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'AK47/M16 Rifle - Rs. 15,000 each': what price peace on the Indo-Burmese frontier?

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‘AK47/M16 Rifle – Rs. 15,000 each’: what price peace on the Indo-Burmese frontier?

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One of the key tools for achieving India’s stated ambition of stopping national fragmentation in the Northeast is the Armed Forces (Special Powers) Act (1958) (AFSPA). This article assesses Indian Government efforts to manage the parts of the Indo-Burmese borderlands that are subject to this law. It compares the approaches of governments on the Burmese and Indian sides of the frontier and interrogates the financial incentives that complement security policies in their shared borderlands. Economic incentives for ceasefire and disarmament are, I argue, part of a portfolio of pacification and reintegration strategies that are premised on the controlled ambiguities of the borderlands. As such, I argue that the impunities allegedly at the heart of the AFSPA are matched by the freedom of the Indian Government to funnel resources into paying off its enemies. In the Indian case, the wider environment in which the AFSPA is implemented cannot be ignored if a full analysis of its 50 years of operation is to be offered. The implementation of surrender agreements in the ambiguous space of the Indo-Burmese borderlands exemplifies how the Indian Government has prioritised national cohesion above legal, political or economic consistency.

Keywords: Northeast India; Burma; politics; law; ceasefires

Conflict in the Indo-Burmese borderlands

Dear brothers and sisters of our country ...¹

For the past 50 years, Indian governments have given the Army and other security organisations special powers for operating in parts of the mountainous Indo-Burmese borderlands. Over this time, bands of anti-government rebels have crossed back and forth from illicit sanctuaries in Burma, frustrating official efforts to stop their activities. The opaque border politics of the region are complicated by the concerns of numerous Indian security agencies. One of their key tools for achieving India’s stated ambition of stopping national fragmentation is the Armed Forces (Special Powers) Act (1958) (AFSPA). Authorising ambiguities across the gamut of security functions, the law is designed to buttress Indian government attempts to pacify and integrate what are regarded as the Northeast’s most ‘disturbed’ areas.

This article assesses Indian Government efforts to manage the parts of the Indo-Burmese borderlands that are subject to the AFSPA.² The key comparison offered here is with the policies of counter-insurgency and ceasefire promulgation pursued

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by the military government of the Union of Myanmar.³ Its ceasefires with former rebels have been underpinned, in all cases, by a concerted effort to win them over with economic opportunities. A discussion of the AFSPA that takes a similarly broad view of strategies to weaken anti-government groups is required in the Indian case. Hunting out the ironies and inconsistencies is a key part of this article's goal. Economic incentives for ceasefire and disarmament are, I argue, part of a portfolio of pacification and reintegration strategies that are premised on the controlled ambiguities of the borderlands.

I begin this article with an overview of what is often called the Northeast India 'region'. That discussion is followed by brief analyses of the conflicts that define life in the Indo-Burmese borderlands, the approaches to security that have been taken, and the implementation of the controversial AFSPA. At this intermediate stage the article pivots to showcase an example of Indian Government counter-insurgency strategy. This contextual material leads into an argument about the role of governments in incentivising surrender on the Burmese and Indian sides of the frontier. These discussions are followed by an interrogation of the financial incentives that complement security policies in the borderlands. My goal, ultimately, is to open new conversations about the AFSPA by breaching the thin line between South and Southeast Asia. This somewhat immodest goal is motivated by a broader realisation that comparative reflections on these adjacent areas is not just good sense but also good scholarly practice.

Northeast India as a 'region'

We know you are hungry, sick, tired and are living like nomads in the inhospitable jungles ...

One of the first issues to clarify about the operation of the AFSPA in Northeast India is that it is deployed in a region that lies at an intersection of global cultural, political and economic significance. The Tibeto-Burman, Indo-Aryan, Tai-Kadai and Mon-Khmer cultural forms are well represented: they all vie for space and power. Grewal, reflecting on this diversity (1997, v), emphasised that '[t]he most glaring point ... which hurt me (when in the Northeast), was the lack of knowledge in main land India about [the Northeast]'. The region's political and geographical isolation only serves to reinforce its image. According to McDuie-Ra (2006), both the national security agenda of the central Indian authorities and the ethno-national security agendas espoused by local elites influence this general perception. For India, the Northeast is still largely considered a region apart in geographic, racial, cultural and political terms (Gupta 2008). Its internal diversity and complexity also challenges simple efforts to demarcate and explicate its character. The Assam valley, for instance, differs greatly from most of the upland areas, and most of those differ, just as wildly, from each other. Much of this complexity, particularly in the Indo-Burmese borderlands, has remained in a 'vacuum that has attracted little Western attention' (Ives 2006, 190).

