragraphs.

Restoration of Normalcy

- 3.1. With a view to restoring peace and normalcy in Mizoram, the MNF Party on their part undertake within the agreed time-frame, to bring out all underground personnel of the MNF with their arms, ammunitions, and equipments, to ensure their return to civil life, to abjure violence and generally to help in the process of restoration of normalcy. The modalities of bringing out all underground personnel and the deposit of arms, ammunitions and equipments will be as worked out. The implementation of the foregoing will be under the supervision of the Central government.
- 3.2. The MNF party will take immediate steps to amend its articles of Association so as to make them conform to the provision of Law.
- 3.3. The Central government will take steps for the settlement and rehabilitation of the undergrounds after considering the scheme proposed in this regard by the Government of Mizoram.
- 3.4. The MNF will not undertake to extend any support to the Tripura National Volunteers (TNV), the Peoples Liberation Army of Manipur (PLA) and any other such

group by way of training, supply of arms or providing protection or in any other matter.

Legal, Administrative and Other Steps

- 4.1. With a view to satisfying the desires and aspirations of all sections of the people of Mizoram, the Government will initiate measures to confer Statehood on the Union Territory of Mizoram subject to the other stipulation contained in this memorandum of Settlement.
- 4.2. To give effect to the above, the necessary legislative and administrative measures will be undertaken, including those for the enactment of Bills for the amendment of the Constitution and other laws for the conferment of Statehood as aforesaid, to come into effect on a date to be notified by the Central government.
- 4.3. The amendment aforesaid shall provide, among other things, for the following.
 - i. The territory of Mizoram shall consist of the territory specified in Section 6 of the North Eastern Areas (Reorganisation) Act, 1971.
 - ii. Notwithstanding anything contained in the Constitution, no Act of Parliament in respect of (a) Religion or social practices of the Mizos, (b) Mizo customary law or procedure, (c) Administration of Civil and Criminal justice involving decisions according to Mizo customary Law, (d) Ownership and transfer of land, shall apply to the State of Mizoram unless the Legislative Assembly of Mizoram by a resolution so decides.
 Provided that nothing in this Clause shall apply to any Central Act in force in Mizoram immediately before the appointed day.
 - iii. Article 170 Clause (1) shall, in relation to Legislative Assembly of Mizoram, have effect as if for the word 'sixty' the word 'forty' has been substituted.
5. Soon after the Bill of Conferment of Statehood becomes Law, and when the President is satisfied that normalcy has returned and that conditions are conducive to the holding of free and fair elections, elections to the Legislative Assembly will be initiated.

6. (a) The Centre will transfer resource to the new government keeping in view the change in Status from a Union Territory to a State and will include resources to cover the revenue gap for the year. (b) Central assistance for Plans will be fixed taking note of any residuary gap in resources so as to sustain the approved Plan outlay and the pattern of assistance will be as in the case of Special Category State.
7. Border trade in locally produced or grown agricultural commodities could be allowed under a scheme to be formulated by the Central government, subject to international arrangement with neighbouring countries.
8. The Inner-line Regulation, as now in force in Mizoram, will not be amended or repealed without consulting the State government.

Other Matters

9. The rights and privileges of the minorities in Mizoram as envisaged in the Constitution, shall continue to be preserved and protected and their social and economic advancement shall be ensured.
10. Steps will be taken by the Government of Mizoram at the earliest to review and codify the existing customs, practices, laws or other usages relating to the matters specified in Clauses (a) to (b) of para 4.3. (II) of the memorandum, keeping in view that an individual Mizoram prefers to be governed by Acts of Parliament dealing with such matters and which are of general application.
11. The question of Unification of Mizo inhabited areas of other States to form one administrative unit was raised by the MNF delegation. It was pointed out to them, on behalf of the Government of India, that Article 3 of the Constitution of India describes the procedure in his regard but that the Government cannot make any commitment in this respect.
12. It was also pointed out on behalf of the Government that, as soon as Mizoram becomes a State:
 - i. The Provisions of Part XVII of the Constitution, will apply and the State will be at liberty to adopt any one

