THE PERIPHERAL CENTRE

VOICES FROM INDIA'S NORTHEAST

EDITED BY

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1

Northeast India

Beyond Counterinsurgency and Developmentalism

SANJIB BARUAH

Even as India 'flexes its muscle on the world stage,' said a *New York Times* report in 2005, a decades-old civil conflict rages on in far-away Manipur—the 'lush, hilly swatch of land that juts out of the east toward Myanmar.' Indian soldiers and paramilitary forces 'saturate' this border state, and locals hold a seething sense of grievance against them (*New York Times*, 2005). Emotions against the Armed Forces (Special Powers) Act (AFSPA)—a law that gives sweeping powers to security forces engaged in counterinsurgency operations—reached explosive new heights after the abduction, suspected rape, and killing of Thanjam Manorama in July 2004. The Indian army claimed that Ms. Manorama was a member of the banned People's Liberation Army, and it challenged the Manipur state government's authority to hold an inquiry, citing the controversial act. In July 2004 about a dozen Manipuri women protested the Manorama incident with an act of unusual courage and eloquence. Standing naked in front of the Indian army's base in Manipur's capital city Imphal, they held a banner that read 'Indian Army Rape Us.' There is little more that Manipuris can do to draw the nation's attention to the vulnerability that civilians, especially women, feel during counterinsurgency operations.

Enacted in 1958, AFSPA was originally designed to deal with 'disturbed' conditions in areas that were referred to, prior to the

formation of the state of Nagaland in 1963 as the Naga-inhabited areas of Assam and Manipur. In other words, AFSPA was designed to combat the Naga rebellion. Even after five decades, this conflict remains unresolved, though it has been under suspended animation since a ceasefire in 1997. AFSPA today provides the legal framework for counterinsurgency operations against numerous armed rebellions in the region. The law has been amended a number of times to accommodate changes in the names and the number of states. It now applies to all of Northeast India. 'A truly nasty and terrifying piece of legislation' (Prabhakara 2004: 12), AFSPA's controversial provisions include the power of the security forces to make preventive arrests, search premises without warrant, and shoot and kill civilians; and effective legal immunity of soldiers implicated in such actions, since court proceedings are contingent on the central government's prior approval (Government of India 1958). According to a fact-finding team of Indian lawyers, journalists, and human rights activists in 1997, 'despite denials to the contrary,' the security forces have 'blatantly violated all norms of decency and the democratic right of the people of the region.' Militarization, said the report, had become a 'way of life' in Northeast India (NCC-AFSPA 1997: 53).

Even by the standards of this restive corner of India, the recent wave of protests in Manipur was extraordinary. Sharmila Chanu has been on a protest hunger strike since November 2000 demanding the repeal of AFSPA and the withdrawal of security forces. Perhaps the world's longest continuous protest of this kind, the hunger strike led to her arrest and force-feeding at a hospital. Outwitting security and intelligence officials, local human rights activists whisked her away to New Delhi in October 2006. Chanu tried to continue her hunger strike at a prime New Delhi location, hoping to arouse the nation's conscience, but she was arrested and removed to a hospital, where she continued to be fed forcibly.

The protests raise serious questions about the claim that the fight against insurgencies in the Northeast is being won. It certainly becomes harder to claim that India is winning the battle for hearts and minds.[1] Interestingly enough, even though the 'naked protest' was widely reported, very few newspapers carried

pictures. 'Either they didn't have them—which seems unlikely,' observes the feminist writer Urvashi Butalia, 'or they could not stomach the thought of showing middle-class Indian women (read "mothers") naked!' Nevertheless, the protest probably made many Indian citizens wonder, like Butalia: 'What is it that drives women to take this absolutely desperate step? How humiliated, how violated, how angry must a woman feel to think that this is the only way she can make people listen?' (Butalia 2004).

Such sentiments have not been enough to get the Indian establishment to rethink its approach to Northeast India. And the events in Manipur are only one of the many controversies involving the Indian army's conduct. Through much of its postcolonial history, insurgencies and counterinsurgency operations have been a part of the fabric of everyday life in Northeast India. And in order to maintain a permanent counterinsurgency capacity, India's democratic institutions have acquired certain authoritarian trappings, as exemplified by AFSPA (Baruah 2005: 59–80). A recent World Bank report describes the region as 'a victim of a low-level equilibrium where poverty and lack of development (compared with the remainder of India and other Southeast Asian nations), lead to civil conflict, lack of belief in political leadership and government, and, therefore, to a politically unstable situation. This in turn leads to further barriers to poverty reduction, accelerated development and growth' (World Bank 2006: 30).

The story is a far cry from the popular national narratives of 'India Shining'—a slogan of recent years that celebrates India's democracy, high economic growth rates, and new-found prestige in the global arena. To the novice, the political unrest in Northeast India might appear to be the product of tensions between New Delhi and a culturally and ethnically different region with a goal of political autonomy or separation. After all, the northeastern borderland of India and South Asia could as accurately be called the northwestern borderland of Southeast Asia (van Schendel 2005: 275). And ever since Europeans 'discovered' India and China at seaports, and imagined the societies located within these territories to all be attached to inland civilizations, it has been common to view the peoples of Northeast India, whose phenotypic features are often closer to people in East and Southeast Asia, as

'marginal or even alien to their surrounding "Indic" civilization' (Ludden 2003: 11).