In key ways the region has been imagined in opposition to the Indian 'mainland', 'mainstream', 'centre', and 'core'. Each of these phrases is regularly used in the Northeast to explain the differences that are perceived, on all sides, between the region and the rest of the country. Once these interpretations get hold, 'marginalisation [is] not just political, economic and cultural ... but even historiographical' (Nag 2002, 17). Such marginalisation is founded, first and foremost, in culture.

Christoph von Fürer-Haimendorf, perhaps the most distinguished anthropologist of the region, once noted that:

Northeast India is a part of the world where numerous radically different racial and ethnic groups dovetail and merge, distinct ideologies coexist, often within a narrow space, and a multitude of mutually incomprehensible languages are spoken. (von Fürer-Haimendorf 1982, 1)

This image of dovetailing, merging, coexisting and dealing with mutual incomprehensibilities is now a standard one for the Northeast. Anthropologists have, with this in mind, helped create a picture of Northeast India as verging on the ungovernable. In colonial times and since independence, governments have made liberal use of anthropological insights to defend India's claims to this frontier. Their insights often also serve to undermine the certainty of any subsequent control.

In a much earlier publication, von Fürer-Haimendorf (1955, xii) stated that this region that rubs against Burma and Tibet 'had always remained a political no man's land'. After India's independence, and particularly since the Sino-Indian war of 1962, efforts have been made to better integrate, pacify and develop the region. These government efforts are, in many respects, a reaction to persistent ambiguities about its status within the borders of the Indian nation-state. Baruah (2005, 40) argues that the 'region' is a result of the 'post-China war cosmetic federal regional order' but there is no sense in which 'it corresponds with people's spatial imagination'. In attempts to mould those imaginations, all Indian governments since the 1962 war have accepted greater responsibility for actively managing the Northeast. They are reacting, to be sure, against lingering perceptions that, as Moloney (1974, 419) pointed out in 1974, the mountainous parts of the region, and particularly Arunachal Pradesh, were 'no-man's land between Indian and Tibetan civilizations'. Balwally (2003, vii) despairs that '[t]he Northeastern region, at present, is the weakest link of the country'. Responding to these interpretations has meant a substantial investment of discursive and material resources. Embarrassed by the ease with which Chinese forces drove deep into Arunachal Pradesh, India has since fought for Northeastern hearts and minds.

In an effort to stamp out perceptions that Indian control remains incomplete and uncertain, diverse government agencies have now been implanted and fortified in strategic nodes across Northeast India.⁴ Towns, markets, transport hubs and checkpoints are marked by the almost incessant pulse of official and security-related activity, and the discourses that accompany them. The maintenance of these nodes has only been made possible by complementary migrations and bureaucratisation, and by a prevailing ideology that emphasises the cohesiveness of India as a whole. Importantly, a similar process is occurring across the border in the Kachin State where the Myanmar military government has sought to improve its capacity to control formerly rebellious areas with large garrison towns. On that side of the border, key symbols of the government mandate such as roads, government compounds and development projects are now in place.

Through the expansion of the Indian Government mandate, Northeast India is now deeply embedded in the same general systems of governmentality that prevail elsewhere in the country. In the Northeast, vibrant Indian-style party politics has played '... a crucial role in internalizing the concepts of political authority, political regime and political community in a complex, heterogeneous society' (Ali 2001, 49). In the borderlands of the Northeast, electoral politics remains a key forum for

grievances and for the ongoing negotiation of a regional identity that remains part of India. What I show in this article is that Indian authorities – for their part – hope to guarantee ongoing national cohesion through whatever means are at their disposal. The AFSPA is a key part of this process as it allows for exceptions that suspend some of India's more democratic norms.

Rebellions in the Northeast

We can help you to come out of this trap and rehabilitate you and join the mainstream . . .

The Indian Government nodes mentioned above are in regular conversation (and sometimes in conflict) with those groups in the Northeast who seek to create independent and autonomous political spaces. In this region, as elsewhere, some contend that '[i]nsurgency is as old as the history of man' (Gopalkrishnan and Thomas 2005, 2). Today, even after long efforts to subdue rebellious populations, there are still a large number of ongoing insurgencies. Outside actors, such as governments in neighbouring countries, are often blamed for fermenting these problems. As one example of a standard interpretation, Mukherjee writes that:

[t]he ULFA [United Liberation Front of Asom] organised itself with the help of the Nationalist Socialist Council of Nagalim (NSCN), the ISI [Pakistani intelligence] and Bangladeshi intelligence, creating a Robin Hood image by carrying out social work, and simultaneously organising itself into an insurgent group. (2005, 20)

And it is not just the Pakistanis and Bangladeshis that are blamed. According to Nepram (2002, 143), '[i]n the North East, China seems to have a grand design to carve out a client state from the tribal-inhabited border areas of India's North East and North Myanmar that is virtually no-man's land'. Some, like Joshi (1981, 141–142), have even gone as far as to assert that '[t]here are enough indications to suggest the possibility of international intrigue to convert Assam into an independent sovereign State like Bangladesh'.