- or more languages to be used for all or any of the official purposes of the State.
- ii. It is open to the State to move for the establishment of a separate University in the State in accordance with the prescribed procedure.
 - iii. In the light of the Prime Minister's Statement at the Joint Conference of the Chief Justices, Chief Minister and Law Ministers held at New Delhi on August 31, 1985 Mizoram will be entitled to have a High Court of its own if it so wishes.
13. (a) It was noted that there is already a scheme in force for payment of exgratia amount to heirs/dependants of persons who were killed during disturbances in 1966 and thereafter in the Union Territory of Mizoram. Arrangement will be made to expeditiously disburse payment to those eligible persons who have already applied but who had not been made such payment so far.
- (b) It was noted that consequent on verification done by a joint team of officers, the Government of India had already made arrangement for payment of compensation in respect of damage to crop, building destroyed/damaged during action in Mizoram, and rented charges of building and land occupied by security force. There may, however, be some claim which were referred and verified by the above team but is not yet settled expeditiously. Arrangement will also be made for payment of pending claim of rented charges or land/building occupied by the security force.

Signed/-
(Laldenga)
On behalf of Mizo National Front

Signed/-
(R.D. Pradhan)
Home Secretary
Government of India

Signed/-
(Lalkhama)
Chief Secretary, Government of Mizoram
Date: 30th June 1986
Place: New Delhi

SEQUENCE OF EVENTS

The Memorandum of Settlement contemplates the following sequence of events:

1. Coming overground of MNF personnel and depositing of arms, ammunition and equipment by them in accordance with the time bound programme as already agreed upon between the Ministry of Home Affairs and the MNF delegation.
2. The MNF party should take immediate steps to amend its Articles of Association to make them conform to the provisions of law.
3. Government will initiate steps for rehabilitation of MNF personnel coming overground.
4. After completion of action under paragraphs (1) and (2) above, a Constitution Amendment Bill will be introduced in Parliament for the grant of Statehood and other consequential legislative measures to be taken up.
5. After the Bill becomes law, preparations for delimitation of constituencies and holding I elections to the State Legislature will be taken on hand when the President is satisfied that normalcy has been restored.

(Laldenga)

On behalf of Mizo National Front

(R.D. Pradhan)

Home Secretary, Government of India

(Lalkhama)

