

Self-Governance and Democracy among the AO NAGA OF NAGALAND



The Ao Nagas are one of the major tribes inhabiting the present state of Nagaland in Northeast India. The Ao live in their ancestral land in the hilly mountainous region situated between the Brahmaputra plains of Assam and the ancestral lands of other Naga tribes in the northwest of Nagaland state.

The Ao have a strong traditional governance system guided by age-old customs that have been handed down from generation to generation. Known as *Putu Menden*, it is a 'generational governance' in which representatives of all clans govern the village for a period of 30 years, after which they hand over governance to another generation.

The Ao *Putu Menden*, once the supreme authority over its land, resources, people and polity has undergone many changes in their governance system since the British colonial rule. The situation has been exacerbated after the independence of India, with the introduction of new acts, laws and administrative systems which reduced the Ao *Putu Menden* governance to a subordinate agency of the state. This study describes the system of governance of the Ao *Putu Menden*, and delves on past and present changes and challenges and the struggle to maintain this unique form of traditional governance.

THIS VOLUME is part of a series published by AIPP for a course on 'Realizing Indigenous Peoples' Autonomy and Self-government'. The programme seeks to help Indigenous Peoples critically reflect on the state-of-affairs regarding self-determination and self-government among their own peoples; to help them comprehend the extent of damage or destruction of their customary self-governance systems; to take stock of what is left; and to explore options to regain, revitalize and reconstruct self-government among their communities and peoples.

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Lanusashi Longkümer

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Lanusashi Longkümer



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LANUSASHI LONGKÜMER

Series Editor


CHRISTIAN ERNI

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Message from
GAM A. SHIMRAY
Secretary-General
AIPP

This series on “Indigenous Peoples’ Self-Governance and Democracy” is inspired by the collective vision of AIPP to reclaim indigenous sovereignty.

Indigenous governance systems were perhaps the only form of democratic governance systems in Asia before colonization. These were different from the liberal form of democracy. They were, in fact, highly functional governance systems due to the complementary nature of the community – which were based on principles of equity, equality, reciprocity, and reconciliation.

Indigenous governance systems were a reality and were of the most rooted kind because they were organic in conception and practice. It represents systems that emerged from layers of our civilization, founded on the spirituality and values of the society, to give harmony to our social, economic, and political problems.

However, indigenous governance systems are waning because indigenous children are forced into schools where none of our languages, knowledge and values are taught. And we are all forced to live under governments where our own forms of leadership and decision-making are not recognized. We continue to experience prejudices and discrimination, forced occupation of our territories, dispossession, and disempowerment. In other words, the more the state grows, the more our societies shrink.

While this series was conceived as a resource material for the course on “Indigenous Peoples’ Self-Government and Democracy,” its main objective is to catalyze the uncovering and recovery process of indigenous values and governance systems. Hopefully, it will bring more clarity and meaning to them as we adapt to the changing

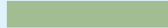
context to find meaningful ways of co-existence in the encapsulated state system.

I believe that as we build our capacity to re-build our communities and negotiate with the state and society for creating our genuine political space, the richness of indigenous governance systems will also offer new insights for addressing both the institutional and cultural disharmony of the democratically challenged Asian states.

Therefore, both the publication series and the course are part of the initiative of AIPP to reclaim the Right of Self-Determination of Indigenous Peoples, and for creating a genuine democratic and pluralistic society where our unique way of life and systems of governance are thriving.

Chiangmai, Thailand

November 2023



Message from

CHRISTIAN ERNI

Course Convenor

AIPP Indigenous Self-Governance
and Democracy Project

Part of AIPP’s current Strategic Plan is to bring the issue of the Right to Self-Determination back higher on its agenda, with the explicit goal to help revive Indigenous Peoples’ customary institutions and re-build their organic governance systems. In order to help pursue this goal, the project “Indigenous Peoples’ Self-governance and Democracy” was initiated in 2018.

A core element of this project is a course on “Realizing Indigenous Peoples’ Autonomy and Self-government,” which was developed jointly by a group of indigenous leaders and experts, supported by non-indigenous allies.

The course seeks to help indigenous civil society leaders, indigenous leaders and intellectuals to critically reflect on the state-of-affairs regarding self-determination and self-government among their own peoples; to help them comprehend the extent and depth of change, damage or destruction of their customary self-governance systems; to take stock of what is left, above all in terms of values that were guiding the way they used to govern themselves; and to explore options to regain, revitalize and reconstruct self-government among their communities and peoples.

The course has been conceived as a learning cycle of self-reflection, studying new ideas and critical discussions. The case study series on self-government among Indigenous Peoples hopes to provide course participants as well as other readers an additional source of information, inspiration and encouragement.

Ukhrul, Manipur

November 2023



AUTHOR PREFACE & Acknowledgements

Until the end of the 19th Century, when the British colonized part of their territory, the Nagas have been largely confined to their ancestral land and their contact with the outside world was minimal. Prior to the British administration, every Naga village maintained its independence. Traditional governance in Naga villages are variations of two basic types: one in the form of a democratic institution characterised by male clan representation, the other in the form of autocratic chieftainship. The governance system of the Ao Naga, which is described and discussed in this study, has democratic institutions represented in the traditional Putu Menden, in which all clans of the village are represented.

Since the British colonial administration in the Naga Hills the Nagas have experienced a wide range of colonial dominance. During British colonial rule, only a small portion of the Naga territory was actively administered, while a larger portion was treated as ‘un-administered territory’. However, over the 65 years of British colonial administration the Naga territory was not only divided and fragmented for administrative purposes but the people were also alienated from their land. Annexation of the foothill Naga areas were motivated for imperial tea cultivation and large tracts of Naga territory adjoining the plains of Assam were transferred to Assam where settlers and labourer communities were brought in from other parts of India.

Upon their departure, the colonial administration bifurcated the Naga territory and placed them under the newly created States of Burma and India with long term consequences on the geopolitics of the Naga region. Apart from the physical restructuring, the colonial administration altered the traditional governance for administrative convenience.

The Naga's demand for independence at the end of British colonial rule was ignored, and independent India's response to the Naga's aspiration for self-determination was heavy militarization and a further administrative division of the Naga territories. In addition to international bifurcation between India and Burma, post-independent India placed the Naga people and their territory into four different administrative units, namely Assam, Arunachal Pradesh, Manipur and Nagaland.

Colonial domination, militarization and the imposition of the state's administrative system have taken a heavy toll on the Naga's traditional governance systems. One of the most recent changes undermining customary self-governance of Naga villages in Nagaland state is the introduction of the Nagaland Village Council Act. Under this Act, the Putu Menden of the Ao, like all other customary governance systems in Naga villages, was reduced from the apex decision making authority in the village to an agency of the state in managing local affairs and a channel for local development as part of the state's decentralization process. The imposed administrative system follows electoral politics, which allows for interference from vested political agencies into the traditional village governance.

The Ao Naga traditional governance Putu Menden, once deeply rooted in the cultural philosophy and traditional practices of the Ao Nagas, characterised by absolute power over the village republic is hence fast losing its significance.

With increasing access to and importance of modern education, the integration into market economy and neo-liberal globalization, rapid social changes are taking place, further undermining the traditional communitarian values of the Naga people, that underpin traditional governance. Under the present situation, the survival of the traditional mode of governance will be determined by how the

Putu Menden is able to withstand the exogenous forces and reclaim and reassert its fundamental values handed down by their ancestors, and how they pass on those values and practices to the coming generations.

The research conducted as part of AIPP's project on "Indigenous Peoples' Self-governance and Democracy" has opened an opportunity to study the customary self-governance of the Ao Nagas from past and present perspectives and in what way different forces and situations have impacted on it. It also helps to critically look into the plausible continuity and retrieval of the once supreme governance system within the scope current Ao Naga self-governance.

This study report is the outcome of the project "Indigenous Peoples Self Governance and Democracy" of the Asia Indigenous Peoples Pact (AIPP) Foundation. The whole process was a journey of learning from the community leaders, elders, interacting with the members of the Putu Menden and fellow researchers. It would not have been possible without the help of numerous people, to whom I would like to extend my sincere appreciation.

First, I would like to express my gratitude to the Longkhum Village Council for allowing me to do the study of their village governance. I am much indebted to them for organizing several meetings with all council members and for facilitating interactions with elders and individual members who have contributed invaluable information for the study.

