

Editorial

Saturday, June 23, 2018

Expecting changes in dealing SoO:

Is Soibam Ibocha the Right Choice

Well and good the government of Manipur is taking the issue of SoO cadre with extreme seriousness as this problem may be considered as other ticking time bomb which have the tendency to blast some day. Dr. Soibam Ibocha, the IPS officer who had recently retired from the post of IGP (ADM) of the state police force has been appointed as the representative of the state government to engage with the Government of India and the Central Government Representative/ interlocutor for the ongoing peace talks with the various outfits which were undergoing peace talk by suspension of operation.

After NSCN-IM signed cease fire pack to begin political dialogue with the Government in August 1, 1997, another moved to control the mushrooming armed rebel group in the state entered peace pack with the government of India under the initiative of the than government in September 2013. Earlier the NSCN-K have also entered to the peace pack but abrogated in 2015 for reason which is not clear.

When Government of Manipur signed peace deal with the Kuki armed rebel group of various kind it was stated that the outfit will have no interest to the segregation of the state territorial boundary, but recent day proposal from the two conglomerate body leadership during talk at New Delhi had time and again diverted the agreed proposal of the government side regarding the sensitive issue of the territorial boundary of the state. The KUKI Rebel group are now engaging talk under two umbrella body called the Kuki National Organisation (KNO) and the Unite Peoples' Front (UPF).

As per government report, KNO comprises of seven armed rebel group, while the UPF is comprised of 6 armed rebel groups.

Government has allotted these rebel groups which had signed to establish designated 4 designated camps at Churachandpur district, two at Kangpokpi district and one at Tengnoupal district for the KNO. Total cadre as per official report is 1122.

As for the UP govt. allowed the rebel group to establish 2 designated camp at Pheriajawl district, one at Churachandpur district, one at Chandel district, two at Kangpokpi district. Official report said the total cadre of the UPF is 1059.

There are also other UGs group who had entered for peace talk but not yet started any such talk as the mode of entering the negotiation is more like a surrender to lead a normal life without any political commitment. As per source with this newspaper as many as 472 cadres of various rebel groups who had come out from KCP(KK), UTLA (SK) KCP (NK) KYKY (MDF), KCP (City), URF etc. at the moment they are now kept at various camp of Assam Rifles troopers.

Appointment of DR. Ibocha, a retired IGP Soibam Ibocha is perhaps a right decision which the government of Manipur should have thought of a long time back. "It is better late than never", the experience of the officer will certainly deal using his year long experience to make sure that no disturbances come to the government of Manipur during the course of peace talk which had already begin at New Delhi.

But what is more worrisome in the Surrendered cadre who had come out the main stream but left with no choice other than staying to their respective allotted security force camps.

On the other hand, one thing which is known by everyone on the kind of extortion crime committee by the UGs who has signed SoO pack along the National Highway as along as at some area which are under their control, have to remain quite due to fear. Negotiation, political dialogue with the UGs is the need of the hour and while doing so it is mandatory that the kind of excess and violation of ground rules by the UGs be checked to assure that the peace talk and cease fire or suspension of operation is for the people and the nation. Imphal Times have high hope that IPS Soibam Ibocha, (Retd. IGP) will bring a better Manipur in the coming days by using all his wisdom in settling the aged old issue.

Legal Clinic

Section 124A in The Indian Penal Code

124A. Seditious.—Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards, [***] the Government established by law in [India], [***] shall be punished with [im-prisonment for life], to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine. Explanation 1.—The expression "disaffection" includes disloyalty and all feelings of enmity. Explanation 2.—Comments expressing disapprobation of the measures of the Government with a view to obtain their alteration by lawful means, without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section. Explanation 3.—Comments expressing disapprobation of the administrative or other action of the Government without exciting or attempting to excite hatred, contempt or disaffection, do not constitute an offence under this section.]

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THE DEVELOPMENT OF ETHNICITY TO NATIONALITY IN NAGA HISTORY

An excerpt from the writings of Kaka D.Iralu

Ancient Naga history - The Nagas are an ancient people whose forefathers migrated into their present habitat somewhere before the Christian era of AD 1. Their forefathers belonged to the Sino-Mongoloid race that came in waves from South East Asia towards the end of the BC era. Their entry points to their present lands were through the Himalayan region and the Burmese corridor. Whether in historical records or oral traditions passed from one generation to the other through word of mouth, there is no mention whatsoever of the Nagas driving away some former inhabitants of the land to make the lands their own. The fact is one where their forefathers, like any other nations in the world, at some specific time in history migrated from more populated regions of the Asian continent and settled down in their present lands and made it their land. Their continuity as a people inhabiting their present lands is an established historical fact. In historical records, the first mention of the Nagas as a people inhabiting their present lands was made by Claudius Ptolemy, the Greek historian and geographer in AD 150. In his records Ptolemy mentions the Nagas as **Nagaloi** (Claudius Ptolemy, *Geographia*, Vol VII, (ii)p.18). They were again mentioned by Huiuen Tsang, the Chinese traveller who spent 15 years in India between AD 629-645. Huiuen Tsang visited Kamrup the capital of the Varman King, Bhaskar Varman in AD 643. From Kamrup in Assam, in his accounts "*Si-Yu-Ki*" he writes about the Nagas saying: **The east of this country is bounded by a line of hills so that there is no great city to the kingdom. The frontiers are contiguous to the barbarians of Southwest China. These tribes are in fact akin to those of the Man people in their customs.** (Thomas Watters, **On Yuan Chwang's travel in India**, Vol.III, Part II, Varanasi, 1903, p.11) Quoted in Visier Sanyal, **A History of Nagas and Nagaland**, p.7