Whatever the truth behind these claims of international intrigue, Northeast India still has hot insurgencies, rebellions, freedom struggles – however they may be named. As a consequence, the presence of security personnel is consistently more pronounced, in my experience, than in even the military dictatorship of Burma. In Northeast India the visual symbols of military authority and concern are far more prominent. The AFSPA fits this pattern. In a somewhat ironic contrast, the military government in Burma has sought to pull back from overt shows of military force; their troops often keep a relatively low profile. The exceptions to this pattern are far fewer than many outsiders are led to believe. It is only in the convoys that protect senior officials, at large public events, and particularly at ethnic festivals, that the Myanmar army shows some of its real power and concern. The Myanmar Government maintains such a major role in all aspects of life that it arguably no longer requires aggressive public posturing to enforce its claims.

In the Northeast of India, checkpoints dot the landscape; troops patrol markets, train stations and all major events. At the same time, and with serious consequences for local societies and economies, bombings, murders and ambushes continue. Grenades are rolled into crowds. Politicians, businesspeople and informers are targeted for assassination and kidnapping. In many parts of the Northeast, episodic violence is still the norm. Inter-communal pogroms, such as recent campaigns to

drive Biharis, or Bangladeshis or Chakmas out of certain areas, remain on some political agendas. Even in relatively peaceful Arunachal Pradesh, which has a long border with Burma, there are sporadic occasions where armed groups from Assam and Nagaland cross, to seek sanctuary, on the other side of the border. They are then hunted by the security forces, working under the auspices of the AFSPA, who seek to guarantee the territorial integrity of the Indo-Burmese borderlands. It is probably for this reason, among others, that Saikia (2004, 210) in her study of ethno-politics in Assam intimates how ‘... the [ULFA] member refused to discuss with me any arrangements that had been made between the ULFA and the Kachin and Shan insurgent groups’ across the border in Burma. Those arrangements are closely guarded secrets.

In a borderland of many other secrets, the number and diversity of militant outfits in Northeast India is striking. All are targeted by the AFSPA. Some of these rebel movements are no longer the potent forces of the past and have made tentative ceasefire arrangements. Some have fully surrendered. Some continue to build economic power through extortion. Others still, as far as can be discerned, have continued to recruit and expand their military operations. In Manipur and Assam, in particular, some are still engaged in fighting not only with the government but also with other armed groups. The area that is nowadays most often identified with this ongoing sub-national warfare is Manipur, which hugs a long border with western Burma. It has about 15 active armed groups and a further 25 inactive groups; although there is, like much else, still some confusion about the exact number.

Securing the borderlands

The Govt offers you the following in case any one of you is interested ...

From the government’s perspective, these rebellions create special challenges. Understanding official perspectives on these challenges is one way forward. The Governor of Mizoram, retired Indian Army Lieutenant General M.M. Lakhera, recently made the point that:

... law and order and insurgencies are national problems and they require national support to be fought. Let us all contribute our bit to fight these and make our country a peaceful and developed one for others to envy. (Lakhera 2007)

This statement is made in the context of a wide-ranging defence of the AFSPA where he challenges some ‘fallacies’ – that the law is used indiscriminately or that abuses go unpunished – that have grown around it. His defence is founded in a General’s appraisal of the Indian Army’s frustrating experience of counter-insurgency operations. Pinpointing some of those frustrations, Baruah (2005, 70) argues that ‘[t]he counter-insurgency apparatus and its modus operandi are geared fundamentally, and more or less exclusively, to containment’. That containment interacts with pervasive official ideas about the Northeast as a special part of the country. A different Lieutenant General, J.R. Mukherjee (2005, xiii), made the point that the Army has an ongoing role because ‘today [the Northeast is] an under-developed area, troubled with strife, insurgency and low-intensity conflict with our neighbours, where modernity is in conflict with tradition ... largely due to the indifference of the rest of the country’. The image of a battle between modernity and tradition enunciated here is part of the standard Indian approach to rebellious Northeastern

areas. It helps to clarify the government's role. The modernity of the Indian Army, the AFSPA and all the rest, stands in stark contrast to local poverty and anarchy.

