CHAPTER V

CONCLUSION

Employment of Army for dealing with the problem of internal security is not desirable from a variety of reasons. But when an internal security problem like insurgency becomes volatile, application of force will be needed to bring normalcy as well as to check further expansion of the problem to other areas. The question then is that, what type of a force would be needed? The option lies with the civil administrative machinaries i.e. Police and Paramilitary forces.

On the other hand, application of force alone will not root out insurgency problem as the basic roots of such a problem comes out to be one or more elements or combination of many which are related to socio-cultural, economic, and political matters. Therefore, counter-insurgency strategy will have to be a combination of efforts. The following assessment will give a suggestion for bringing out a counter-insurgency strategy with
reference to Nagaland and Manipur in particular and other cases in general.

1. SECURITY POLICY MATTERS

Employment of Army for dealing with the problem of internal security has many a draw-backs. Some of them are as follows:

(i) Law and order problem is indeed, the duty of the Ministry of Home. Any such arrangement of using Army (for dealing with Law and Order problem) which is under the Ministry of Defence, would naturally cause a friction in the jurisdictions between the Army and the Civil Authorities especially in specific cases.

The legal position in regards to troops being called out (in India's case) needs to be emphasized. The Magistrate of the highest rank may requisition military aid and the military officer in command must respond. The latter cannot refuse to give aid but the operational action that he takes in pursuance of meeting the requisition is left to the sole discretion of the military officer and cannot in any way be dictated by
the magistrate. Sometimes, actions taken by the military officer commanders have demoralized the civil administrative authorities. Such cases are found in the North-Eastern Region of India.

A case for instance is worth noting when in March 1982, the Deputy Commissioner of the East District (Manipur) was detained for several hours by the Army. Again on 27 November 1982, the superintendent of the police in the same district was interrogated by a Junior commission Officer of the 21st Sikh Regiment. Compared to such occurrences we can see comparatively as to what happens elsewhere:

"The sharp edge of the British Security forces the SAS and Royal Marines are only called into action when a situation has got out of hand, and military muscle is considered essential. British Law makers are perfectly clear both to the police chief constabulary and the army authority in what circumstances the army may provide what is officially known as Military Aid to Civil Power (MACP). The army may be called in to deal with any threat to security which the
police are inadequately equipped to deal with. When the military are undertaking such role, they remained completely under the control of the civil authorities and they enjoy no extra privileges.\(^3\)

(ii) Frequent use of Army for dealing with the problem of insurgency will reflect a notion of inefficiency on the part of the civil authority, which may create a situation resulting in the loss of trust in the civil authority by the population. Such a phenomenon is not a healthy sign in a democracy.

(iii) Operationally, it is not possible for the Army to distinguish between insurgents and the innocents.

(iv) Using our own Army for dealing with our own people may hurt the sentiment of the affected area's population.

(v) Civil authorities requisitioning military aid should appreciate that frequent employment of troops in this role (dealing internal security) erodes their credibility as deterrent.\(^4\)

It has so far been pointed out that even though employment of force is needed when an internal security
problem like insurgency has been accelerated, use of
Army should be avoided as far as possible. However,
the following lines may be put forward:

(A) To Strengthen the State Police Forces

The image and the reputation of the police force
in India is eroding constantly. Simply by the transfer
of officers from one place to another will not save the
situation. There are many problems which the men in
the police force in India are facing today which would,
of course, reflect both in private and official dealings.
As one of the seniormost retired Indian Police officer
puts his words about the present state of affair and
condition in the Police Force in India that:

"seldom is the voice raised against the atrocious
hours of work in the police, the everpresent fear of
injury and death, the lack of rapport between officer
and men, the constant interference and adhoc transfers,
and appealing conditions of the life in shanties-
indebtedness, the children uneducated, the women in
constant medical distress. Officers and subordinate
interpersonal relationship are far from satisfactory. Officers do it now in the shape of 'pep tallis' which is more of a method adopted by politicians than govt. officials. How many have demanded extra powers for their men? How many legislators have examined the list of men killed on duty—about one thousand a year—and enquired about the pensions of their widows, often held up for years? How many times have the police been assured by the authorities that their conditions will be improved?5

Such factors should be immediately given attention to bring a new ethos in the police forces in order to enhance their effectiveness, credibility and moral standing.

Sir Charles Ruth, prominent historian of Anglo-saxon police development, has long maintained that the establishment of Peel's police in England in 1829 brought about a fundamental reshaping of English society. If the British people are law-abiding today, he has said, it is due in overwhelming measures to the effects the
"new police" had on attitude toward law, crime, and responsibilities of the citizenship. The model behaviour of British police, a byword around the world, is not a reflection of a deep-rooted premordial love of order among the British people. In fact, before 1829 such qualities were distinctive by their absence. The British law and respect for law in the result of model behaviour on the part of the British police in spite of appalling conditions of crime/vice, public insecurity, and individual apathy, hostility, and inference to law enforcement.6

Most of the insurgent groups are of indigenous product. Hence, State police forces are identical for dealing with them. The only measures to be taken up are to strengthen the police forces to enable them to fight any situation coming out of insurgency problems. The police forces of the states should be given contemporary modern equipments and training facilities. It can be noted that in most of the insurgency affected states in the North-Eastern India, even for a finger-print examination, it has to be sent to Calcutta or other places.
In India, there are, now, many Central paramilitary Organizations. These Forces could be deployed to assist the State Police Forces. And such a practice has been doing so.