Despite the continuities with the transoceanic mercantile manner of viewing the Northeast from the perspective of the mainland, the rebellions of the region present anything but a unified voice. Nor are rebels ubiquitous in every part of the region. The states of Arunachal Pradesh and Mizoram, for instance, are quite peaceful. Furthermore, even where rebels hold independentist[2] agendas, they do not enjoy widespread support. Not many people accept the authority of independentists to speak for all of Manipur, Nagaland, Tripura, or Assam States—and certainly not for Northeast India as a whole. The deficits of democracy, development, and peace are best explained by Northeast India's history as a frontier, and by the lack of attention by Indian policymakers to the contradictions rooted in this context. Policy tools used to deal with the region's discontent have often been counterproductive. In particular, the ethnic homeland model that has captured the imagination of ethnic activists and become a favoured tool for conflict management has negative consequences. Apart from this and other ill-considered conflict management tools, the Indian response to the region's rebellions has consisted of counterinsurgency operations, and in recent years a bloated development budget. Little energy is spent on building and nourishing institutions, especially with an eye to managing indigenous-settler tensions in the long run. Policymakers simply muddle through (Lindblorn 1959), and have no roadmap for getting the region out of its low-level equilibrium of poverty, non-development, civil conflict, and a lack of faith in political leadership. I propose the term post-frontier around which a context-sensitive alternative policy framework can be developed. As an illustration of what a post-frontier policy paradigm might look like, I propose the institution of multilevel citizenship to replace ethnic homelands as a more robust and democratic way of managing indigenous-settler tensions in the long run. Northeast India does not get much attention in the English-language Delhi-based 'national press.' The region's issues do not make it to the national policy agenda (Sonwalkar 2004: 390). The region for most Indians is 'on the map, but off the mind'—as the title of a forum organized by the Indian newspaper *Tehelka*

put it in 2006. Thus when bad news from Northeast India reaches the global media or international human rights forums, Indians in the rest of the country find the reports to be a source of embarrassment rather than an occasion for moral anguish about the health of Indian democracy. This attitude translates into official policy as well. Foreign journalists, said the *New York Times* report from Manipur, must have permits to 'even set foot in the state,' and those are only rarely issued. Nor are research visas usually granted to foreign scholars to study the Northeast. Defending the 'virtual prohibition' against foreign journalists, India's home minister told a *New York Times* reporter that the restrictions are there 'because you are so interested' (Sengupta and Kumar 2005). 'Does anybody care for Manipur?' was the title of a sympathetic column in an Indian newspaper (Varadarajan 2006). The situation differs significantly from that in Kashmir, where similar counterinsurgency laws, travel restrictions, and human rights violations exist. But Kashmir is 'more central to the national imaginary of India' than the Northeast (Tillin 2007: J-8) and, unlike the latter, there are vigorous debates on Kashmir in India.

Yet unlike previous protests and criticisms in national and international human rights forums, the recent wave of protests in Manipur has led to a debate on AFSPA in official circles, although the Indian public has shown little interest. In November 2004 the Government of India appointed a committee headed by former Supreme Court Judge B.P. Jeevan Reddy to review AFSPA. The Reddy Committee submitted its report on June 6, 2005. Although it has not been made public officially, in October 2006 the newspaper *Hindu* posted the report on its website.

The Reddy Committee tries to find a middle ground between the 'security of the nation, which is of paramount importance,' and the rights of citizens (Government of India 2005: 67–69). It recommends the repeal of AFSPA, but also the incorporation of key provisions into another law, the Unlawful Activities Prevention Act (UAPA), a law revamped in 2004 to tackle terrorism. Unlike AFSPA, UAPA applies to the country as a whole. The committee makes a significant recommendation to create grievance cells in districts where the army operates in order to 'ensure public confidence in the process of detention and arrest.' It

acknowledges that 'there have been a large number of cases where those taken away without warrants have 'disappeared,' or ended up dead or badly injured' (Government of India 2005: 77—79). Many in India's security establishment are unhappy about the committee's criticism of the security forces and its recommendations of changes in the law. Apparently it is because of the discomfort of the Army and the Ministry of Defence that the government was reluctant to make the report public (Varadarajan 2006). The central government has not acted on these recommendations, although the state government has made the law inoperative within the city limits of Imphal. The fate of AFSPA underscores an impasse in Indian policy toward the Northeast.

Northeast India: Rebel Country

Northeast India is part of the eastern Himalayan Mountain Range that includes a number of valleys—large and small—of the mighty Brahmaputra River system. Until 2003 the expression Northeast India was used to refer to seven states: Arunachal Pradesh (or Arunachal), Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura. Indian official usage, however, changed in 2003, and the category now includes an eighth state, Sikkim, once an independent Himalayan kingdom, and part of India since 1973. Sikkim is not contiguous with the rest of Northeast India: Bhutan and the northern areas of West Bengal separate it from the other seven states. For the purpose of this paper, Sikkim is not included in Northeast India.