Several dozen individuals have helped me in various ways. My gratitude goes to all of them, but particularly to Takuyaba, Allem Longkümer, Dr Toshi Echa, Rev (Dr) Takatemjen, Pangerchujang, Sendonglemba, Lanu Imchen, Tsupong Longchar, Temsubenba and Imnatongzuk for providing information and insights, and in

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The course workshop on Indigenous Peoples' Self Governance and Democracy was an entirely different experience altogether. Interacting with experts and resource persons from the pilot course from Bangladesh, Malaysia, Nepal and Nagaland has helped me understand the insights of the traditional philosophy, worldview and customary self-governance practices in different parts of the region. I am thankful to Gam A Shimray, Charu Bikas Tripura of AIPP, resource persons Krishna B. Bhattachan, Colin Nicholas, Mathura Bikas Tripura, Jannie Lasimbang, Anne Lasimbang and my deep gratitude to Christian Erni, the coordinator of the project for his valuable comments, editing and critical review at various stages of the work. Many thanks to Colin Nicholas for the cover design and the whole layout of the book. I also extend my thanks to Toshimenla Jamir, Moamenla Amer and Nepuni Peku for reviewing, editing and for valuable suggestions. I remain indebted to all.

Lanusashi Longkümer
November 2023

ACRONYMS

ART	Article
AFSPA	Armed Forces Special Powers Act
DC	Deputy Commissioner
GB	Gaonbora
GoI	Government of India
MEA	Ministry of External Affairs
MHA	Ministry of Home Affairs
NLD	Nagaland
NH	Naga Hoho
NLA	Nagaland Legislative Assembly
NNC	Naga National Council
NPC	Naga People's Convention
NSCN	National Socialist Council of Nagaland
VCA	Village Council Act
VDB	Village Development Board
WW	World War

GLOSSARY

Note: The glossary contains mostly Ao Naga language and is indicated by (AN). Others like Assamese language is indicated by (A); Nagamese pidgin language (N); and other Naga language (ON)

Ang

Hereditary chief of the Konyak Nagas who traditionally ruled quite autocratically and still enjoys considerable power. (ON)

Arju

Refers to both the large building that served as a dormitory for boys and young males until they got married, and the institution through which quintessential knowledge, values, art of governance and practical skills were imparted to the *Arjusanger*. (A)

Arjusanger

Members of the *Arju*. (A)

Dobashi

Literally *do* means ‘two’ and *basha* means ‘language’

in Nagamese. British colonial administration appointed *Dobashis* to act as translators between them and the locals. (N)

Gaonbora

Literally means ‘village elder’ in Assamese language. During the British colonial rule, *Gaonboras* were appointed by the administration to work within the village as an agent of the colonial administration (A)

Morung

Morung is a Nagamese word for *Arju*, an institution where a male member of a family after the attainment of adolescence go and stay in the communal dormitory for boys for learning life centred skills learning and values. (A)

Naga Hoho

Naga Hoho is the apex organization of the different Naga tribes from across state boundaries. Each tribe is a member of the Naga Hoho. (ON)

Nagamese

Nagamese is a pidgin language drawn from Assamese, Bengali and Hindi developed as a market language between the Nagas and their neighboring Assamese people. It is today spoken as lingua-franca among the different tribes in Nagaland. (N)

Putu Menden

Putu Menden is the traditional village governing body of the Ao Naga, comprising representatives of all clans. *Putu* means ‘generation’, and

menden ‘seat’, hence it can be translated as ‘generation government’. The members of the *Putu Menden* are representatives of different clans who hold a seat in the traditional governance for a generation (considered 30 years). In the past, the *Putu Menden* was considered as the supreme authority of the village. Today, even though it is still considered as the traditional village governing body having a substantial degree of authority within the jurisdiction of the village, it cannot be considered the supreme body. (A)

Süngkong

Huge logs drum which, in the past, was found in every Ao Village. It used to have both spiritual and practical significance. Considered sacred,

it was believed to protect the village and invoked prosperity and blessing to the people. The log drum was used to send out messages on the event of enemy attack, natural calamity, outbreak of fire, festivals and celebrations, installations of new government etc. (A)

Tatar/Tatar Menden

Tatar is the head of the village administration, and *Tatar Menden* are the members of the village administration who hold the position of administrative decision makers in the *Putu Menden*.

Zünga

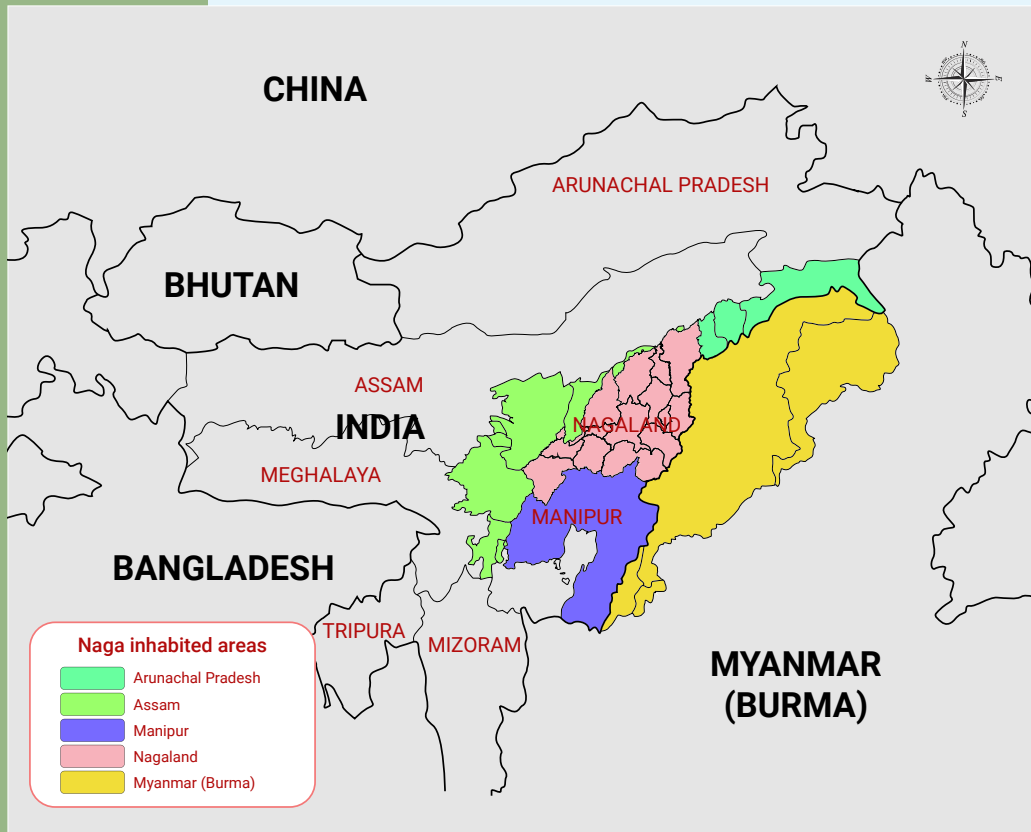
Age group or peer group of both males and females. For males it is also called *Sungpo*. A *Zünga* encompasses those born within the range of three years. Initiation into a *Zünga* happens at adolescence, at the age of 12 or 13 years. Except in the case of twins, no two brothers or sisters of different age can be in the same *Zünga*.

Introduction

Nagas are a distinct people belonging to the Tibeto-Burman speaking Mongoloid stock. The Nagas inhabit a vast contiguous tract of land of about 120,000 sq. kms. The region is bounded by the Hukawng valley in the north east, the plains of the Brahmaputra in the north-west, Cachar in the south-west and the Chindwin River in the east (Longkümer and Jamir 2012, p. 13). Except for the south-western part bordering Assam, the entire Naga region is hilly or mountainous terrain where the Arakan-Patkairange meets the lower eastern Himalayan range. Geo-politically, the Naga territory may be considered as a 'buffer region' between south and south-east Asia.

Under the present political arrangement carried out by the erstwhile British colonial rulers, about 40 percent of the Naga inhabited area falls under Myanmar (Burma) and the remaining 60 percent lies within India. Further division of the Naga people and their land into the state of Nagaland, parts of Arunachal Pradesh, Assam and Manipur was carried out after India gained independence (see Map 1 below). Today, not only are the Nagas divided across tribal lines but even members of the same tribe, clans and families have been scattered into different political units and states. For instance, members of the Konyaks, one of the largest tribes of the state of Nagaland, are today also found spread out in the states of Assam and Arunachal Pradesh within India as well as across the international border in Myanmar. Similarly, a significant number of the Rengma people are found not just in Nagaland but also in the Mikir Hills of Assam. Many Naga tribes such as the Konyak, Khiamniungam, Yimchungru, Tikhir, Makhuri and Tangkhul have villages on both sides of the international border between India and Myanmar. The estimated total Naga population is 3.5 million. However, due to the lack of State Census authentication from Myanmar ascertaining the accurate number of the latest population figure is difficult (Naga

¹ See also The Concerned Citizens Forum, Mokokchung 2005, p. 2.