The Central paramilitary Forces comprise of five major paramilitary organizations: the Border Security Force (BSF), the Central Reserved Police Force (CRPF), the Central Industrial Security Force (CISF), the Railway Protection Force (RPF), and the Indo-Tibetan Border Police (ITBP). The creation of yet another paramilitary organization, the Central Security Force (CSF), is being considered by the Government and will be India's Sixth Central Police Force. The CIS had 6,062 men in 1979-80. In the Course of time, its strength rose to 39,660. The five paramilitary organization have a total strength of over 3,50,000 men. That these organization intended to have a limited role is indicated by their small beginning.7

The present strength of the Central Paramilitary
Forces is good enough to assist the state police forces in the affected area from time to time. Further proliferation of the Central paramilitary Forces may not be needed. What is now required is that of a better coordination between the State Police Forces and the Central paramilitary Forces for effective actions.

(B) Effective Intelligence System.

Intelligence is the back-bone of any security organization. Intelligence inside the country does not require the involvement of many agencies as it is required for foreign intelligence system. For dealing with the problem of insurgency, a high quality intelligence with accuracy is needed in view of the unpredictable nature of the insurgent actions. Their action with guerrilla warfare tactics is signified by surprise attacks.

While recounting his experience, Colonel Charlie A. Backwith, architect of the famous US Delta Force emphasized the need for the effectiveness of intelligence in the following words:
"It's important to be able to predict a terrorist incident before it occurs. People in the government, I remember, laughed when the subject of predictive intelligence first surfaced. If the terrorists can be cut off at the pass, it might not be necessary to circle the wagon."

The basis for every good intelligence system (inside the country) would come out from the level of the good relationship between the security organization and the population. The importance of the population should be paid highest attention. It is vital to the security organization as much as the insurgents do.

Collection of information by means of third-degree method is counter-productive in the long run. It will reduce the credibility of the law enforcing agency and ultimately leading to provide a ground for the insurgents to attract people for their work.

In the last decade, interrogation has become an emotive word with connotations of psychological pressure and physical torture. However, this does not alter the fact, known to all interrogators with any experience -
that the only way to discover the truth is by establishing a relationship which the interrogators call 'rapport' with the man or woman being questioned and creating an atmosphere of complete-co-operation and understanding. 9

(C) Restriction to Licensed Arms to Private Individuals

This factor has got a dangerous implication from the angle of internal security problems. Against the background of violent problems in the country such as insurgency, it is high time to check before giving licenses for guns and also to re-assess the cases of licenses which have been issued earlier to the private individuals.

The holders of licensed arms are the main source for supply of ammunition for unlicensed arms. Painstaking research by Mr. N.K. Nag, assistant director (ballistic) in the State forensic laboratory, W.B. shows that out of 1,051 country made fire-arms examined by the laboratory in the seventies, about 51 percent could use 12 bore ammunition and 17 percent. 38 revolver ammunition. This indicates that practically all
unlicensed weapons are designed to use ammunition of central specification. This kind of modification to firearms could be utilized by the insurgents and lawbreakers to their advantage. Hence this aspect should be taken seriously.

(D) Prevention of Smuggling Activities

Smuggling not only gives problem to the economy of country but also it has got other roles too. In connection with the problem of insurgency in the North-Eastern India, smuggling activities play sensitive roles in two ways. Firstly, those smuggling items of day-today essential commodity may divert the feelings and attachment of the people from their own nation with desire to acquire consumer items manufactured in other countries. Secondly, smuggling provides a source of income for getting arms to the insurgents.

(E) Co-Operation Among Insurgency Affected States

To get rid of a common problem, there should be a common initiative based on mutual co-operation. It is an unhealthy sign that most of the states in the
North-Eastern India, have been plagued with petty inter-state border problem. It is time to nullify such small irritants through negotiation, keeping in mind that they (the states) are under a big unit known as nation, and national interest is more important than narrow outlook of inter-state dispute.

The states of North-Eastern India should deal the problem of insurgency in a collective manner. It should not be taken as isolated events. It can be suggested that there can be a collective command for the police forces in the North-Eastern India to enable to chalk out a common tactical programme.

In fact trends in the North-East clearly suggest growing co-ordination between the various insurgents groups. There may even be a unified command in future. The situation can be contained only if the states in the region co-ordinate their anti-insurgency operations under an overall blueprint.