The population of the seven Northeast Indian states accounts for 8.06 per cent of India's total land and 3.73 percent of the population (Government of India 2007). As shown in Table 1, some of these states have small populations. Indeed, as full-fledged states they are somewhat of an aberration in the Indian constitutional architecture, as would be evident from the summary in Table 2 of the representation of Northeastern states in the two houses of Parliament.

Leaving aside Assam, the other six Northeastern states are represented in Parliament by just one or two members in both chambers. The Upper House of the Indian Parliament is not designed to protect the interests of states and can do little to defend the

interests of states with small populations. Unlike the United States Senate, which over-represents states with small populations at the expense of states with larger populations, most Northeastern states are represented in the Upper House by only one member. The delegations of more populous states are many times larger. Uttar Pradesh, for instance, has eighty members in the Lower House and thirty-one in the Upper House. Maharashtra has forty-eight seats in the Lower House and nineteen in the Upper House. Andhra Pradesh has forty-two and eighteen members in the Lower and Upper Houses, respectively.

A number of Northeast Indian states were created primarily

Table 1. Seven States of Northeast India: Area and Population

State	*Area (Square kilometers)*[a]	*Population (2001)*[b]
Arunachal Pradesh	83,743	1,091,117
Assam	78,438	26,638,407
Manipur	22,327	2,388,634
Meghalaya	22,429	2,306,069
Mizoram	21,081	891,058
Nagaland	16,579	1,988,636
Tripura	10,048	3,191,168

Sources: a. Government of India, Department of Rural Development Website http://dolr.nic.in/hyper-link/NE-states/NE.html (accessed February 26, 2007). b. Census of India, 2001. Government of India, Ministry of Home Affairs Website http://mha.nic.in/nemain.htin (accessed February 26, 2007).

Table 2. Representation of Northeastern States in the Indian Parliament

State	*Lok Sabha (House of the People)*	*Rajya Sabha (Council of States)*
Arunachal Pradesh	2	1
Assam	14	7
Manipur	2	1
Meghalaya	2	1
Mizoram	1	1
Nagaland	1	1
Tripura	2	1

in pursuit of an agenda driven by national security and not, as in other parts of India, in response to popular sentiments seeking recognition for historical regions or their fiscal viability. Responsible Indian officials have sometimes, perhaps inadvertently, acknowledged this peculiar feature of many Northeast Indian states. A former governor of Assam, Lieutenant General S.K. Sinha, speaking to an elite New Delhi audience, introduced the state of Nagaland this way:

> There were many efforts to pacify the Nagas, and through concessions in 1963, the state of Nagaland was created. This state was for a population of barely 500,000—less than the population of many of the colonies of New Delhi[3]—and yet all the trappings that go with full statehood, a Legislature, Cabinet, Chief Minister, and later even Governor, went with this new status (Sinha 2002: 8).

The expression Northeast India entered the Indian lexicon in 1971. However, until 1972 the state of Arunachal—the area where India and China fought a war in 1962—was called the North East Frontier Agency (NEFA). The term Northeast India, or just 'the Northeast,' has its origins in the changes made to the political and administrative map of the area in the 1960s and early 1970s: the creation of new units that eventually all became states, and the formation of the North Eastern Council (NEC) in 1971. Like other directional place names (e.g., the Far East or the Middle East), 'Northeast India' reflects an external and not a local point of view. B.P. Singh, an official who held key positions both in the region and in the Indian Home Ministry, describes the 1971 legislation passed by the Indian Parliament that created a number of new political units and the NEC as 'twins born out of a new vision for the Northeast' (Singh 1987: 117). The Northeast, he writes, 'emerged as a significant administrative concept ... replacing the hitherto more familiar unit of public imagination, Assam' (Ibid.: 8). Northeast India, however, is not entirely synonymous with undivided Assam. In British colonial times, Assam included only five of the seven states of Northeast India, in addition to the district of Sylhet in today's Bangladesh. Colonial Assam did not include Manipur and Tripura, which were 'native states' (nor did it include Sikkim). Following their merger with India in 1947,

they initially became what the Constitution called 'Part C' states and subsequently union territories until becoming full-fledged states in 1972.

The sheer number of armed rebel groups in the region—at least according to the way official security agencies and unofficial security think tanks count them—is extraordinary. According to a 2006 count, there are as many as 109 armed rebel groups. Manipur State tops the list with forty such organizations, six of which are banned, and in addition there are nine 'active' and twenty-five 'inactive' rebel groups. The distinction between active and inactive organizations perhaps reflects adaptation by security experts to the seeming interminability of Northeast India's rebellions. The distinction appears to imply that insurgencies in the region do not end: they only become temporarily inactive. After Manipur, Assam is next on the list with thirty-four rebel groups: two of which are banned, with six active and twenty-six inactive armed groups. Meghalaya has four armed rebel groups, of which three are active and one inactive. Mizoram has two rebel organizations, and both are listed as active. Nagaland has two active and two inactive groups of rebels. Tripura has two rebel groups that are banned, in addition to one active and twenty-two inactive groups. Only Arunachal, according to this count, has no armed rebel organizations (SATP 2006). The groups that figure in counts by security agencies have different goals, although political autonomy is a recurrent theme in rebel narratives. Relations among them are sometimes conflictual. Not all armed groups are rebels. For instance, many locals believe that some of them have come into being at the behest of security and intelligence agencies combating insurgency. Although it is hard to confirm such charges, warfare between rival militias—especially following ceasefire agreements signed by a militia faction and the security forces—sometimes neatly serves official counterinsurgency ends of the moment. Most, though not all, armed groups can be described as ethnic militias. Indeed the names of rebel groups often proclaim the ethnic groups that they seek to defend, for example, the Dima Halam Daogah (Dimasa National Guards), Hmar Revolutionary Front, Karbi National Volunteers, Kuki National Front, Tiwa National Revolutionary Force, or Zomi Revolutionary Volunteers. Even when they do not