Map 1. Areas inhabited by the Nagas in India and Burma/Myanmar (Source: Longkümer and Jamir, 2012)

Hoho 2002; Joshi 2009, pp. 39-40).

The state of Nagaland, which represents only a small portion of the Naga territory, is situated in the extreme north-eastern part of India with Kohima as its capital. It has a total geographical area of 16,579 sq.km. located between 25°6' and 27°4' N latitude and 93°20' and 95°5' E longitude. Nagaland is a hilly state, has sixteen districts and an official population of 1,980,602 (Census of India 2011). Nagaland is home to 14 major Naga tribes, namely, Angami, Ao, Chakesang, Chang, Khiamniungam, Konyak,

² In Manipur, the Nagas occupy extensive areas in five hill districts, with the exception of Churachandpur district where Nagas are a minority. The remaining districts of Ukhrul, Senapati, Tamenlong and ...

Lotha, Phom, Pochury, Rengma, Sangtam, Sumi, Yimchungru, Zeliang, and two non-Naga ethnic groups, the Kachari and Kuki. Each of the tribes has its own customs, culture and traditions, language and dress and systems of governance. Presently the state of Nagaland is experiencing an unabated influx of trans-border illegal migrants from Bangladesh, unsettling not only the demographic profile but the entire socio-economic and political dynamics of the state.

Naga society is strictly patriarchal, tracing descent from the father's clan. The family name is transferred through, and the inheritance of land and property also follows the male line of descent. Most of the Naga tribes are divided into clans and sub-clans, tracing their ancestry to a common ancestor. Concern for the continuation of lineage is so deeply rooted that for a Naga his prime allegiance is first to his family and clan, followed by the village and community or tribe.

Prior to the colonial administration, the Nagas had very little contact with the outside world. The village was the natural unit of organization and hence the village was the centre of administration. In fact, the worldview of the Nagas was limited to their village and immediate surroundings, which the men would saunter either for hunting or to keep vigil around the territory for the security of the village. The village assumed ultimate importance in all aspects – their habitat, identity, security, institutions and, most of all, their means of survival. The traditional lives of a Naga revolved around the village. Each village was well organized in all aspects.

Over the ages, each has evolved its own system to govern matters of internal as well as external affairs. Any encroachment on the jurisdiction of the village land or threat to the village or village citizens from any individual or other village was viewed seriously and dealt with accordingly. One unique feature of the Nagas was that, once a village is established, unless natural wrath or the anger of God befalls upon it, the Naga would fiercely defend the village at all cost. Therefore, the survival and prestige of a Naga village hinged largely on the quality of the village governance. Such is the case that over the time, each village

... Chandel are inhabited by more than 15 tribes, among them the Tangkhul, Mao, Poumai, Maram, Koireng, Tarao, Tangkhal, Chiru, Zeliangrong, Anal, Lamkang, Moyon, Maring, Monsang, and Chate. There are three Naga tribes in Arunachal Pradesh: Wancho, Tangsa and Nokte, spread out in the districts in Tirap and Changlang. The Rengma tribe inhabits Cachar and Mikir hills. In Myanmar, the major Naga tribes are Khamnungam, Konyak, Lainung, Pangmi, Somra Tangkhul, Yimchungru, Tikhir and Makhuri, besides a number of other smaller tribes.



Photo 1. An Angami Naga village overlooking its paddy fields. Naga villages have been autonomous and largely self-sufficient communities. [CE]

became a village republic, free from any interference irrespective of its size and status.

The Nagas were basically cultivators and warriors. Hunting was practiced as supplementary to agriculture, which they practiced on the foothills of the village, the slopes and valleys. Little is known about trade between different villages, tribes or with other communities in the plains. Their village lives had many self-restrictions, and also due to the practice of headhunting there was not much interaction among different villages and tribes. However, even during those days, the villages were able to establish good relationships and diplomatic links with friendly neighbours or other strategic partners. Such diplomacy was



Photo 2. Entire village folks of Longsa village harvesting paddy as free labour, called *Mera Nuja'*, at the invitation of a rich man, who is reciprocating by providing a sumptuous feast. [11]

instituted through annual affairs during festivals or a practice known among the Ao Nagas as *Aksü*, which a clan performed with the same clan of another village or even between villages as a sign of friendship. At times, a man of honour would invite friends and neighbours from other villages during a 'feast of merit'. Even a particular clan with the knowledge of the *Putu Menden* could invite guests from other villages during certain special occasions or festivals. In the same way, village to village diplomacy was maintained through individual or clan initiatives or through the *Putu Menden*, the traditional village governing body of the Ao Naga, which comprises representatives of all clan. Accordingly, even the small villages survived by maintaining good relationship with bigger and stronger villages from which they could get help

³ *Aksü* is a ritualistic relationship between two groups/clans/villages, who come together and feast as a sign of friendship or cordial relationship between them. During *Aksü*, slaughtering pigs and giving a portion of the ...

... pig, generally the legs, is a symbolic gesture of continued friendship. Such *Aksü* can continue for generations, passed on from father to son.

⁴ Feast of Merit used to play a very important role in the life of an Ao. Generally, the process of the feast of merit lasted for five days, accompanied by series of restrictions, taboos, rituals and slaughtering of animals like buffaloes, cattle or Mithun (*Bos frontalis*, a large, domesticated bovine species raised by indigenous peoples in Northeast India and adjacent areas, in Myanmar, China, Bangladesh and Bhutan). It culminated in a community feast. By doing this, a man or the family received social recognition of their hard work and capability. Once a person completed the feast of merit, the status of the family would rise into a different category in the society. Their house received added decor with wooden curving, similar signs woven into their dress and above all a lifetime honor in the society.



Photo 3. *Aksü* of Chungtur village and Chuchuyimpang village: Strengthening of age-old bond of friendship since 1832. [LL]

in times of threat from any adversary. Any pledge or alliance made between individuals, clans or villages was valued greatly and was honoured for all times.

Before the advent of the British colonial rule, each and every village was a sovereign independent entity. Traditionally, the governance systems vary from tribe to tribe. Two broad types can be identified: those having the institution of chieftainship and those without chieftainship. For example, the Aos and Angamis have democratic institutions without chiefs, although they both had different structures in governance which evolved

in accordance with their respective culture and practices. The Konyak, the Sumi, the Yimchungru and the Tangkhul have the system of chieftainship.

The succession of chieftainship is hereditary; the position being passed from father to eldest son. In case the eldest son is incapable another son will succeed. But if the chief happens to be without any male heir the succession passes on to the nearest male relative of the same lineage. Among the tribes practicing chieftainship system, the Konyak chief, called *Ang* is in a different echelon. He is considered 'supreme' and he exercised great authority over his village and subjects.

In the case of the Tangkhul, they have a 'chief-in council' system. The Thangkhul chief does not rule autocratically, but in consultation and with consent of the village council. In all respect it is very different from the Konyak. Among the Sumi, chieftainship is also hereditary and the also used to have autocratic power over the village. These systems of governance do not exhibit much commonality with the extreme democracy of the Angami village governance or the intricate constitution of the Ao Naga *Putu Menden*, which will be discussed in more detail in the subsequent chapters.

With the arrival of the British colonizers, Naga village governance was suddenly exposed to an external system of administration. It has undergone gradual transformation over the course of time in accordance with the colonial interests.

The term Naga is comparatively new. Different inferences were used by various scholars to explain the word Naga or to define the people⁵. The British administrators and European ethnographic writings have referred to the Nagas as ethnic groups, tribes, indigenous peoples⁶. Whatever term used to define the Nagas, one thing has been very clear: The Nagas are different in every aspect from the Burmese, Indians and the other tribes in India and Myanmar.

In their political as well as administrative spheres, the British were under compulsion to treat the Nagas differently as the Nagas were culturally and historically different from their neighbours. This consideration has always been reflected in their policy in dealing with the Nagas and the region.

Not only had the Naga region been designated as an 'Excluded Area' (Ganguli 1984, p. 17)⁷, towards the end of the British rule, in 1941, Sir Robert Reid, the then Governor of Assam recommended that a 'trust territory', comprising the Naga Hills area of Assam and Upper Burma inhabited by tribal people, form a 'Crown Colony', which was in attestation to the earlier proposal by Sir Coupland, popularly known as 'Coupland Plan', to carve out the

⁵ Many Indian writers have tried to relate the word Naga to the Sanskrit word for 'mountain', hence meaning 'mountain people'. Probably the earliest mention of the word Naga, as usually pointed out particularly by Naga intellectuals, is found in Claudius Ptolemy's Geography, written around AD 150 on the so-called land of the Nangaloth. (Oppitz et.al. 2008, p.12). The earliest record that mentions contact with the Nagas are the Buranji chronicles of the Ahom Kings in Assam, which go back to the 13th century (Joshi 2008, p. 38; Oppitz et.al. 2008, p. 15).