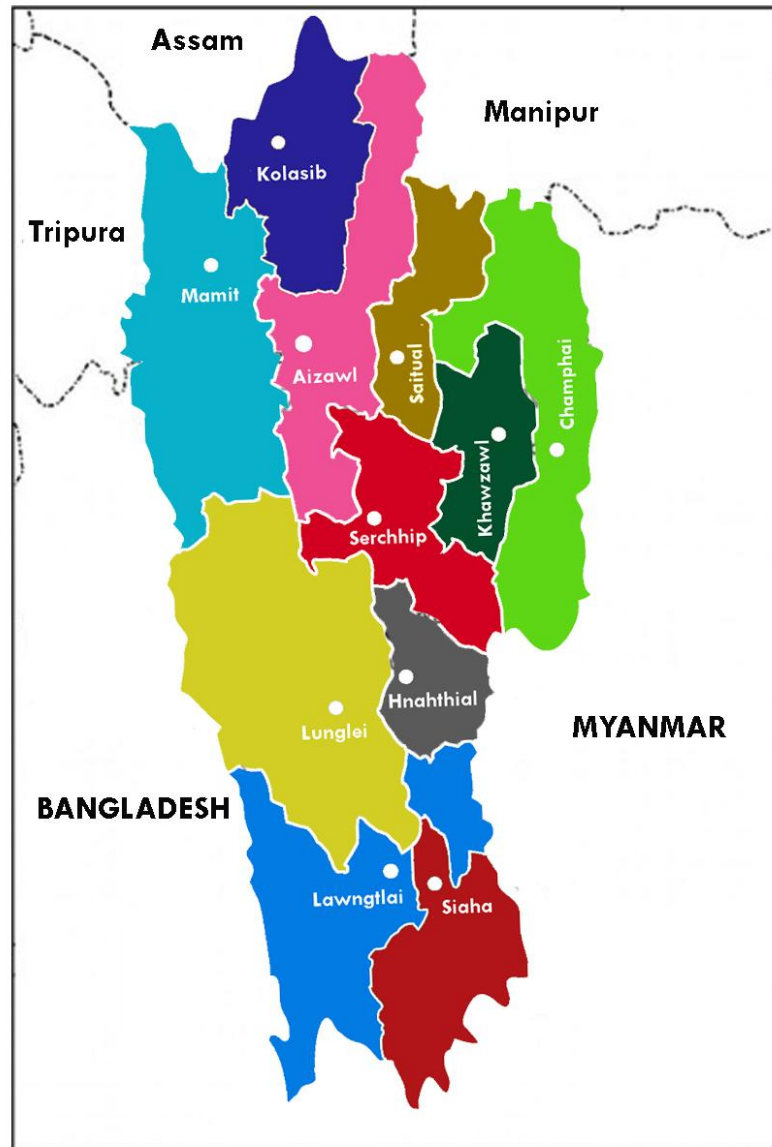
Chief Secretary, Government of Mizoram

Date: 30th June 1986

Place: New Delhi

Appendix 11

Map of Mizoram showing 11 districts



Map by the author (Map not to scale).

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EDUCATIONAL QUALIFICATION

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- **M. Phil. (2012)** with 8.63 CGPA (First with Distinction), Department of Political Science, University of Hyderabad. Dissertation entitled, *Prohibition: A Socio-Economic Assessment of Gujarat and Mizoram* under the supervision of Prof. I. Ramabrahmam
- **UGC-NET (2011)** Qualified on June 13, 2011.
- **MA (2010)** with 65.8% (First Division) in Political Science, St. Joseph's College (Autonomous), affiliated to Bangalore University
- **BA (2007)** with 64.6% (First Division), St. Joseph's College (Autonomous) affiliated to Bangalore University.
- **HSSLC Arts (2004)** with 51.2% (Second Division), Baptist Higher Secondary School, Serkawn, Lunglei, Mizoram under Mizoram Board of School Education (MBSE)
- **HSLC (2002)** with 73% (First Division), New Life Academy, Vawngzawl, Lunglei, Mizoram under Mizoram Board of School Education (MBSE)

AREAS OF INTEREST

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- Peace and conflict studies
- Research Methodology
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WORK EXPERIENCE

- 6th November, 2019 – Present: **Assistant Professor**, Department of Political Science, Govt. J. Buana College, Lunglei, Mizoram
- 14th Aug, 2015 – 31st October, 2019: **Assistant Professor**, Department of Political Science, ICFAI University, Mizoram.
- 5th Jun, 2013 – 31st Mar, 2015: **Research Associate** in an ICSSR Major Research Project entitled, *Politics of Regionalism and the Issue of Direct Funding in the Sixth Schedule Area of Mizoram* in Department of Political Science, Mizoram University.

PUBLICATIONS

A. Authored Book

2014: Lalnundika Hnamte, *Prohibition: A Socio-Economic Assessment of Gujarat and Mizoram*. Serials Publication, New Delhi, 2014. (ISBN: 978-81-8387-664-3)

B. Chapter in Edited Book

2018: “Demand for Expansion of Powers by the Autonomous District Councils of Mizoram,” in Jagadish K. Patnaik, Jangkhongam DOUNGEL and Ayanbam Shyamkishor (eds.) *Autonomy Movements and Politics of Regionalism in Northeast India*. Balaji Publications, Meerut, 2018 (ISBN: 978-93-8575624-5)

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C. Journal

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SEMINAR PAPERS PRESENTED

A. International Seminar

2017: “Indo-Myanmar Border Trade through Mizoram: Expectations and Reality,” *International Seminar on Enabling Economic Development of North East India through Linkages with South and South East Asia*, ICFAI University Mizoram in collaboration with NEC, 25-26 October, 2017

B. National Seminar

2019: “What Makes the Mizo Accord Survive?: A Study of the Church in Peace Processes in Mizoram”, *The Role of Religion in Peace and Conflict Processes in Northeast India*, National Seminar organised by North Eastern Social Research Centre (NESRC), Guwahati, 15-16 November, 2019.