have such names, it is quite clear that they are mobilized along ethnic lines. However, not every rebel organization is an ethnic militia: some armed groups with ethno-national projects have strong civic elements, including the United Liberation Front of Assam (ULFA) and a number of rebel groups in Manipur that actively seek to build a multiethnic support base. The National Socialist Council of Nagalim (NSCN-IM) led by Thuingaleh Muivah and Isaak Chisi Swu, sometimes called the mother of all Northeastern insurgencies, spearheads the five-decades-old struggle for Naga nationhood.

Whatever the difficulties of defining rebel groups in Northeast India, there is little doubt that in many parts of the region insurgent violence and counterinsurgent state violence together has created a situation not unlike what prevails across the border in Burma where, as Amitav Ghosh puts it, the people have 'learned to live with quotidian violence on a scale unimaginable elsewhere until the global advent of terrorism' (Ghosh 1996: 42). The Reddy Committee, during its travels through the region, found 'an overwhelming desire of an overwhelming majority of the region that the Army should remain' (Government of India 2005: 75). And such views were held not only by those associated with the security establishment. They reflect genuine insecurity of citizens caught in a situation of prolonged low-intensity conflict and their routine dependence on the army for everyday security. Thus, during Manipur's vociferous protests against AFSPA, the hill districts were relatively quiet. According to one report, Naga villagers in the Senapati District demonstrated in support of AFSPA with placards such as 'Assam Rifles, Friend of the Hill People' and 'Save our Souls, Assam Rifles, Protect our Lives'—with the particular security force as probably more than a mute observer (Varadarajan 2004: 10). Rebel groups with ethnic constituencies in the hills of Manipur are often in conflict with valley-based Manipuris. For example, the integration of all Naga-inhabited areas into one political unit is a key Naga demand and it puts Nagas of Manipur State in conflict with the valley-based Manipuris. Indeed the pre-eminent leader of the Naga independentist movement, Thuingaleh Muivah, is a Tangkhul Naga from Manipur. The territorial demands of Naga nationalists are potentially in tension with the valley-based Assamese

as well. Citizens also articulate conflicting positions on the question of the presence of the Indian army. In January 2007 the ULFA, faced with the pressures of an intense counterinsurgency operation in the rural areas of Upper Assam, targeted Hindi-speaking communities of the same area for attack. The victimized ethnic communities called for the army to provide protection. The government in response launched a tougher counterinsurgency operation. This aspect of Indian democracy—a citizenry divided, usually along ethnic lines, on the question of the presence of the Indian army, and a government-appointed committee trying to strike a balance—speaks volumes on the nature of the state.

For India, the display and use of military power has become a routine way of asserting state sovereignty in the Northeast. This situation could continue indefinitely. After all, the government can claim that it has to continue the controversial law 'enabling' army deployment since many citizens want the army to be there. There is little scope in the tired security discourse that frames India's Northeast policy for debating whether the routine use and display of military might is consistent with the ethos of a liberal democracy, or is the best way to pursue nation-building in a cultural borderland.

Leaving aside well-organized and well-financed groups like the NSCN-IM, the proliferation and resilience of ragtag bands of armed rebel groups in the region in the face of a long and bloody history of counterinsurgency would suggest that they serve certain functions, despite their incapacity to deliver on grandiose publicly proclaimed goals like 'national liberation.' In parts of the region, especially away from major urban centers, when institutions of the state cannot guarantee the security of life and property, ethnic militias fill the vacuum. There is a sort of security dilemma at work, not unlike the one posited by the Realist theory of international relations. In a world of anarchy, according to Realists, states must find security through self-help, but one state's search for security can make another state insecure. When one ethnic group in Northeast India forms a militia, a rival ethnic group might see it as a threat to its security. Since the state is not seen as a reliable provider of security, the latter group then forms its own ethnic militia in pursuit of security through self-help. An

ethnic militia, seen through the national security prism, may be part of a generalized threat of insurgency. But from the perspective of its ethnic constituency, it may be a provider of security. Indeed in an ethnically polarized situation, where the actions of Indian security forces are seen as partisan, offensives against militants who are seen as security providers by their ethnic kin may, of course, even add to the latter's sense of insecurity, and be an incentive for strengthening the self-help form of security. In the frontier conditions of Northeast India, where there may be ethnic affinities between settler communities and security forces engaged in counterinsurgency, the sense of insecurity of indigenous communities worsens as a result of counterinsurgency operations ordered by New Delhi. The effectiveness of militias to provide security to their ethnic kin, at least compared to that of the state, is quite self-evident to their followers and supporters.