⁶ JP Mills (1973) called the Ao Nagas a 'tribe' and Verrier Elwin (1969, p. 83) also used the term 'tribe' to describe the Nagas; Kunz and Joshi (2008, p. 37) called the Nagas an 'ethnic group'.

⁷ In line with the British's indirect rule approach, traditional forms of governance were recognized and an administrative policy different from the rest of the country was implemented in tribal areas. "In 1874, the Schedule District Act was enacted, which, among others, kept large tracts of tribal peoples' areas outside the jurisdiction of the normal administration. In the provisions of the Government Act of India 1935 and the subsequent Government of India (Excluded and Partially Excluded Areas) Order 1936 they were classified under two categories: "excluded areas" areas, covering most of North East India, and "partially excluded areas" comprising the more

Naga territory for a separate trust colony for the British Empire (Yonuo 1974, pp. 139-141; Ramunny 1988, p. 34).

The general understanding among the Nagas for long has been that most of the Naga territory was never actively administered by the British. The area that came within the purview of the British administration was managed with a policy of minimum interference in the local traditional affairs, often referred to by some writers as ‘non-intervention’.⁸ Hence, the logical presumption was that not much dent was made on their socio-cultural and traditional way of lives.

However, colonial exercise has always been accompanied by legislation and regulations, and although the manner in which they have obligated their policy was subtle in nature, they had varied ramifications in the long term.

As far as the Naga territory is concerned, the British administration had realized the importance of village authority and handled it with great caution. Whatever new policies were promulgated it was always channelled through the village authority. Although initially the Naga villages have resisted and tried to defend their territory, once the British supremacy was established, there was no major problem between the colonizers and the natives.

The British administration was able to establish good relationship with the people and often rewarded those who were

accessible Central Indian tracts and some parts of North East India. The Governor in Council alone was authorized to legislate for these areas, and the tribal peoples were allowed to continue their traditional forms of self-governance. The Constitution of India incorporated the provisions created by the British, with a minor change in nomenclature for administration of the tribal areas in the Fifth and Sixth Schedules, corresponding to the partially excluded and excluded areas respectively. Additional areas were later also declared to be Scheduled Areas by the President of India. (Erni 2019, p. 36)

⁸ “Non-intervention policy often referred to as non-interference policy was declared by the colonial government towards the tribes in the South-East Frontier... large portions of the tribal area in the eastern sector were left out from the active administration. Local self-governance continued as before without being disrupted by the colonial administration and minimum communication between the tribe leaders and the colonial administration which was generally cordial.” (Barpujari, 1981, pp.140-163)



Photo 4. Part of Khonoma village, an Angami village known for its fierce resistance against the British [CE]

loyal to them with some positions and material benefits. Generally, the relationship was more or less cordial. It is also commonly found in the mainstream literature that Naga culture and tradition was patronized by the colonial government. Whatever agreements were made between the British colonial administration and the natives were honoured and respected.

By and large, the traditional village administration garnered high respect from the British administration and continued to function with a high degree of autonomy. Although the British apparently followed a policy aimed at minimum interference in the lives of the Nagas by giving freedom to exercise almost complete autonomy in their own cultural affairs, a closer analysis reveals

that it had in reality brought tremendous changes to various aspects of Naga life. On the positive side, the establishment of British administration in occupied Naga territory put an end to inter-tribal and inter-village feuds. This heralded the end of centuries-old practice of head hunting amongst the Naga tribesmen.

Introduction of the colonial system of administration

On the administration front, the colonial rulers introduced the tier system of administration in the Naga Hills with the creation of the Naga Hills district. The imposition of colonial structure of administration started in the year 1882 when the British began appointing *Gaonboras*⁹, who were mostly village headmen or village elders with considerable influence on the people.

Along with the assignment of the title, the *Gaonboras* were given specific duties, primary of which was to act as liaison between the village and the colonial administration. They were bestowed the duty to collect house tax for the to the government officers, for which they received a commission. They were also empowered to settle local disputes and were asked to notify the government in the event of any serious disturbances. Besides occasional commissions, they were also granted a red shawl to signal their allegiance to the British, and, in some instances, a gun. (Wouters 2014, p.66).

Over the years, the *Gaonboras* became so powerful that in many cases they started dictating the villages in a way attuned to the policy of the colonial administration. Even after the departure of the colonial administration from the Naga territory, *Gaonboras* continued to exercise their power with great authority in many villages.

However, in the case of Ao Naga villages, the status of *Gaonboras* is now reduced to a mere member in the village government without any administrative authority other than as a liaison between the district administration and the village, with the duty to disseminate important information to the public within the village jurisdiction. In other cases, like that of the Konyak and Sumi Nagas, the *Gaonboras* still hold an important position in the

⁹ *Gaonbora* literally means 'village elder'. Each village had a *Gaonbora* appointed by the British administration. Some smaller villages had only one *Gaonbora*, whereas, bigger villages had two to three *Gaonboras* depending upon the size of the populations.

village. In many cases, he is the village head and at the same time the *Gaonbora* of the village.

Another significant creation of the colonial administration with widespread and lasting impact was the creation of the position of *Dobashi*.¹⁰ Initially, they were created ostensibly to assist the colonial administrators in interpreting the local language to English, Nagamese or Assamese and vice versa. The *Dobashis* accompanied the British administrator in all the important tours and meetings within the region. They also had the additional advantage of having direct access to both the village governance as well as the British administration.

Many times, the British administration would take the help of *Dobashis* in dealing with customary laws and cultural affairs. Gradually, they assumed a position of not only interpreter for the British administrators, but also as interpreter of customary law for the people, as well as a judge, especially when it comes to the customary judiciary system.

The superimposition of the colonial administration on the traditional village governance through the agency of *Gaonboras* and *Dobashis* has created different levels of administrative systems which were hitherto unknown in the Naga traditional governance system. The two institutions have left a long-term ramification affecting the very foundation of the Naga social, cultural and democratic principles of the village polity. The *Morung*¹¹, which played the most important part in the lives of the Nagas, became a weak institution and eventually lost its significance. In lieu of it, modern education was introduced and Christianity was encouraged in letter and spirit.

A close study of the colonial sojourn in the Naga hills makes it evident that the British colonial administration had two major objectives: first, to take control of the Naga territory and make the region the colonial frontier or buffer,¹² and second,

¹² "The British extended their dominance over Assam officially in 1826 by making it a 'vassal state' and encroached part of the neighboring hills in similar manner, which marked the beginning of the Naga community entering into enclosure for protracted colonial buffer dominance." (Yhome, 2004, p.2)

¹⁰ *Dobashi* is derived from the pidgin language 'Nagamese', and of Assamese source (*dobasha/dobashi*). 'Do' means 'two' and 'basha' means 'language'. Therefore, *Dobashi* literally means 'two languages'. Hence, it refers to a person who speaks two languages. The post of *Dobashi* was created by the British administration because of the need to have translators between them and the local communities.

¹¹ *Morung* (called *Arju* among the Ao) is a place essentially used by the youth as an institution of learning of knowledge. It also served as a dormitory for boys and young males until they got married. It was a social prerequisite and mandatory for every boy member of the family to become a member of dormitory in order to qualify to become a member of *Putu Menden*.

to have complete control over the rich natural resources of the forested¹³ hills of the Naga territory.

As the British consolidated their power in India, they became aware of the magnificent forests of India and Myanmar. Consequently, the colonial administration began constructing an extensive network of railway lines to facilitate the export of raw materials (Deori 2003, p. 33). Tea cultivation was already beginning to take place by the 1860s¹⁴ and the Assam-Bengal railway was constructed by 1899.

All these developments impelled the rapid annexation and transfer of the Naga area into the administrative unit of Assam. Upon initial arrival the British had taken cognizance of the traditional boundary between the Ahoms and the Nagas.

However, when the British set a firm footing in Assam and particularly after the Assam-Bengal railways was constructed, for their own administrative convenience large areas of Naga territory were transferred to the adjoining districts of Assam in 1899, 1901, 1902/3, which continued till 1923. All these transfers were done without the knowledge, much less the consent of the Naga people.

Simultaneously, many large tea gardens were established within Naga territory. Following this were alteration and shifting of the Inner Line¹⁵ deep inside Naga Hills purposefully to exclude all the tea gardens from the Naga Hills (Deori 2003, p. 56). The British resorted to a strategy to punish any village that challenged the British advancement by burning and completely destroying its granaries (Elwin 1961, pp. 131-164).