When it comes to day-to-day operations, the indifference highlighted by Mukherjee explains why, in many places officially classified as 'disturbed', the most high-profile security presence is provided by the Central Reserve Police Force (sometimes I have seen signs billing it as 'the world's largest paramilitary force'). The Central Reserve Police Force was established by the Central Reserve Police Force Act (1949) and is currently organised into some 200 battalions. It is lightly armed, at least compared with the Army, and is designed to provide support to regular police in difficult situations, including in the 'disturbed areas' that are subject to the AFSPA.

Some see the security forces, of whatever type, as largely benevolent. For instance, an encyclopaedic handbook to the region describes their role in the Northeast in positive terms. According to this narrative:

... the Army is being increasingly used ... wherever and whenever all the other Government machinery fails, be it to contain insurgency, floods or riots ... In Assam too, the Army, apart from fighting the menace of militancy and insurgency, has been associated in equal measures with social uplift and alleviation of the sufferings of the common man. (Paul 2007, 199)

While there are large detachments of Indian Army troops (the signs sometimes proclaim 'Indian Army, People's Army') stationed in all strategic parts of the Northeast, it is not only their mere presence that has been important. There has also been a role for the recruitment of Northeast Indian youth into the Army. The Army even has special concessionary arrangements for their enlistment (Paul 2007, 200).

This matters greatly because in the Northeast, as much as anywhere in India, a government job is a token of social endorsement that carries great possibilities for cultivating a substantially higher standard of living. To be a public servant, particularly one in uniform, is to likely escape the clutches of persistent, deadening, poverty. Luce (2007, 63) makes the point that for the majority of villagers '[o]ne might say it is the difference between a rickety hut built with buffalo dung and a house that is furnished with the finest marble from Rajasthan'. Recruitment into a security force can often be a way to escape and to develop a better life. In the Northeast, the duality of identities that inspires enlistment in the armed forces means that many feel compelled to defend India. There is a simple, and unfair, assumption that in Northeast India anti-national politics is the only thing that motivates action. The AFSPA needs to be seen in this broader context of security *and* economics, of loyalty to narrower ethnic identity *and* to Indian national identity.

The AFSPA in the borderlands

... in laying down your arms and come out of your miserable lives ...

These initial reflections on 'security' in the region need, at this stage, to be brought into a full conversation with the AFSPA. The AFSPA was first implemented in 1958 in an effort to quell Naga demands for independence in their lands along the Indo-Burmese border. It is also the inheritor of a much longer history, stretching back to colonial times, of coercive and draconian law. More recently, however, the AFSPA

has been 'extended all over the North East, and many innocent people have become victims of the Act' (Chakma and Jensen 2001, 205). According to Shimray (2005, 256), this 'black law' has been 'extended to deal with other movements [beyond the Naga] in the region'. Some writers are philosophical about this. In a chapter on the AFSPA, Kannabiran (2004, 117) makes the case that '[p]olitical turbulence always leads to human rights violations, and unless we address the issues giving rise to the turbulence, we cannot bring about an atmosphere where human rights are respected'.

Others are less understanding. In the Northeast, the AFSPA is currently in force in Nagaland, Manipur, and Assam, in Tirap and Changlang districts of Arunachal Pradesh, and in specified areas of Tripura. In all of these areas the AFSPA is often blamed for brutality and injustice (see, for example, Roy 2004, 100; Baruah 1999, 167). Nonetheless, its operational flexibility provides the Indian Government with opportunities to press its national mandate right to the borders with Burma. The execution of that mandate dismays many human rights advocates who blame the AFSPA for all manner of outrages. Within India, the Naga have been especially vocal about its implementation. It is also a key discursive element of their efforts to 'internationalize the Naga issue' (Nag 2002, 304). In response, Human Rights Watch has been public in its opposition to the AFSPA. An August 2008 report by the New York-based non-government organisation spells out its many concerns about the implementation of the law. This publication, *Getting Away With Murder: 50 Years of the Armed Forces (Special Powers) Act*, was also printed in Manipuri. It has details on a small number of cases where people have been 'raped, tortured, 'disappeared,' and killed' (Human Rights Watch 2008, 5) behind the shield of impunity of the AFSPA.