Access to finances, it has been shown, is a significant predictor of civil conflict. The correlation between low national income and armed civil conflict is not necessarily because objective conditions of poverty sustain rebellion, but because poverty and unemployment provide a favourable context for militias to raise money and to recruit new members at a relatively low cost (Collier 2001). For the armed rebel organizations of Northeast India, the major source of financing is what Indian officials term extortion, but in an analytical sense could fruitfully be seen as taxation by non-state organizations. Despite the proliferation of rebel groups, the people of Northeast India continue to elect their state governments and representatives to the national Parliament in regularly held democratic elections. But it would be inaccurate to interpret this as a sign of the relative strength of pan-Indianism and of democratic institutions.

Democratic politics and the world of armed rebellion intersect in complex ways in this part of the world. The pattern is not dissimilar to what two scholars of African politics describe as the 'instrumentalization of disorder.' According to Patrick Chabal and Jean-Pascal Daloz, political actors in Africa 'seek to maximize their returns on the state of confusion, uncertainty and sometimes even chaos' which characterize many African polities (Chabal and Daloz 1999: xix). In Northeast India it is hard to draw a sharp dividing

line between mainstream and rebel political actors. Government bureaucrats and representatives of the pan-Indian dispensation—including those engaged in counterinsurgency operations—may instrumentalize disorder as much as rebels and pseudo-rebels. In such a political conjuncture it is extremely hard to say that a majority of the locals consistently supports the pan-Indian dispensation and rejects the rebels. Armed rebels at times could be on the same side as significant sectors of civil society and even mainstream local politicians—all united against pan-Indian authorities. At other times, anti-rebel sentiments may be widely shared and more pronounced. But if a legitimate government is defined by the absence of collective alternatives (Przeworski 1991: 54–55), Northeast India's resilient rebel organizations, the intermittent complicity of 'civil society' with them, and the reliance on a permanent regime of exception by the state for asserting sovereignty, point to a chronic, albeit localized, crisis of legitimacy. Although the rebellions are multivocal, they undoubtedly have something to do with the challenges to state- and nation-building. The authors of a review of the political science literature on state failure warn that India should not 'labour under the illusion' that it is happily immune from the 'syndrome' of state failure. 'While the country has the enormous resilience of a consolidated democracy, state weakness remains endemic here, even if it remains confined to certain domains and regions' (Saha and Mallavarapu 2006: 4259). Northeast India provides ample support for their claim.

Viewed from afar, India's nation-building project may seem pluralistic and inclusive, but in a part of the country where, to borrow Arjun Appadurai's words, one man's imagined community can be another man's political prison (Appadurai 1990: 6), the challenges confronting any old-fashioned nation-building project are formidable. Elsewhere I have argued that federation, understood as an aggregate of politically organized territories (Piccone and Ulmen 1994: 5), is the opposite of the nation-state, and that for a country like India, federation-building rather than nation-building is a more appropriate project (Baruah 1999: 200–13). In Northeast India there are multiple assertions of autonomous histories, and powerful resistance to the displacement or suppression of those histories by the rise of the nation and of

regional sub-national formations. In such a dynamic context, it is not easy to weave together 'the fragments of society that come with their own sense of *ethnos*' (Ramphele 2001). To appreciate the nature of the challenge, it would be useful to first take stock of how official India has approached Northeast India and to try to understand where Indian policies have gone awry.

A Policy Impasse: Counterinsurgency, Ethnic Homelands, and Developmentalism

Ajai Sahni, who heads a New Delhi-based security think tank, believes that the debate on AFSPA has been 'emotionally charged.' By this, he is probably referring to both the 'naked protest' and the few sympathetic reactions it produced. In Sahni's view, the debate over this basically black and white issue has been 'extraordinarily muddied.' For the Indian army to function in a 'situation of widespread internal disorder,' it is essential to have AFSPA or comparable legislation that 'confers necessary powers of search, seizure, arrest and engagement.' Without such an 'enabling' law, the army cannot be engaged in counterinsurgency operations. Thus as long as there are counterinsurgency operations, AFSPA or a similar law is 'indispensable' (Sahni 2006). From a point of view that sees national security as always trumphing—or providing the condition for—human security, this may be a reasonable position. Indeed the Reddy Committee takes this position. But an exclusively state-centric view of security is blind to the insecurities of citizens during armed civil conflicts as well as counterinsurgency operations—as powerfully articulated by the Manipuri women protesters mentioned above.

'Statism is the security blanket of traditional security studies,' as a Critical Security Studies scholar puts it, and its removal becomes a source of discomfort, since familiar and comfortable intellectual reference points disappear. The picture of grass-roots reality that emerges once the statism blanket is cast aside is certainly 'more complex and confusing than those drawn by traditional security studies. Understanding this complexity however, is a prerequisite for bringing about comprehensive security' (Wyn Jones 1999: 117). In a study of the impact of armed conflict on civilians in Assam's Nalbari District, Anindita Dasgupta found that citizens

were fearful of armed rebels, security forces, and 'unidentified gunmen.' In fact, these so-called unidentified gunmen—militants who 'surrender' but are then made to assist state agencies in counterinsurgency operations—evoke the most acute fear (Dasgupta 2004: 4464). The term death squads—associated with right-wing military dictatorships in Latin America—is a more appropriate term to describe Northeast India's 'unidentified gunmen.' In the life of a democracy, it is perhaps inevitable that rights may sometimes have to bow to security, as Michael Ignatieff (2004) has argued. But do AFSPA and these rather murky counterinsurgency methods meet the tests of Ignatieff's 'lesser evil'?