Besides these records, the Nagas are also mentioned in the Royal chronicles of the Manipur kingdom in records like **Chietharol Kumbabu and Nighthourol Kumbabu** (AD 663-763 and AD 906-996). They are also mentioned in the chronicles of the Ahom kings who came from upper Burma and the western Uman provinces of China and settled and ruled in Assam for 600 years beginning from the 13th century. Naga resistance against intrusions and raids from these two neighbouring kingdoms and also other kingdoms like the Burmese, Tripuris, Dimasas and the Cachar kingdoms from the 13th century to the 18th centuries are all there in recorded history. As for their encounter with the British in the 19th century and their resistance against British rule for one hundred fifteen years (1832 - 1947), numerous accounts are found in the British colonial records. It is said that the battles the British fought with the Naga tribes in the 19th and first half of the 20th centuries far outnumber all the frontier battles fought with the Indians in the great Indian sub-continent. Even in spite of all these battles, the British were able to subjugate only thirty per cent of actual Naga territory. (The actual Naga ancestral domain would be around 120,000 sq. km). In British colonial accounts, the unconquered 70% territories of the Nagas were recorded as **unadministered territories or excluded areas**. Even in the thirty per cent lands that the British administered, they never laid any claims to the lands they were administering. In fact C.V.Aitchinson in **Treaties, Engagements and Sanads** clearly records that: **No written treaties or agreements have been made with any of the Naga**

tribes. (Vol.XII, 1931, p.91). Also following the submission of the Naga memorandum to the Simon Commission in 1929, where the Nagas had refused to be included in the reformed scheme of India, the British Government, in recognition of their demands put the Naga Hills under **excluded area** in the Government of India Act, 1935.

Modern Naga history - The submission of the Naga memorandum to the Simon Commission in 1929 by the Naga Club was in a sense the first Naga action in the transition from Naga ethnic identity to Naga national identity and ultimately towards the realisation of a modern Naga nation state. The Naga Club was formed in 1920 by the Nagas who had returned from their 1st World War experience in Europe. By February 2, 1946, the Naga Club of 1910 had metamorphosed into the Naga National Council (NNC). One of the first important actions, taken by the NNC was to submit a memorandum to the British Cabinet Mission which came to India in 1946 in the light of the impending transfer of power between India and Britain. In the memorandum, the NNC declared that the future of the Nagas would not be bound by any arbitrary decisions of the departing British Government if such decisions were taken without the prior information and approval of the Naga people. This memorandum was submitted to the Cabinet Mission on April 9, 1946. This was followed by the submission of another memorandum to the outgoing British Government and the incoming Indian Government, entitled **Memorandum of the case of the Naga people for self determination and an appeal to Her Majesty's Government and the Government of India**. This memorandum was submitted on March 27, 1947. Copies of the same memorandum were also sent to Clement Atee, the then Prime Minister of Britain, Members of the House of Lords and also Winston Churchill. Getting no favourable response from either the British Government or the Indian Government, the NNC next met Lord Mountbatten, the then Governor-General of India with the proposal that the new Indian Government act as the guardian power for a period of ten years after which the Nagas would be free to determine their own political future.

(Full contents of all these lengthy memorandums can be found in the appendix section of my book: **Nagaland and India, the Blood and the Tears** with a sub title **A historical account of the fifty two year Indo-Naga war and the story of those who were never allowed to tell it**. The book was clandestinely published by myself since no publication company was willing to take the risk of publishing it). Meanwhile, a British scheme of forming an independent North Eastern Agency on the pattern of a Crown Colony comprising all the eastern peoples between Burma and India was offered to the Nagas. If the Nagas had accepted this scheme, a British Crown Colony with over 200,000 sq. km could have come into existence with Chittagong as its sea outlet. The colony would be comprised of people like the Nagas, Kachins, Karens, Mons, Shans, Khasis, Assamese, Mizos etc - a people who were then more devoted to the British than their own citizens. The lands were also very rich in oil and other mineral deposits. If the Nagas had acted selfishly, they could easily have gotten the lion's share in such a scheme. Knowing that the Nagas were politically the most advanced tribe, this scheme was thoroughly discussed with the

NNC leadership during its formative years. However, the NNC leadership rejected this offer on the grounds that they could not betray the eastern peoples rights to their respective freedoms. It was evident that a "Yes" from the Nagas could have resulted in all the eastern peoples being condemned to many years of subjecthood to a British Crown Colony. Another obvious reason was the Naga love of their own freedom, which they were sure the British would not treacherously betray into the hands of the new emerging Indian Government.