This Human Rights Watch report follows the findings of a committee, headed by retired Justice B.P. Jeevan Reddy (2005, 74), which reviewed the AFSPA. The committee recommended that '[t]he Armed Forces (Special Powers) Act, 1958 should be repealed' (Reddy 2005, 74). Its conclusion was that '[t]he Act is too sketchy, too bald and quite inadequate in several particulars' (Reddy 2005, 74). To replace it, the Reddy Committee recommended that the Unlawful Activities (Prevention) Act (1967) (as amended in the year 2004) could be further transformed to cover the Northeast and its 'disturbances'. According to the Committee:

... a major consequence of the proposed course would be to erase the feeling of discrimination and alienation among the people of the North-eastern States that they have been subjected to, what they call, 'draconian' enactment made especially for them. The ULP [Unlawful Activities (Prevention)] Act applies to entire India including to the North-eastern States. The complaint of discrimination would then no longer be valid. (Reddy 2005, 77)

It is the perception of double-standards that have so often motivated opposition to the AFSPA and, more generally, to Indian Government security policies.

What is most intriguing is that in Northeast India the AFSPA operates in conjunction with a set of equally ambiguous financial incentives, and social and political exceptions, that are largely absent from discussions of the law's implementation. With this in mind, a process of re-imagining the AFSPA as part of a broader portfolio of Indian Government actions could begin with this 'message to our countrymen' that I found on a wall in a town in one of the 'disturbed' districts of Arunachal Pradesh. It is given such prominence in this article in an effort to

highlight the exceptional actions of the Indian Government in this region. The statement reads:

MESSAGE TO OUR COUNTRYMEN

Dear brothers and sisters of our country, you have been misguided by a few selfish elements are now trapped in the ULFA, a dead and a hated organisation, which is disliked by every peace loving citizen of ASSAM. We know you are hungry, sick, tired and are living like nomads in the inhospitable jungles.

We can help you to come out of this trap and rehabilitate you and join the mainstream just like many of your brothers and sisters who have chosen to lay down their arms and lead a normal life without any worry. We have provided them land, financial assistance and jobs so that every aspect of their lives are taken care of.

The Govt offers you the following in case any one of you is interested in laying down your arms and come out of your miserable lives –

- (1) Lump sum cash grant of Rs. 1.5 lakhs.
- (2) Monthly stipend of Rs. 2000/- for 3 years.
- (3) Withdrawal of all criminal cases of minor nature against the surrenderee.
- (4) Vocational training and rehabilitation by the government,
- (5) Cash for weapons
 - (i) AK 47/56/74/M16 Rifle – Rs. 15,000 each
 - (ii) UMG/GPMG/RPG/PIKA/ SNIPER – Rs. 25,000 each
 - (iii) Pistol/Revolver – Rs. 3000 each
 - (iv) Grenade – Rs. 500 each
 - (v) Remote control device – Rs. 3000 each
 - (vi) IED/Mines – Rs. 3000 each
 - (vii) Explosives – Rs. 1000 per kg
 - (viii) Radio sets HF/VHF – Rs. 5000 each

In case anyone amongst you is interested to surrender and lead a normal life once again, you are most welcome to contact us at the following telephone numbers. Your safety and security will be our prime concern. Do not worry on this aspect.

Please Contact

For the rest of you who want to continue with your useless and wretched life, we are coming for you. Your days are numbered, watch out. WE WILL GET YOU!

In the remaining portions of this article my goal is to put the allegations of human rights violations that accompany the AFSPA in the context of the ambiguous strategies, as encapsulated in this surrender message, that are pursued by the Indian Government in its Northeast borderlands. This discussion is augmented by comparative material from the ceasefires across the border in Burma. By viewing the AFSPA, and the implementation of Indian Government policy in its border areas, in concert with the Burmese case, I hope to illustrate how these different government systems have used economic levers in attempts to disrupt and contain armed opposition.

Understanding ceasefire economics in Burma

In areas of Burma adjacent to Northeast India, programmes to provide economic support for ceasefire agreements, particularly at an elite level, have been implemented by the government. These efforts to maximise incentives for surrender

allow a comparison of the Indian Government's and Myanmar Government's roles, and a reconsideration of the place of conventional military tactics in their shared borderlands. The tactics of decades-long counter-insurgency operations failed to solve the Myanmar Government's intractable problems in the ethnic areas of the north. However, in the late 1980s a change in the political environment, and the collapse of the Communist Party of Burma, meant a conciliatory approach to a range of internal conflicts became possible. At this time relations between Burma and China improved in ways that have since transformed the options available to the rebel armies in the north and northeast of Burma. Many probably had no choice but to agree ceasefires with the Myanmar Government. Not every anti-government army ended up signing a ceasefire; nonetheless, the only significant armed resistance that continues in 2009 is limited to areas along the border with Thailand. In those areas some Shan, Karen, Karenni and Burmese factions have continued their battles with the Myanmar military government.