Considering democracy's foundational commitments to dignity, the use of coercion should always be morally problematic. Ignatieff proposes tests that laws enabling coercive measures in a democracy must pass before they are accepted. A dignity test could preclude cruel and unusual punishment, torture, extrajudicial execution, and so forth. A conservative test could ensure that a departure from due process standards is indeed necessary. An effectiveness test could ask whether the proposed coercive measures would make citizens more or less secure. A last resort test could ensure that new coercive measures are adopted only after less coercive measures are tried and have failed. Finally, all such measures would also have to pass the test of open adversarial review by legislative and judicial bodies (Ibid.: 23–24). AFSPA has never been put to tests even remotely approaching such rigour. Instead there has been casual acceptance of the proposition that to enable counterinsurgency operations, the *de facto* suspension of basic human rights, including the right to life, is necessary. Sahni's argument in favour of AFSPA is typical. The place of this frontier region in the national imaginary—the fear of foreign and domestic enemies conspiring to harm the nation—appears to have normalized a permanent regime of exception. At the same time, few in India's military or civil establishment argue that there is a military solution to Northeast India's troubles. Indeed according to the Indian army's counterinsurgency doctrine, military victories against guerrillas are not possible. The doctrine emphasizes political resolution of insurgencies, and it recommends that insurgents be viewed as 'disgruntled citizens' and not as 'enemies' or

'terrorists.' However, it is not unlikely that the army could in the future 'move towards a more indiscriminate counterinsurgency doctrine that stresses military 'victory' rather than political resolution' (Rajagopalan 2000: 64).

There are troubling signs of the beginnings of such a shift in Northeast India. In 2005 and 2006 when there was widespread popular support for negotiations between the government and the ULFA in Assam, senior figures in India's counterinsurgency establishment, notably the then Governor of Assam, Lieutenant General Ajai Singh, publicly opposed negotiations on grounds that a military victory against ULFA was within reach.[4] But despite a counterinsurgency doctrine that emphasizes political resolution, controversies like the Manorama incident have dogged the Indian army through its five decades of counterinsurgency in Northeast India. Although not every accusation of torture, rape, or extrajudicial killings is true, there can be little doubt that AFSPA creates conditions for abuse, and the culture of impunity built into it does not help the crisis of legitimacy of pan-Indian institutions in the region.

But how does official India then expect the troubles in the Northeast to end? Apart from military means, counterinsurgency has included a variety of crude political methods. For instance, members of rebel groups are given financial incentives to surrender—often leading to *splits* within insurgent groups, with an opportunity for state intelligence outfits to recruit members of surrendered factions for counterinsurgency operations in return for security against their former comrades.

But comprehensive political settlements ending armed conflicts have been rare. As a result, some of the world's oldest armed civil conflicts fester in Northeast India. The Naga conflict, for instance, began in the 1950s and is one of the world's longest-running and bloodiest armed conflicts, costing tens of thousands of lives. On the other hand, the end of the independentist Mizo insurgency following negotiations with the Government of India in 1987 is an important counter-example. Mizoram, once a district of Assam, was made into a Union Territory in 1971—in response to the insurgency that began in 1966—and into a full-fledged state in 1987 following the accord between the Mizo

National Front and the Government of India. A number of rebel leaders subsequently became mainstream politicians.

However, as noted, there is a double-edged quality to this policy tool used by the government for managing Northeast India's post-frontier conflicts. Mizoram is one of the Northeast Indian states where the lion's share of public employment, business and trade licenses, and even the right to seek elected office, are reserved for particular ethnic groups—members of groups designated as scheduled tribes (ST) in the state.[5] Thus Mizoram is in effect an ethnic homeland for Mizos, although a few other groups are also designated as STs in Mizoram. But non-Mizos in many senses are treated as less than full citizens. The policy is the result of incremental policy-making, the origins of which go back to colonial times when instruments were devised to protect vulnerable 'aboriginal' peoples living in isolated enclaves. Under the Sixth Schedule of the Indian Constitution, many of these enclaves became autonomous districts and autonomous regions within those districts—often identified with particular STs whose names they sometimes carry. Subsequently when these territories have become full-fledged states, like Mizoram, the protected minorities have become majority groups—although the majority status may be endangered due to demographic change. The continuation of protective discrimination to ethnically defined historical indigenous majorities is built into the statutory character of these states. In three states—Arunachal, Mizoram, and Nagaland—because of the continuation of the colonial institution of the Inner Line, there is an even stronger layer of protection against potential settlers and their descendants. Anyone entering these states is first required to secure an official permit. This mode of policymaking by muddling through (Lindblom 1959) has important unintended effects. Ethnic homelands—where certain ethnically defined groups are politically privileged—have become normalized in Northeast India both in the political imagination of ethnic militants and in the repertoire of policy tools used by government conflict managers. Yet in the context of the actually existing political economy of the region—especially the demographic change taking place as the expected result of economic development in the historically

sparsely populated areas—the ethnic homeland model becomes more and more anachronistic each day.