Subsequent events would however show that the Naga sense of integrity and honesty and also the recognition of other people's rights would be betrayed and trampled by both Britain and India.

Besides these events, many other important representations and actions were made by the NNC and the Nagas to clearly declare and demonstrate their political will to become a free nation again when the British left their South Asian Empire. Up to 1947 six different memorandums and representations were given to the British Government before they handed over power to India. One possible reason for the apathy and indifference shown to the Nagas by the British may be because of the Naga rejection of the British Crown Colony scheme. Britain was also too exhausted from the 2nd World War and the mood of the British was to quickly retreat from their South Asian Empire. Hence, what was so desperately important for the newly emerging Naga people did not impinge on a people weary of their world responsibilities. They left behind a legacy Nagas could not accept. In turn their later rejection of the legacy produced the Indo-Naga conflict.

As for India, the NNC made many representations to the Indian leaders before India became a free nation on 15th August 1947. Among those many representations and actions, when the Indian Constituent Assembly constituted a Sub Committee for the North East region in 1946, the then NNC President T.Aliba walked out from the meeting at Shillong saying: **We the Nagas cannot sign our names to be under India.** He further said, **I cannot return to my people as a traitor.** Saying this, he resigned from the committee and came back to Nagaland. At that time the NNC had a Constitution of their own and refused to be under any other Constitution. Even when the Constituent Assembly Sub-Committee again visited Kohima in May 1947, the NNC still refused to join the Indian Union. In that confrontation in 1947, the NNC stated its position that it was willing to co-operate with India only under an interim agreement, details of which had earlier been submitted to Her Majesty's Government and the Indian Government on March 27, 1947.

A further proposal was offered by the Governor of Assam, Akbar Hydari, called the Nine Point Agreement on June 27, 1947. However, even though the NNC was willing to co-operate with India under the provisions of the Nine Point Agreement, a dispute arose over the ninth point as to whether Nagas could choose their own political destiny at the end of the ten-year agreement. The proposal was later unilaterally abrogated by India. The NNC next met Mahatma Gandhi on July 19, 1947 at Bhangma Basti in Delhi. After a thorough discussion of all the political and historical facts about Nagaland and India, Gandhi assured the Naga delegation that Nagas had every right to be a sovereign independent nation. Gandhi even promised the Nagas that in case the Indian Government tried to forcefully annex the Naga

territories into India, he would be the first person to lay down his life in opposing the annexation.

Assured by the father of the Indian nation, the Nagas came back and declared their independence on 14th August 1947 - one day prior to India's declaration of her own independence. A cable was also immediately sent to the United Nations on the same day and an acknowledgement was received from Salt Lake, New York. In order to further consolidate their intention in the light of India's indifference, the NNC further conducted a national Plebiscite on 16th May 1951 where an overwhelming majority of the adult Naga population (99.9%) gave their verdict that they would not join the Indian Union of 1947. Prior to the Plebiscite, information and invitations were also given to the Indian Government to come and see the conduct of the Plebiscite with their own eyes. India never responded to the invitation. The result of the Plebiscite was sent to both the Indian Government as well as the United Nations. The result of the Plebiscite along with a long letter was given to Jawaharlal Nehru on December 29, 1951. In the letter Phizo, the NNC President had written:

...With the verdict of the Naga adult population embodied in the Plebiscite papers go our sincere feeling of goodwill to the Government and people of India. It is the prayer of the Naga people that the Government of India will respect the desire of the Naga people for having their own independent state, separate and sovereign. To allay the fear and suspicion of India, Nagas on their part will agree to accept an Indian national to be the President of independent Nagaland for a stated period...

(Please note that, the Nagas far from trying to violently oppose India, offered themselves to be even governed by an Indian President for a stated period. This was in 1951. The Nagas took up arms to defend themselves only when, as B.N.Mullik put it in his book: **troops moved into Tuensang by October 1955, and the war (of invasion) by the Nagas started from then**). Italics mine.

When the NNC leaders later met Jawaharlal Nehru at Delhi on March 11, 1952, in the short interview given to them, Nehru banged his fist on the table and screamed:

Whether heaven falls or India goes to pieces and blood runs red in the country, I don't care. Whether I am here or any other body comes in, I don't care. Nagas will never be allowed to become independent.

Phizo, leading the delegation, replied: **"Well, Pandit Nehru, you seem to know even more than God about our future. Goodbye."** The delegation returned to face the might of the Indian Army, which Nehru sent to suppress the Nagas. The Nagas on their part, in order to consolidate their position and also in accordance with legal norms of establishing a modern nation state, established the Naga Supreme Court on July 4, 1954. On January 14, 1956, the Naga Constitution (Yehzabo) was approved and on March 22, 1956, the Federal Government of Nagaland was established.

On the part of India, by November 15, 1954, Assam Armed Police and other Paramilitary Forces like the Assam Rifles had started killing innocent Naga civilians. This was followed by full-fledged Indian military troops moving into Nagaland by October 1955.

To cut a long story short, I will here again quote B.N.Mullik who was then the Personal Secretary of Nehru.

(Contd. on page 4)