What I am more concerned about here, and with special reference to the AFSPA and its contentiousness, are hypotheses about the economic foundations of conflict that help to illuminate situations of ceasefire and surrender. A growing number of economists and political scientists have sought to quantify the economic foundations of conflict (see, for instance, Collier and Hoeffler 1998; Fearon and Laitin 2003; Hirshleifer 2001). A subset of these studies has shown that economic self-interest has prolonged conflicts in many parts of the world (Billon 2001; Lujala et al. 2005; Ross 2004). In an interesting argument about conflict in Burma, Jake Sherman has shown that economic self-interest can also have *an opposite effect*.

According to Sherman (2003, 225), economic self-interest can motivate and sustain a ceasefire. He argues that 'the same logic that posits that the pursuit of economic self-interest leads to conflict also supports the obverse: economic self-interest can also move combatants to cease hostilities' (Sherman 2003, 225). At a basic level it is very clear from the wider 'post-conflict' development literature that 'livelihood security [is considered] crucial to achieving post-conflict development' (Kibreab 2003, 73). Sherman expands on this point and provides details of the methods economically self-interested elites use to prolong ceasefires.

In Sherman's view, ceasefires between a group like the Kachin Independence Army, the largest armed group in northern Burma, and the Myanmar Government have endured because elites on both sides have enjoyed economic benefits. According to him:

... the ceasefires have been accompanied by discrete side deals, ranging from the state's acquiescence to the illicit economic activities of ethnic armed groups, to state grants of timber and mineral concessions, to partnerships between state officials and insurgent leaders in lucrative business ventures. (Sherman 2003, 226)

These side deals, state grants and partnerships are a pivotal part of the ceasefire politics in northern Burma and have provided benefits for elites on both sides. Sherman argues that these are actually Myanmar Government efforts to 'co-opt former opponents' to help facilitate 'control ... of peripheral areas' (2003, 226).

This co-option is an important part of the story but it still misses an important element that is relevant to any comparative discussion of the AFSPA. Northern Burma is one of Sherman's 'peripheral areas' where the Myanmar Government has, I agree, manoeuvred to consolidate control. But this is only part of the story of elite self-interest. Based on my field research in this region I have found that many former

rebels – for all their conciliation and compromises – have not been merely ‘co-opted’. From afar it is too easy to dismiss their activities as contributing to the Myanmar Government’s control. Instead of echoing Sherman’s one-sided analysis, I would prefer to highlight the ongoing interplay from the Myanmar side *and* the Kachin side. Neither is fully ascendant nor fully subordinate, and so the negotiation of the ceasefire and its spoils continues well after any original deal, and its details, have been notionally agreed.

These are issues of uncertainty and negotiability that both critics and advocates of the AFSPA have not adequately covered in the Indian case. The AFSPA authorises impunity of a sort that is certainly part of the legal and political environment across the border in Burma. It is predicated on a set of controlled ambiguities that also make it possible to offer surrender deals. Paying former rebels to stop fighting is an inherently murky business. The case of northern Burma is illustrative. One-off payments are followed up by concessions, which are then augmented by other deals. The timber, mining, trade, transport and retail sectors in key parts of northern Burma are now managed, often in collaborative ways, by the military government and its ceasefire partners. As a result, under these ceasefires some individuals have become very wealthy by tapping the new economic opportunities (Farrelly 2007). This is in stark contrast to the very highly regulated economic development that persists in most parts of Northeast India. In areas of Burma where the former combatants of the Kachin Independence Army have influence, some individuals have done particularly well.

This is not to imply that there is no disappointment with the prevailing configuration of economic power in northern Burma. However, most discontent is, in some important ways, a reflection of the success of the Myanmar Government’s approach. In northern Burma many ordinary people want to see *more* wealth trickling down, they want better chances for their children, and a greater share of the spoils that, in some cases, have been effectively captured by dominant elite factions. The specifics of that elite capture are beyond the scope of this current article but should not be taken to imply a failure of the government policy. By distracting their most effective opponents with the spoils of economic success, the Myanmar Government has very effectively undermined their immediate political ambitions. At the same time former rebels have been able to cultivate, through their new-found prosperity, some distance from the government and its agendas.

The government’s advantage is that any new economy born in the wake of ceasefire deals is highly susceptible to damage if hostilities resume. This is as true in northern Burma as in Northeast India. Even the most outspoken malcontents are aware of the very severe impacts that any effort to resume fighting would produce. Those impacts would range across all aspects of society, but one major consequence would be economic. The ceasefire economy in northern Burma requires a consensus of commercial goodwill that only comes with a medium-term disavowal of renewed armed conflict. The inequitable distribution of the spoils may still rankle, but the government’s basic approach to opening up extra economic space has proven successful in discouraging renewed fighting.