Indian official thinking has lately zeroed in on closing a so-called development gap as a magic bullet. Funds transferred annually from the coffers of the Government of India to Northeastern states, according to the Reserve Bank of India's Deputy Governor, now add up to more than what India gets from the World Bank, Asian Development Bank, and other multilateral institutions put together. The amounts are higher than the total foreign aid that Bangladesh receives (Mohan 2003).[6]

An expert committee report commissioned by the national government, *Transforming the Northeast,* lays out the rationale. 'There are four deficits that confront the Northeast, a basic needs deficit; an infra-structural deficit; a resource deficit, and, most important, a two-way deficit of understanding with the rest of the country which compounds the others.' The Commission estimated the financial and organizational resources necessary to eliminate the 'backlogs and gaps in basic minimum services and infrastructure in the Northeast not just incrementally but through a quantum leap.' The hope is to end the region's 'perceived sense of isolation and neglect and break the vicious circle of economic stagnation and unemployment which feeds militancy and, in turn, hampers investment and the harnessing of its abundant resources' (Government of India 1997). Some institutional changes accompany this reorientation. The creation in 2001 of a separate Department for Development of the North Eastern Region (DONER), headed by a central cabinet minister, is part of this reorientation.

Transforming the Northeast reiterates certain ideas—very commonplace in Indian policy circles—about the causes of Northeast India's political troubles. Its authors believe that a sense of isolation and neglect and backlogs and gaps in basic minimum services and infrastructure together produce a vicious circle of economic stagnation and unemployment, which in turn lead to militancy and hamper investment. Are these lines of causation self-evident? There are reasons for some skepticism. One cannot underestimate the self-serving role of local elites in the diffusion of

the 'neglect' hypothesis: after all, it translates into more money. If one goes by the 'instrumentalization of disorder' argument (Chabal and Daloz 1999: xix), the fact that the thesis has many takers in New Delhi might only suggest a convergence of self-interests rather than its inherent validity. A debate occurred a few years ago among scholars on whether 'greed,' the term used to emphasize the economics of rebel organizations, or 'grievance,' the kind of causal factors alluded to in *Transforming the Northeast*, explains armed civil conflicts (Collier 2001). Grievance does not fare very well in comparative statistical analyses of armed civil conflicts. Although rebels and their supporters may be motivated by grievances, theorists of 'greed' see grievances as no more than the stuff of rebel propaganda—tools for recruiting members and sympathizers. The explanation for rebellions, according to these theorists, falls on rebels as entrepreneurs, who succeed when certain conditions such as roads, access to sanctuaries, and the fund-raising environment—all factors related to the state of the state—are favourable. These theorists make a persuasive case for focusing on the structural conditions that favour the actual conduct of insurgency. However, their state-centrism and discomfort with conditions where the lines between the legal and the illegal are blurred—illustrated by the use of the term 'greed' to describe rebel financing—reduce the analytical value of their approach. Although structural conditions are important, so are the pleasures of agency for partisans: in other words, 'the positive effect associated with self-determination, autonomy, self-esteem, efficacy, and pride from the successful assertion of intention' (Wood 2003: 235)—as a scholar of insurgency in another part of the world elegantly puts it. *Transforming the Northeast* puts the explanatory burden of Northeast India's unrest almost entirely on a convenient rendering of rebel grievances. To be sure, there is empirical evidence that poorer areas are more prone to armed civil conflicts than areas with higher per capita income. But the conditions that make insurgencies possible can be largely independent of conditions that grievance narratives focus on. Structural conditions include the state's financial, administrative, judicial, and coercive capabilities; the level of disciplining of a terrain by roads; and state penetration of rural areas. If lower per capita income tends to favour 'the technology of

insurgency,' it may do so because fewer economic alternatives make it easier to recruit young men to the life of a guerrilla (Fearon and Laitin 2003: 80). Is it reasonable to expect that eliminating the 'backlogs and gaps in basic minimum services and infrastructure in the Northeast' will end armed civil conflicts? In the long term the answer may be 'yes'. But in the short- and medium-term, under conditions that have an affinity to state failure, money spent to accelerate development can easily find its way to rebel groups, as it does in Northeast India. A more serious problem with using grievance narratives to rationalize spending is that the condition of the state receives no attention, and institution-building objectives—and the question of the quality of institutions—are entirely left out of the policy agenda. At least for those who care about the quality of Indian democracy, institution-building has to be the priority. Splurging and closing the so-called development gap as a means to ending Northeast India's rebellions is too blunt an instrument to respond to the challenges at hand.

Although it is too early to look at the effects of the recent spurt of massive development funding in the region, the early signs are not encouraging. Economist Atul Sarma points out that while in 1993 two states, Arunachal and Nagaland, had real per capita income above the all-India average, by 1999–2000 not a single Northeastern state had real per capita income above the national average. The disparity with the national average was as high as 42.54 percent for Assam and 13.32 percent for Nagaland. Since this was during a time when the Northeastern region began receiving massive development funds from New Delhi, Sarma calls the continued deceleration of the economies of the region a paradox (Sarma 2005: 1–2).