(F) Centre-State Relations

In fact, federalistic constitutional set up
against the background of multipolarity, sometimes, face problems in perception about issues from time to time. Such a problem could be seen in case of the law and order problem related issues also. The difference in perception about Gorkhaland issue between the Centre and the State of West Bengal whether the problem could be termed as separatist or not is an unique example.

Moving the motion for the consideration of the draft constitution in the constituent Assembly on 4 November 1948, Dr. Ambedkar observed:

"Though the country and the people may be divided as to different states for convenience of administration, the country is one integrated whole, its single people living under a single imperium." 77

"Public order" is exclusively a state subject. Neither the centre's legislative nor its executive power can transgress its sphere of state authority. But if "public order" is flouted on such large scale in a state so as to constitute "internal disturbances" Centre's duty defined in Article 355 gets activated: "it shall be the duty of the Union to protect every state against external aggression and internal disturbances and to ensure that the Government of every state is
carried on in accordance with the provision of the constitution."

The 42nd Amendment had inserted in the constitution Art. 257 A which empowers the Union to deploy a central Force "for dealing with any grave situation of law and order in any State". But this provision was deleted by 44th Amendment.

For thirty-seven years, a vital provision of the constitution (Article 263) has remained unused. It is one designed particularly to foster national unity, facilitate harmonisation of thinking, resolve Centre-State and inter-State disagreements and generally to impart a non-partisan direction to the issues of national concern. The Article thus reads:

"If at any time it appears to the president that the public interest would be served by establishment of a council charged with the duty of (a) Enquiring into and advising upon may have arisen between states; (b) investigating and discussing subjects in which some or all of the states, or Union and one or more of the states, have common interest; or (c) making recommendations upon any such subject and, in particular, recommendations
for the better co-ordination of policy and action with respect to that subject; "it shall be lawful for the President by order to establish such a Council, and to define the nature of the duties to be performed by it and its organization and procedure."

It is about time to have an effective forum under the provision of the constitution to have a good and meaningful Centre-State relations.

(G) **Diplomatic Initiative:**

As it has been mentioned in Chapter IV that China and Pakistan have been paying interest to the insurgency problem in India's North-Eastern region. Chinese 'move' after granting state-hood to Arunachal Pradesh by the Government of India (recently) may come in the terms of pumping more aids or to strengthen her influence with the insurgents in other ways.

It is not possible to erect a fence in the border except for increasing the number of border
check-post. Hence, the alternative open is to have diplomatic initiative with the concerned countries (Pakistan and China). Such an initiative has to be taken up in a more concerted way through bilateral political process by means of diplomatic negotiations. Also one should not forget that Burma and Bangladesh have also come out to be very important in connection with the problem.

Thus "the question of insurgency in the northeastern part of India, the northern part Burma and the hill regions of Bangladesh is inter-linked. Unless India, Burma and Bangladesh tackle this question jointly, in its wider political, economy and social dimensions, it cannot be brought under effective control." 15

India's relationship with these countries are reasonably cordial, hence such an initiative of mutual cooperation can be made keeping in view of the same problem (even though intensities are different)---which these three countries are facing.
2. OTHER INITIATIVES

(A) Socio-cultural initiative

Socio-cultural aspects play a vital role in the problem of insurgency in the North-Eastern India. Such aspects convert into political problem within a short time as it is easy to create a sentiment among the people for a political move against the delicate background of sociocultural foundation.

A socio-cultural initiative cannot be successfully applied overnight. It has to be employed in a gradual basis. On the other hand, a separate body like National Integration Council will only project an image of justification and legitimization of historical legacy which does not carry much of a weight within the perview of practical realities in modern life.

Such an initiative would be a part of the normal government and other activities. For this task, modern scientific facilities like radio, television,
news services, and all the available media activities could be used. At the same time, various socio-cultural programmes through various governmental and non-governmental organizations should be taken up.

(B) Economic Initiative

Economic initiative itself implies the sense of socio-cultural and political dimensions. It can be said that economic upliftment can erode the idea of separatism created against the idea of socio-cultural and political bias. In fact, without the upliftment of economic position of the population, other initiatives will not be useful and fruitful.

Development strategy is to a large extent social education... For this reason, we should perhaps give highest priority to self education and re-education of the development planners...

As it has been noted in Chapter IV that the level of underdevelopment in the entire North-Eastern India is well near 100% except for 77.4 percent in Assam. Hence, a regionalized type of policy can
be put into action for a speedy result.

Regionalized policy consists of governmental measures of economic and social policy pursued for the area as a whole, and which are applied to in order to make them more effective.  

It can be mentioned that socio-economic planning cannot be successful without popular participation of the population. For this task, administrative skill of the civil servants and their relationship with the local public are of much important.
FOOT NOTES


7. Indian Express, Bombay, 21.1.1987


13. Ibid.


17. Peter Thelen, "The delimitation of Regions as a basis for a territorial Policy" in Ibid, Institute of Scientific co-operation, p. 35.