Economics and the AFSPA

Over the same period, since the late 1980s, increased fighting in Northeast India has been harder to discourage. Alienation from India is one of the key factors that lurks

only slightly below the surface in many areas of the Northeast. Igniting old and new hatreds has not been difficult for those who seek to catalyse resistance among the disenfranchised and dissatisfied who see India as the root of their problems. Even in places that are relatively free of political violence, there are strong localist and communalist sentiments. It remains more common than the Indian Government would prefer for these sentiments to coalesce into violent episodes.

To understand this violence, the system of special permits that continues to control access to many parts of the Indo-Burmese borderlands should be considered. At the time of writing 'inner line' and 'restricted area' permits were still needed for Arunachal Pradesh, Mizoram and Nagaland. But this is not the full story. Political constituencies across the region – in Meghalaya, Manipur, Tripura and Assam – continue to campaign for the imposition of restrictions on access to their areas too. According to Balwally (2003, 280), this means '[t]he Central Government has been effectively pushed back'. Much opposition to migration and support for the 'inner line' system is steeped in the rhetoric of local economic protectionism (Zauing 2008, 2). The exceptions to Indian sovereignty cultivated by these 'inner line' mentalities have arguably made it easier for the government to implement exceptions that convenience its own activities.

The AFSPA is, as such, part of an exceptional package that also includes the defence of local rights, afforded to certain special categories of Indians, through the protection offered by the 'inner line'. Ethno-nationalist lobbies claim abuse by exceptional security provisions while also seeking to maintain the 'inner line' borders that protect local livelihoods from outside competition. Some even agitate for the expansion of the Sixth Schedule of the Constitution, which provides further special 'Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram'. At the same time, restricting access to parts of the Northeast is a key way that scrutiny of government action is limited. The 'inner line' system supports, somewhat ironically, the AFSPA and those who want to uphold it. Indians and foreigners alike are forced, before understanding the Northeast, to navigate the spatial structures that dictate exceptions to the Indian norm. The AFSPA falls, quite neatly, into this pattern of controlled ambiguities.

This is a pattern that has important economic consequences. Wealth in Northeast India is held by a very small minority of tea plantation owners, landlords, politicians, construction contractors, and traders. Tribal elites, often in conjunction with armed groups, also accumulate profits for themselves (McDuie-Ra 2007, 53). The significant development funds that flow through the region have also become a standard source of elite succour. Furthermore, there is 'a parallel and huge 'black' economy (in the form of extortion, smuggling and illegal taxes) run by terrorist organisations in collusion with the authorised administrative structure' (Mukherjee 2005, 100). They have mastered effective ways of amassing resources that can then be used for other initiatives. One possible avenue for expenditure is, clearly, further war. According to Mukherjee:

[t]here is ... a need to clamp down on industry and businessmen in the region as they have contributed to the insurgent exchequer through extortion and payment of protection money and failed to report the same ... This amounts to treason and needs to be very sternly dealt with. (2005, 102)

Road construction and maintenance contracts are also, under current conditions, very lucrative (Danggen 2008, 120). These are not, however, economic options

available to most people in the Northeast. The average trader, labourer or farmer bears the brunt of haphazard development and takes much of the burden of ongoing security precautions, whether related to the AFSPA or not. Security precautions and the policy options that they dictate provide a self-limiting framework for both the government and the economy. In these circumstances, one attraction of anti-government groups is, whether right or wrong, in the alternative future they aspire to represent.

So it is with some justification that official efforts to coax surrender from anti-government rebels take on an economic flavour at a non-elite level. These are encapsulated, in the harsh language of military confrontation, by the 'message to our countrymen'. Recent experience suggests that an Indian Government offer of a plot of land, a stable income, and a block cash grant can help neuter the appeal of rebellion. One report notes how '[e]ach [surrendering] militant was symbolically welcomed into the mainstream with a gamocha (a piece of cloth) and a rose' (Special Correspondent 2007). They also received handsome payments. In September 2008 the Chief Minister of Assam, Tarun Gogoi, presided over a ceremony marking the surrender of the entire force of the United Liberation Front of Barak Valley. He said:

[w]e want to give maximum attention to education, roads, health care facilities, employment opportunities in the state ... We want peace in Assam ... We want to solve the militancy problem through talks and not through guns ... I once again appeal to the ULFA to come forward for talks. (Agencies 2008)

His approach to insurgency is to undermine its economic foundations, not at the elite level, as in northern Burma, but among the ordinary cadre. He taps, as is standard practice (Talukdar 2008), into their economic grievances. The resulting deals can be fragile, and in some cases there are even claims of fake surrenders and other deceptions (Bhattacharjee 2008). Nonetheless the surrender deals are part of a broader security approach that takes economics seriously.⁵ According to a senior Special Branch police officer, 13,269 militants – over one-half of whom were from the ULFA – have surrendered in Assam since 1991 (Special Correspondent 2007). All the same, some dismiss these surrenders as 'dominated by a great deal of symbolism and little substance' (Sahni and Routray 2001). Paying for a stop to violence is a special course of action, reserved for exceptional circumstances. The AFSPA remains in force largely because it fits the pattern of exceptions that many Indians expect of the Northeast.