2019: “Politics of Charging Alliances: Rethinking the Pre-poll ‘*Politricks*’ in the Mizoram Assembly Elections of 2018,” *Issues and Trends in Mizoram Legislative Assembly Election, 2018*, National Seminar organised by Mizoram Political Science Association (MIPSA) and Department of Political Science, ICFAI University, 22nd February, 2019.

2018: “Managing Social and Environmental Impact of Act East Policy in Mizoram: A Case Study of Champhai – Zokhawthar Road,” *Border & Connectivity: North-East India and South-East Asia*, National Seminar organised by Department of Political Science, Mizoram University, 23rd-24th March, 2018.

2017: “Civil Society and Conflict Resolution in Mizoram: Church Initiatives in the Peace Process,” *Governance & Civil Society in North-East India*, National Seminar organised by Department of Political Science & Public Administration, Govt. J. Buana College, Lunglei, 20-21 July 2017.

2017: “Politics of Regionalism and the Development of Political Parties in Mizoram” at *North East India since 1947: Society, Polity and Economy – Special Reference to Mizoram*, National seminar organised by OKD Institute of Social Change and Development, 17th-18th January, 2017.

2015: “Grassroots Participation in Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS): Prospects of Civil Society Intervention in Mizoram” at *Bureaucracy and Rural Development in North East India*, UGC Sponsored National Seminar organised by Department of Political Science, Government J. Buana College, Lunglei, Mizoram (In collaboration with IQAC, Govt. J. Buana College, MCTA and DRDA, Lunglei), 16th-17th April, 2015.

2015: “Parallel Administration and the Demand for Expansion of Powers by the Autonomous District Councils of Mizoram,” at *Autonomy Movements and Politics of Regionalism*, ICSSR Sponsored National Seminar organised by Department of Political Science, Mizoram University, Aizawl, Mizoram, 11th-12th Mar, 2015.

2014: “Under Five Mortality Rate (U5MR) in Mizoram: Retrospect and Prospect,” at *Millennium Development Goals & Northeast India*, UGC Sponsored National Seminar organised by Department of Political Science & PA, Govt. J. Buana College in Collaboration with HATIM, Lunglei, 1st-2nd May, 2014.

2014: “Identifying the INUS Conditions for Backwardness of the Chakmas in Mizoram” at *Socio-Economic Development and Governance in North Eastern Region of India*, North Eastern Council (NEC) Shillong Sponsored National Seminar organised by the Department of Political Science, Mizoram University, Aizawl, 11th-12th March, 2014.

C. State Level Seminar

2015: “Peace and Development in Northeast India: Governance for Peace-Building in Mizoram” at *Socio-Economic Development in Mizoram: Issues and Challenges*, A State-Level Seminar Organised by ICFAI University Mizoram in Collaboration with State Institute of Rural Development (SIRD) Mizoram, 2nd-3rd December, 2015.

(LALNUNDIKA HNAMTE)

PARTICULARS OF THE CANDIDATE

Name of the Candidate	: Lalnundika Hnamte
Degree	: Doctor of Philosophy
Department	: Political Science
Title of Thesis	: Conflict Resolution in Northeast India: A Comparative Study of the Peace Accords of Assam and Mizoram
Date of Admission	: 14 th August, 2014
Approval of Research Proposal	
1. DRC	: 22 nd March, 2015
2. BOS	: 7 th April, 2015
3. School Board	: 1 st May, 2015
Mzu Registration No.	: 258 of 2015
Ph.D. Registration No. & Date	: MZU/Ph.D./782 of 01.05.2015
Extension (If any)	: vide 38 th Meeting of Academic Council (Dt. 23.06.2020) for a period of 2 years (01.05.2022)

(PROF. K.V. REDDY)

Head

Department of Political Science