¹³ "By 1844, the colonial administration led by the J N Masters conducted a detailed study of the first ranges of the Naga Hills, lying between Dikhu and the Dhansiri River." (Deori 2003, pp. 18-19). After the detailed survey was done, "In pursuance of their colonial interest Mr. Meikle John of the Imperial Forest Service was posted to Naga Hills in the year 1922 in the rank of the Deputy Conservator of Forest. ... Even before 1826 some British agents have already learnt that tea has been the favorite beverage of the Aos and other Naga hill tribes in whose vicinity the tea plants has grown almost wild. And by 1826, they have learned about the existence of wild tea plants in the lush wild between Nokpu-Naganijan area from Ahoms. By 1842 Major Robert Bruce had deputed Captain T. Brodie to meet the Ao Naga elders by the name Merangsoba for viabilities of tea commercial enterprise." (Rattan 1985, pp. 73-76)

¹⁴ "The slicing out of Naga territory for the establishment of tea plantation is collaborated in Sir Edward Gait's History of Assam and it is recorded that as early as 1860 the Assam company took up land for tea cultivation in the Naga hills, 20 years or more before any other company was started." (Longkümer and Jamir 2014, p. 38)

¹⁵ The British government introduced the 'Inner Line' in the year 1876 along the Naga-Assam boundary which imposed restrictions for entry into Naga territory without the administrative approval.

While the small villages were subdued without much difficulty, the powerful villages stiffly resisted the British advancement, resulting in conflict and often full-scale war with heavy casualties on both sides.¹⁶ The period between 1832 and 1880 witnessed a number of British expeditions to different parts of the Naga region followed by systematic annexation of the Naga territories and entering into a series of unwritten agreements between the British and the Naga villages.¹⁷

Eventually, the British first-ever administration centre was opened in the year 1866 at Samoogoting in the Angami Naga territory (Babu 1988, p. 37). The British annexation continued till 1927, when Malomi was annexed (Chaube 1970, p. 2). Nevertheless, the colonial government could not establish its complete authority over the entire Naga territory till their departure.

The British could establish their authority over several villages, especially those bordering the plains of Assam. By 1881, Kohima, Mokokchung and Wokha and the tribes within these areas were brought under British administration and declared as a district of British India under Assam province.

As per the policy of the British colonial government under the Government of India Act of 1919, the Naga Hills district were termed as 'Backward Tracts', later under the 1935 Act the Naga hills were declared 'Excluded Areas' (Reid 1997, p. 191), which were further divided into 'excluded' and 'partially excluded areas'.

The colonial administration adopted different strategies at different times and situations over the Naga territory. Accordingly, the Naga people and land have been constructed and re-constructed according to the perceptions of different individual British officials and in accordance with the larger colonial objectives.

¹⁶ Killing of Lieutenant Holcombe in February 1875, Captain Butler on December 1875 at Pangti village, death of British officer G.H.Damant and soldiers at Khonoma in the year 1879. (Ao, Alemchiba 1972, pp.78-91, see also Chandola 2012, pp.246-47, and Ao, Tajenyuba 1993,pp.54,76)

¹⁷ As much as seven major expeditions to Angami Naga regions in 1839 and 1840:Edd's Expeditions in 1844; Vincent's Expeditions 1849-1850; Carnagy and Captain Brydom's Expeditions 1877-88; Col. Nuttal and Major Expedition 1879-80 (Ao, Alemchiba1972, pp. 41-91)

Many scholars and writers are of the opinion that Naga as a nation is a recent construction. The notion of Naga as nation is unique in a sense because unlike many other nations which are formed by a single organic cell, Naga nation is a coalition of multiple cells which in the pre-historic time or prior to the advent of the British colonial rule existed within the space of the village republic.

Even among the Naga people themselves the notion of Naga nationhood as perceived today in the modern sense was not realized for long. Traditionally, Nagas are territorial and were confined more or less within their own village territory and the protection of the village territory was their prime concern. It was only when the British colonizers penetrated the Naga territory after pushing through their fierce resistance that the colonial administration was able to establish itself either through submission or agreement.

The political awakening with a sense of 'Naga national identity' began in the Naga Hills during the British administration. The involvement of the Nagas in the World Wars as labour corps and as soldiers have brought in a complete change in the worldview of the Naga tribesmen, moving out beyond the confine of their village boundaries and inter-tribe rivalry and forming a unified Naga solidarity platform against the external forces.

Men who returned from France after the war formed an association called the Naga Club with branches in Kohima and Mokokchung immediately after their return in 1918.¹⁸ Soon, the spirit of nationalism was sparked off with the formation of the Naga Club by the World War veterans. Further, the formation of

¹⁸ "Around 2000 men were recruited and formed in the Naga Hills under the command of Deputy Commissioner, Herbert Charles Barnes and this group was designated as the Naga Labour Corps. The Naga Labour Corps arrived in France in two main groups, 688 men on 21st June 1917 and 997 men on 2nd July 1917" (Shurhozelei, 2017, p. 26; see also Ao, W. Ch.2002, pp. 8-9).



Photo 5. Ao warrior in traditional dress [IJ]

the Naga National Council (NNC) in 1946 with representatives from different Naga tribes led to the crystallization of Naga national consciousness into a Naga political movement.

In 1929, Naga representatives had submitted a memorandum to the Simon Commission¹⁹, in which the Nagas have appealed to the then British administration “not to thrust their fate at the mercy of those who did not conquer them but to leave them alone

to determine their destiny”. Reiterating this stand, the Naga also out rightly rejected the proposal to be covered by the provisions of the Sixth Schedule of the Indian constitution²⁰. Thus, on 14th August 1947 they declared Naga independence (The Other Media 2001, p. 9), reclaiming the status they held as a free people before the British came. Even as the formal colonial rule came to an end, and new states were formed, the much hoped-for freedom eluded the Nagas.

Nagas in post-independent India

Looking back, at the past successive waves of colonial and post-colonial arrangements, the Naga territory was divided into ‘British occupied Naga country’ and the ‘free Naga territory’ that remained unadministered and thus de-facto independent even after India and Burmese independence.²¹

Today, the Nagas are divided into Burmese Naga and Indian Naga with their territory further subdivided between Kachin state and Sagaing division in Myanmar, while in India they are fragmented into four states – Assam, Arunachal Pradesh, Manipur and Nagaland. For the Nagas, the post-colonial arrangements have been more perplexing than the colonial. Not only were their ancestral land and people divided but their rights and privileges became uncertain.

The Naga people’s assertion of their right to self-determination by declaring their independence on 14th August 1947, a day before India’s independence, and a plebiscite on 16th May 1951 in which a vast majority of Nagas voted in favour of independence, did not concur with the stand of the nascent India and Burma who viewed the Naga territory just as part of their ‘frontier regions’.

A landmark in the history of militarization of the Naga territory in India was the Naga people’s boycott of the joint visit of Jawaharlal Nehru and U-Nu, the then Prime Ministers of India and Burma, to Kohima on 30th March 1953. In the aftermath of the boycott the government of India responded with a full-scale military campaign of coercion and violence designed to make the Naga people submit to the Indian Union.

¹⁹ Lord Simon was the head of the statutory Commission of India, generally known as ‘Simon Commission’, which visited Kohima in January 1929 to assess the situation in the Naga region. During its visit, the Naga leaders submitted a memorandum to the Simon Commission stating their desire to be left alone and independent, just as they were before the British administration, in the event of British government withdrawal from India (Iralu2003, pp. 496-98)

²⁰ Sixth Schedule is a constitutional provision created for the tribal areas of Assam, Meghalaya, Tripura and Mizoram. Special provisions are provided under the article 244(2) and article 275(1) of the Constitution, which recognize a certain degree of autonomy of tribal entities in the form of Autonomous Councils in tribal districts or regions within the affected states.

²¹ The government of India Act 1935 divided the Naga area into ...

... administered and un-administered areas. With the transfer of power in 1947, the unadministered area adjoining the Naga Hills were incorporated in the North East Frontier Division and designated first as 'Naga Tribal Area' and later as 'Tuensang Frontier Division'. Only in 1957 were the Naga Hill District and Tuensang Area brought under the administration of the Government of Assam, until then enjoying de-facto independence.

Curtailing all democratic norms, the government of India declared the Naga territory as a 'disturbed area'²² and eventually saw the introduction of the Armed Forces Special Powers Act 1958, sanctioning sweeping power to Indian armies to crush the Naga resistance with impunity.

In 1954, the Indian Air Force 29th Squadron began aerial bombardment in Naga areas (Longkümer 2014, p. 224), which targeted mostly villages and other settlements. This was followed by and unleashing of large-scale human rights violations in the entire Naga territory by burning of villages, jungles, granaries, schools and churches, mass detention in concentration camps (called 'grouping'),²³ massacres, systematic rape and torture.