How much is that AK47 worth?

The experience of the Myanmar Government in crafting ceasefire agreements that provide economic incentives for the cessation of hostilities is a good example of how mutually-reinforcing pragmatic self-interests work in practice. In Northeast India the goal has been to offer a 'surrender-cum-rehabilitation package which provided sufficient incentives for those surrendering' (Shil 2005). In this article I have already highlighted the ironies when exceptions to standard patterns of governance – through the 'inner line' system, the AFSPA or even the concessionary requirements for military enlistment – undermine the government's nation-building work. Some of those ironies are embedded in the surrender mechanisms. In such a poor part of the

country it is only natural that commentators sometimes ask whether it is fair that surrendered anti-government forces are indulged with 'a life full of carrom and comfort' (Sen 1998). So how much are all the AK47s worth? From one critical perspective:

The direct costs of administering the surrender schemes are ... negligible in proportion to the real economic and social costs that have emerged as a result ... Officially, of course, the surrender scheme sought the 'rehabilitation' of the militants in the 'mainstream', and in legitimate professions and vocations of their own liking ... The surrender policy in Assam has brought criminals and delinquents to the very center of the powers of the state, and this is intolerable within the context of a constitutional democracy. (Sahni and Routray 2001)

In many cases, guns that are surrendered can end up back in rebel hands. In other cases, those who take payments may still find themselves at risk, as much from their former comrades as from the government itself. Rogue elements on all sides, acting with or without the explicit endorsement of their peers, find other ways to make war and peace profitable; even after the fighting is supposed to have stopped. The Indian Government, for its own part, will pay 15,000 Rupees (US\$305) for an AK47 or similar. Heavier weapons fetch 25,000 Rupees (US\$509). With a big lump-sum grant and a respectable monthly stipend, cashing in as a former rebel can be relatively lucrative.

But even with these economic incentives there is still the chance, according to Williams, that 'for some intrastate conflicts, ethnic and non-ethnic, there simply are no solutions that will guarantee societal reintegration and reconstruction' (2003, 280). Smith (2005, 60) clarifies that the political situation under Burma's ceasefires is not settled and that many ceasefire organisations, and the people they seek to represent, do not necessarily see any alignment between their interests and the interests of the government. It is possible that in northern Burma, as in Northeast India, a ceasefire may be a temporary and strategic pause in a longer conflict. Incentivising the re-building of opposition armies under benign conditions is not, of course, any government's goal.

Efforts to induce surrender are rarely straightforward. However, indications from across the border in Burma are that conflicts can, at the very least, be put on hold by the right package of incentives. One astute observer makes the point that '[t]he North East region ... is an anthropologist's dream and a statesman's nightmare' (Narahari 2002, 5). Its many small wars have been fuelled by the ambiguities and exceptions that 'statesmen', and generals, have instituted to facilitate their control. The impunities allegedly at the heart of the AFSPA are matched by the freedom of the Indian Government to funnel resources into paying off its enemies. In the Indian case the wider environment in which the AFSPA is implemented cannot be ignored if a full analysis of its 50 years of operation is to be offered. The implementation of surrender agreements in the ambiguous space of the Indo-Burmese borderlands exemplifies how the Indian Government has prioritised national cohesion above legal, political or economic consistency.

Notes

1. These unlabelled excerpts are taken from an Indian Government poster that is discussed in much more detail later in the article.

2. This article is based on field research carried out in northern Burma and Northeast India over the past three years. Developing a full picture of the political, economic and social implications of regional ceasefires has remained one of my key concerns during this time. My efforts to understand these borderlands are ongoing.
3. Throughout this article I maintain a distinction between the country of 'Burma' and the government of 'Myanmar'. Given the contested nature of the various claims on the territory of northern Burma, this seems a sensible use of the available vocabulary.
4. This is an argument I am currently expanding and exploring in a longer piece. A more detailed discussion of these issues will, I hope, be finalised shortly.
5. Other government efforts to spread income into remote areas, through schemes such as the National Rural Employment Guarantee Act, are also relevant to this type of incentivisation.

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