Following the Reserve Bank of India Deputy Governor's comparison between funds that New Delhi spends in the Northeast and international development assistance, it may be useful to recall debates on international development assistance. Influential critics such as P.T. Bauer are critical of aid because, in its single-minded attention to bridging 'gaps,' it ignores the qualitative factors that inhibit growth. Among them are property rights, the legal system, government capacity to deliver public goods, and the openness to trade and investment (Erixon 2005: 23). It is fair

to say that the critics won the battle of ideas on a number of key issues. 'The problem of underdevelopment,' as Philip Keefer (2003: 2) has argued, 'is in substantial measure one of government failure, and therefore, policy failure, in developing countries.' These policy failures are mostly the result of the perverse incentives to actors on the ground because of the unintended consequences of policies. There may be a lesson from these debates for India's Northeast policy. The World Bank's recent Strategy Report on Northeast India sees institutional arrangements—one of the qualitative factors that Bauer and other critics of development aid emphasize—as the principal obstacle to utilizing the regions vast water resources for sustainable development. It finds a highly centralized approach that suffers from 'the paternalism of central-level bureaucrats, coercive top-down planning, and little support or feedback from locals.' There is widespread distrust of these centralized structures among local stakeholders, who believe that most developmental initiatives would bring no benefits to them. The institutional arrangements are so dysfunctional that even an embankment project may be opposed by the very people it is supposed to benefit (World Bank 2006: 13–14)—providing further testimony to the impasse in India's Northeast policy.

In what is perhaps a sign of growing sensitivity of official India to the Northeast Indian exception to pan-Indian narratives of democracy and high economic growth, the Reddy Committee recommended the repeal of AFSPA and the incorporation of some of its key provisions into a pan-Indian anti-terrorism law. But further extending the Indian army's broad counterinsurgency powers at the expense of civil rights—powers it has had for almost as long as India's history as a democracy—would amount to Northeast India being in a permanent state of exception.

Let us grant for the moment that in a democracy there may be times when a government could choose what Michael Ignatieff calls the path of 'the lesser evil.' But can a state stick to such a path indefinitely? And if it does so, can it still call itself a liberal democracy? As Ignatieff puts it, when one hears arguments for 'destroying a village in order to save it,' it may be a sign that there is a slippage from the lesser to the greater evil. When that happens, society has no choice but to admit mistakes and reverse

course (Ignatieff 2004: 19). After nearly five decades of AFSPA, it is surely time for India to ask such basic questions vis-a-vis its approach to the Northeast.

Notes

Earlier versions of this monograph were presented at the project workshops organized by the East-West Center Washington in Washinigton, D.C. and also at seminars at the Centre for Policy Research, New Delhi; the Department of English, Gauhati University; and the Indian Institute of Technology, Guwahati. I have incorporated suggestions, and have tried to respond to critiques by Muthiah Alagappa, Ashok Malik, Pratap Bhanu Mehta, Bhagat Oinam, B. George Verghese, and two anonymous readers who reviewed the manuscript for this series. In substance and in form, the final version benefited from Rakhee Kalita's critical reading.

[1] The Indian Home Ministry's website, for instance, claims, 'Consequent to various peace initiatives and other steps to contain insurgency, the number of violent incidents in 2005 had increased by 8% [an "increase"—possibly an error—is indeed part of this official account that portrays the overall trends as positive], killings of civilians came down by 6% and security forces by 37% as compared to the incidents/killing in 2004. During the current year till 30.06.06 as compared to the corresponding period in 2005, the number of violent incidents has reduced by 8% (from 688 to 636), the number of SFs [security forces]/civilians killed reduced by 15% (from 185 to 159).' Ministry of Home Affairs, Government of India, Website. Section under 'Internal Security, The Northeast' http://mha.nic.in/nemain.htm#STATE (Accessed February 26, 2007).

[2] Independentist is a more neutral term than 'separatist' or 'secessionist.' The term is commonly used in Puerto Rico to refer to political groups that stand for Puerto Rican independence.

[3] Colony in this context refers to residential neighbourhoods. General Sinha's figure on Nagaland's population is not quite accurate. It perhaps refers to the time when Nagaland was created. According to the 2001 census, the population of Nagaland was nearly 2 million.

[4] On the role of retired military generals and other retired senior security officials as governors in the Northeast Indian political system, see my 'Generals as Governors,' chapter 3 of Baruah 205: 59–80.

[5] The word 'tribe'—scheduled tribe to be precise—is commonly used in India and it has no pejorative connotation. The term 'indigenous people' however, arouses more controversy. In recent years international practice has given this term significant normative power. But the Indian government, like many of its Asian neighbors, rejects the term. Asian governments argue that the term 'indigenous people' can be applied only to places where European settlers and their descendants can be clearly distinguished from 'indigenous peoples'. It is often assumed that the Indian term 'scheduled tribe' is synonymous with the

term indigenous people of international practice. The word 'schedule' in the Indian term refers to an official list or schedule of 'tribes,' as stipulated in Article 342 of the Indian Constitution.

[6] Not everyone agrees that the Indian government has become generous about financing Northeast India's development. See for instance the Government of Assam's memorandum to the 12th Finance Commission. According to this memorandum, the notion that Assam benefits from large sums of central funds through the prime minister's package, Non-lapsable Central Pool of Resources and the North Eastern Council, is 'a popular misconception' (Government of Assam 2004: 5).