Between the years 1956 and 1957, villages throughout Nagaland were subjected to a reign of terror. During the same time more than 645 villages were reduced to rubble, along with their granaries. By 1964, the number of security forces in Nagaland was increased to 200,000, against a civilian population of 369,200 (Longkümer 2014, pp. 224-225).

Between the 1960s and the 1990s, a more coordinated and low intensity warfare in the form of counter insurgency operations started in all Naga areas. As part of this program, a regular patrolling of national and state highways, including all strategic junctions, and sudden cordoning and checking of villages were common practices. To prevent roadside ambushes by the Naga insurgents, regular clearing of jungle of considerable size was made mandatory in all strategic places within the village

²² Section 3 of the Armed Forces Special Powers Act (AFSPA) 1958 stipulates that for the AFSPA to become operative, an area had to be first declared as 'a disturbed area. Therefore, in order to impose the AFSPA in Nagaland it was necessary to declare Nagaland as disturbed area, which took place only on the advice of the Governor. (Iralu2017, p. 73).

²³ Grouping was one of the most inhumane counter insurgency policy used by the state of India to crush the so-called insurgency movement in Nagaland. Under this policy several villages were brought together in a central village primarily to cut off civilian support to the Naga insurgent group. Innocent citizens of all age groups, including women and children were kept in the concentration camps for weeks and months altogether. Many women were raped; men folks tortured, village elders were targeted for questioning and tortured, while villages, granaries and paddy fields were burned to completely cripple the lives of villagers.

jurisdiction. Villagers were held accountable and severely punished for any ambushes or insurgent activities carried out within the village jurisdiction.

During the peak of the Naga resistant movement led by the Naga National Council (NNC) the intensification of militarization and security control became obvious all over Nagaland, and it was the villages which were caught in the crossfire between the Naga army and the Indian security forces. During such times the village governance was rendered helpless without any authority.

The state administration also called on the colonial-instituted *Gaonboras* and *Dobashis* to execute new assignments, which included gathering information about the activities of the Naga political movement and of those who were involved in it. Many of those who failed to collaborate with the administration and security forces were tortured, some eliminated, while others started working closely with the district administrations and the Indian security forces.

The creation of Nagaland state

Under such militarized circumstances the Nagaland state was created as part of the so-called 16 Point Agreement, signed in 1960 by the Government of India and the Naga Peoples Convention's (NPC). The new state was created through the 13th Constitutional Amendment Act of 1962, which is considered a unique outcome of the negotiations between the government of India and the NPC.²⁴

The creation of the state of Nagaland was 'realpolitik' because during the peak of the Naga political revolt the Government of India (GOI) was able to create cleavage among the Nagas by creating a purportedly moderate group who negotiated with the GOI for a state within the Indian union. It laid the basic framework not only for the newly created state of Nagaland but meant that for all the Nagas the Indian constitution was to be the basis of Indo-Naga relationship (Longkümer 2014, p. 48).

Further, it allowed India to divide not only the Naga polity but also the society by dividing the Naga people and their territory

²⁴ The Naga Peoples Convention (NPC) is often seen as 'the moderate Nagas'. Initially, there were some members of the Naga National Council who wanted to negotiate with the Indian state instead of a perpetual armed conflict. Gradually, they were joined by a few educated Nagas and mostly backed by the government service holders who saw the situation from a very different perspective and initiated a step towards an interim arrangement. The NPC presented a charter with 16 demands to the government of India, expressing their willingness to have a state within the Indian Union under the condition, that the new state be kept under an External Ministry, all forestland belonging to Nagas which were put under the administration of Assam were transferred back and that all Naga contiguous areas were integrated under one administrative unit, among others. However, only part of the Naga territory was included in the newly created state of Nagaland.

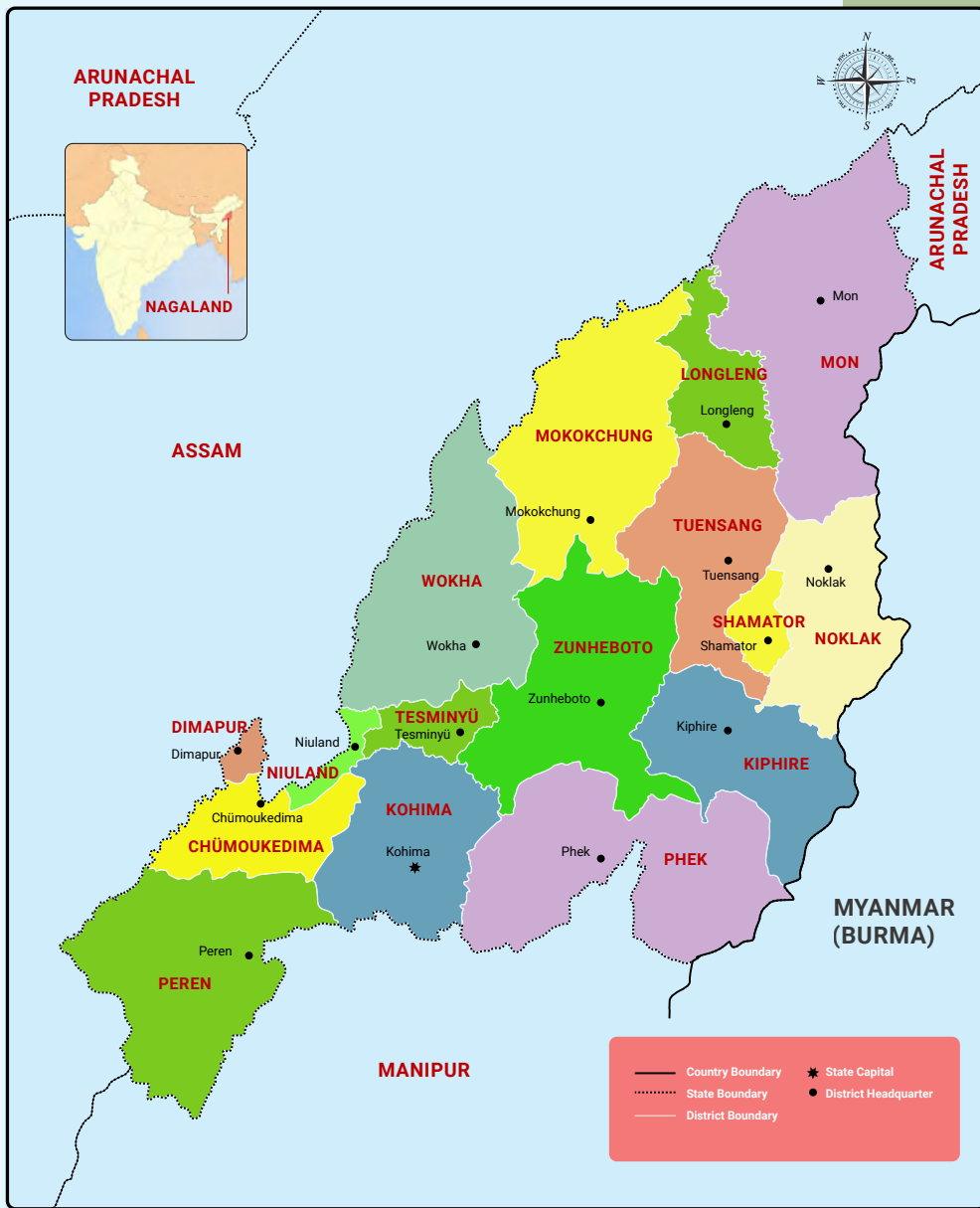


Photo 6. Landscape in the interior of Nagaland state: A highly diverse mosaic of shifting cultivation fields, fallow and forests. [CE]

²⁵ In Jawaharlal Nehru's (the then Prime Minister of India) personal letter to Beshnuram Methi, Chief Minister of Assam, he clearly states the 'divide and rule policy': "Under our constitution we split them up in different political areas. Where it is possible and desirable to bring them together again is for us to consider. Also, what measure of autonomy we should give them so that they can lead their own lives without any sensation of interference?" (Nehru personal letter no 1116-PMH/56, New Delhi, May 13, 1956, in: Naga Hoho 2002).

into the states of Assam, Arunachal Pradesh, Manipur and Nagaland.²⁵ The state of Nagaland, with an area of 16,000 sq.km and, at that time a population of barely 350,000 (1961 census), represented only a small part of the Naga territory and less than a quarter of the total population of the Nagas.

Nagaland is located at the convergence of the mountainous terrain of the northern extension of the Arakan Yoma of Myanmar and the eastern Himalayas (Longkümer and Jamir 2014, p. 1008). The area represents one of the twelve richest mega-biodiversity centres and one of the 18 recognized biodiversity hotspots of the world. Nagaland is bordered by Assam in the north and west, Myanmar and Arunachal Pradesh in the in the east, Manipur in the south, running more or less parallel to the left bank of the Brahmaputra plain.



Map 2. Districts of Nagaland State.

(Source: <https://www.burningcampuss.com/countries/india/Nagaland-district-map.html>)

Name of the District	Area in sq.km	Total Population	Name of Tribes	No. of Village
Chumoukedima	610	1,25400	Angami, & all tribes	54
Dimapur	70	379,769	Angami, Kachari, & all tribes	219
Kiphire	1130	102,866	Sangtam, Yimchungru, Tikhir & Sema	97
Kohima	1,207	372,504	Angami	105
Longleng	562	70,173	Phom	49
Mokokchung	1615	270,525	Ao	108
Mon	1786	347,862	Konyak	133
Niuland	NA	15676	Sema	32
Noklak	1152	59,300	Khiamniungam	09
Peren	1799	205,000	Zeliang & Kuki	114
Phek	2023	227,152	Chakhesang, Pochury & Sangtam	125
Shamator	193	16,789	Yimkhiungru & Tikhir	12
Tseminyu	256	67,734	Rengma	32
Tuensang	2536	259,507	Sangtam, Chang, Khiamniungam, Yimchungru & several sub-tribes	145
Wokha	1628	231,217	Lotha	153
Zunheboto	1255	195.653	Sema	191

Table 1. District-wise size of population, main tribes and number of villages. (Source: <https://www.indiagrowing.com/>; <https://n.m.wikipedia.org>)

* Since 2011 no census was conducted in India, hence, the data compiled is unofficial, from government sources and other sources on the internet. Niuland, which lies in the border area between Assam and Nagaland, does not have any data available for the total geographical area so far.

Nagas are the dominant group of the state of Nagaland. The state is divided into sixteen administrative districts. Each district is more or less characterized by a dominant concentration of one or more tribes which have distinct socio-cultural and linguistic features. Accordingly, Kohima district is the home of Angamis and Rengmas, Mokokchung district is the home of the Aos, Wokha district of the Lothas, Mon district of the Konyak, and so on. In the past, most of the ethnographic work was done on specific tribes²⁶, thereby establishing the tribal distinctiveness among

the Nagas. Somewhere along the way, creation and bifurcation of districts followed the pattern of tribal identity and a common linguistic basis.

The state of Nagaland was born in the hotbed of the Indo-Naga conflict through a Special Constitutional Provisions in the form of Article 371(A). This extra constitutional provision distinguishes Nagaland from the rest of the states in India. This provision guarantees ‘Special Status’ with constitutional and legal measures for protecting the Naga customary laws, their social and cultural lives, land and resources to a large extent. However, there are many colonial mechanisms attached to it. Clause 1(a) of the act reads:

- (1.) Notwithstanding anything in the constitution:
 - (a) no Act of Parliament in respect of
 - i. Religious or Social practice of the Nagas,
 - ii. Naga Customary law and procedure,
 - iii. Administrative of Civil and Criminal justice involving decision according to Naga customary law
 - iv. Ownership and transfer of land and its resources, shall apply to the State of Nagaland unless unless the Legislative Assembly of Nagaland by a resolution so decides.²⁷

Apparently, Article 371(A) guarantees a great degree of autonomy to the people of Nagaland, but a closer look belies this. The Governor is vested with considerable power over Nagaland’s affairs. Clause (b) which says, “the Governor of Nagaland shall have special responsibility with respect to law and order in the state of Nagaland for so long as in his opinion internal disturbances occurring in the Naga Hills-Tuensang Area immediately before the formation of that State continue therein or in any part thereof and in the discharge of his functions in relation thereto the Governor shall, after consulting the Council of Ministers, exercise his individual judgment as to the action to be taken”.

Thus, on one hand the GOI tried to placate the Nagas by ostensibly providing all that the Naga people wanted through acts, provisions, and promises for development. On the other

²⁶ See e.g., the ethnographies by Mills 1926 on the Ao, 1922 on the Lotha, and 1937 on the Rengma; Hutton 1921 on the Angami and 1921 on the Sema.

²⁷ See Bakshi 2009. The Act can be accessed at <https://necouncil.gov.in/sites/default/files/uploadfiles/371A.pdf>. For a discussion of the act see Burman 2001; Imkongmeren 2015: 61.

hand, Nagaland state remained perpetually under the martial laws such as the Disturbed Area Act and the Armed Forces Special Powers Act (AFSPA), laws which are devoid of any semblance of democratic norms. In addition, the conditions promised during the creation of Nagaland have been systematically removed by the Government of India (GOI) without giving benefit of choice to the state government and people.

For instance, at the time of its creation Nagaland state was placed under the Ministry of External Affairs (MEA), but in 1972 the affairs of Nagaland state were arbitrarily transferred from the MEA to the Ministry of Home Affairs (MHA) in an effort to project the Naga struggle for political rights as a law-and-order problem (Imkongmeren 2015, p. 62).

In June 2013, the MHA rejected the Nagaland Petroleum and Natural Gas Rules 2012 which had been framed and passed by the Nagaland Legislative Assembly (NLA), well within the provision of the Article 371(A). The government of India asserted that it is the central government's prerogative either to continue or withdraw this special provision.

With regards to mineral resources, in fact, there were a number of Central Acts in force regarding the development of mineral oil resources prior to the 53rd Amendment Act.²⁸ The Mines and Minerals Regulations and Development Act, 1957 imposes a general restriction on undertaking reconnaissance, prospecting and mining operations.

Thus, Central Acts have been in forces which restrict any authority other than Union Government to undertake development of oilfields and mineral oil resources within the whole of India (Imkongmeren 2015, p. 63).

The interpretation of the Article 371(A) in respect to ownership of land and its resources is therefore at stake. Such contradictory interpretations of the supposed special constitutional provisions meant for the state create qualms over all other agreements and provisions.

²⁸ Under the 53rd Amendment Act, 1986 Mizoram was upgraded from Union Territory to a state. Constitutional Provision Article 371(G) was accorded in respect of land, however, in the case of Mizoram 'resource' is not added when referring to the ownership and transfer of land.



Photo 7. Kohima, the capital of Nagaland state [CE]

Village governance in Nagaland

Governance is a multi-faceted concept. Simply speaking, governance is the process of decision and the process by which decisions are implemented (or not implemented) (Rao 2008, pp.10-11). Governance also implies the management of resources, and organization of individuals and groups into formal and informal bodies and institutions and businesses, through social, political, administrative and economic mechanisms (Tahir 1988). Of all the definitions of governance, the one made by the Commission on Global Governance is one of the most representative and definitive (Yu 2018). The Commission defined governance thus (Commission on Global Governance 1995, pp. 2-3):

Governance is the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceive to be in their interest.

The customary self-governance of the Nagas is based on the spirit of contract where the ruler and the ruled (the people) are bound to each other by reciprocal obligations. Here, the foundation of governance is mutual agreement which assures accountability of those governing to the citizens in return for the authority vested in them by the citizens (Sebastian 2015, p. 4). In this context, one can say that, in the understanding of the Naga people, the concept of governance encompasses not merely the effective management of economic and social resources but also takes into account the wellbeing of both the governed and the governing.

The term ‘village state’ is often used in Nagaland (Government of Nagaland 2004, p. 37). As discussed in the foregoing pages, Naga society presented variegated systems of governance, ranging from autocracy to democracy. The present study focuses on the latter form of governance, which is the most commonly practiced traditional governance in Nagaland and is also being recognized and adopted by the Nagaland Village and Area Council Act (Government of Nagaland 1979) for implementing its policy for the villages in Nagaland.

A traditional Naga village is a democratic republic with its own self-governing systems exercising absolute authority within the village territorial jurisdiction. After obtaining statehood, the government of Nagaland enacted the Nagaland Village and Area Council Act 1978 (revised in 1979) purportedly to legitimize the traditional self-governance of the Naga villages. According to the Act, every recognized village in Nagaland is required to have a Village Council with members chosen by villagers themselves in accordance with the prevailing customary practices and usage and as approved by the state government (*ibid.*, pp.61-63). Hereditary village chiefs, including the *Angs* of the Konyak, and the *Gaonboras* shall be ex-officio members of such councils and shall have voting rights.

The Act further says that the primary qualifications of the council member is that the person should be a citizen of India, and the duration to hold the council office is five years which is in tune with the Indian parliament system or State Legislative

Assembly (*ibid.*, p. 61). Each council shall have a chairman as a leader of the council, and a secretary who may be, or may not be a member of the council and whom the state government can remove for failure to perform his duties or when violating any provision of the Act.

An in-depth analysis of the whole contents of the aforementioned Act makes it clear that the parameter of the powers and functions are tilted mostly towards village development to formulate village development schemes like maintenance of road, water supply, electricity, sanitations, education and other welfare activities.

The main focus of the Village Council members is to supervise and help various governmental schemes and to get loans and grants and aid from different financial agencies and institutions in implementing developmental schemes in the village.

One important clause of the Act is regarding the need to constitute the Village Development Board (VDB) to execute all developmental works in the village. Out of the 22 clauses that lay out the powers and duties of the Village Councils, 15 clauses deal directly with village governance; clauses 1 to 12 specifically deal with developmental and financial related matter. Only clause 14 and 15 deal with “administration of justice in accordance with the customary law and usage as accepted by the canon of justice established in Nagaland and the law in this respect as enforced from time to time” (*ibid.*, pp. 61-63).

Furthermore, a clear direction is given under the sub-heading ‘village administration’, that a “Village shall be auxiliary to the administration and shall have full power to deal with internal administrations of the village” (*ibid.*). This is followed by an additional clause on control of the village. Clause 22 states that “the Deputy Commissioner/the additional Deputy Commissioner... Circle Officer shall have control over all the village councils within his jurisdiction” (*ibid.*). The Act purportedly gives much importance to maintaining cultural ethics, values and traditional practices but eventually placed the state administration in control of the village governance.

During the late 1960s, the 70s and 80s, when the Naga struggle

for independence was at its peak, the villages became the first target for the Indian security forces. There was frequent grouping, burning of villages, and village elders and leaders were the first to be questioned. Such routine search and questioning process was generally accompanied by inhuman torture with often brutal consequences for many of the civilians. Many were taken away by the security forces, never to be returned and those who did come back told of horrid experiences of maltreatment.

During this phase village governance was rendered powerless for decades. Many were weakened and could not be restored to their original status. Taking advantage of the prevailing situation, the state administration started to use the *Dobashis* for multi-pronged assignments much beyond their traditional role and practices.

The state and Indian intelligence services started to use the service of the *Dobashis* for extracting information about the Naga insurgents and their activities. Many *Dobashis* refused to collaborate with the district administrations and Indian state agencies, yet many were compelled to act as collaborators and performed as Indian intelligence agents to please the officials and administration. Unlike the *Gaonboras*, the *Dobashis* are appointed by the state. They also act as quasi jury in the customary court in subordination to the district administration in all traditional matter.

Putu Menden: The Ao Naga Village Governance

3

Despite the decades long military occupation and suppression of village self-governance, in many Ao villages, the traditional village governance has survived.

Like among all the Nagas, the socio-economic lives and polity of the Ao Naga is deeply rooted in the village. Each individual, family, clan and the entire social fabric of the Ao Naga has its foundations in the village. For the Ao people, loyalty of an individual, family and clan to his village comes before anything else. The village identity holds supremacy over even the tribal identity and this explains the importance and central role of the village authority, called *Putu Menden*, in the lives of the Ao Naga.

Literally, *Putu* means ‘generation’, and *Menden* means ‘seat’ or ‘government’. Therefore, *Putu Menden* means ‘generation government’. The institution of *Putu Menden* will be discussed in detail later in this chapter.

The Ao Naga who inhabits the present state of Nagaland predominantly settled in six geographical ranges of Mokokchung district.²⁹ The district lies between 93°53’ and 94°53’ E longitude and 25°56’ and 27°40’ latitude, covering a geographical area of 1,615 sq. km. It shares boundaries with the state of Assam in the north and west, Tuensang district in the east, and Zunheboto district in the south (Government of Nagaland 2012, p. 139).

Just like the term ‘Naga’, the origin of the name ‘Ao’ is not too clear. Ostensibly, the Aos were given the name by others with whom they migrated along. Literally, *Ao-er* means ‘those who went’. This narrative is found among the Aos and also among those tribes bordering the Ao territory. According to an archeological study (Jamir et.al. 2014, p. 2), the area of Chungliyimti has been settled since the beginning of the Neolithic. These early settlers

²⁹ The Ao country is an unbroken range, sloping gently down to moderate streams. The Ao themselves divided their country into ranges, assigning each village to the range on or near which it is located (Mills 1973, p. 4). Accordingly, six ranges can be found namely, Ongpangkong, Asetkong, Langpangkong, Japokong, Jangpetkong and Tzürangkong, which correspond more or less to physiographic ranges.



Photo 8. Discussions and deliberations of the Mokokchung Village *Putu Menden* in the *Samen's* House. [LL]

depended on agriculture for livelihood and extensively practiced shifting cultivation.

Every Ao village has been economically self-sufficient, as much as they were self-contained in their limited village space. No village accepts other authority or dictates when it comes to their internal affairs (Ganguli 1984). In traditional Ao Naga society, a man's social status depended largely on his merits as a member of the community.

Every Ao village is well organized with clearly demarcated boundaries with its neighbouring villages within which each village exercises its supreme authority. Any encroachment, threat or violation of territorial rights is always taken seriously and dealt with accordingly. In the past, the villages were well fortified and protected by strong bamboo fences with spikes surrounding the village, having only gates at both ends. Mills (1973, p. 72)

vividly described that the Ao Naga village was, in the old days, closed with great wooden door hewn out of a single piece of wood and often roughly ornamented with carved circles. The village had abundant land and forest which is still the case even in the contemporary times. The present status of forest cover in Mokokchung district is 1425 sq.km, accounting for 88.2% of the total area of the district (Government of Nagaland 2018, p. 15).

In the pre-historic period, the Ao Naga allegedly migrated from the east. However, due to lack of any documentation many details cannot be salvaged and established. Therefore, whatever knowledge of the past is available is through oral tradition of folk tales, songs, poems, legends, sayings, proverbs, prayers and incantations (Longkümer, Allem n.d.), customs and traditions that have been handed down from generations to generations.

During the process of their migration the Ao, along with other Naga tribes like the Sangtam, Changs, Yimchungru and Phom, settled at Chungliyimti³⁰ for a considerable period even to the extent of claiming autochthonous origin from nearby 'Longtroh'.³¹

According to Ao Naga oral history, in Chungliyimti the ancestors of the Ao Naga first established a village and constructed the first *Arju*. An *Arju* generally was a large house used as a dormitory by the male members of the village from adulthood till one is married. It also served as formal learning and training institution for the members of the *Arju* where they were taught by seniors and elders the social, spiritual, cultural and traditional knowledge systems as well as daily skills ranging from economic activities to war tactics.

After constructing the first *Arju* they named it *Senden Reju*. *Senden* means coming together and *Reju* means 'bachelor', hence its meaning is 'coming together in the bachelor's dormitory'.

Along with these developments evolved the village government called *Putu Menden* or *Samen Menchen*.³² It is

³² When referring to Ao village governance two terms are generally used, the term *Putu Menden* (by the Chungli) and *Samen Menchen* (by the Mongsen) (Ao, Tajenyuba 1980, p.81).

³⁰ Chungliyimti, presently in Tuensang district, borders Mokokchung district. It is a place where the Ao believe that their first village was established with an institution called *Jungliyimti Salang*. *Jungliyimti* is the name of the village, and *Salang* means 'platform' to govern the village.

³¹ Jamir and Ao (2005: 26) write: "the Ao tradition believe that their ancestors emerged out of the earth at Longterok (six-stones) so also as the Phom tribes who also migrated along the Aos from the same route. However, this opinion is held by only one but dominant linguistic group among the Aos i.e. the Chungli group which was able to influence the opinion of the Aos for a long time. The rest strongly believe that they migrated from the East Asia. Presently, one can only say the symbolic meaning of Longterok is the attainment of social structure of the Aos as a community."

generally believed by all Aos that it was in Chungliyimti that the people attained social and cultural enlightenment and organized themselves as a community of people bound together by a sense of belonging and of civic responsibilities, which ultimately precipitated the establishment of *Putu Menden*. The *Putu Menden* is the supreme authority of the village.

The Ao, like the other Naga brethren, are a Tibeto-Burman speaking Mongoloid people. Traditionally, the Ao belong to four language groups, namely the Chungli, Mongsen, Sangpur and Changki, which represent in all probability the different waves of migration of people who settled at Chungliyimti at one point of time.

Though their language falls in the same linguistic family (Tibeto-Burman) they speak different dialects. The Changki group speaks Changki language which is very different and unintelligible to the rest of the Ao. The Changki group maintains its purity and is found confined only to Changki Village, whereas the other two groups i.e., the Chungli and Mongsen, speak different dialects, which, however, are mutually intelligible and are found in almost all the villages within the district. Over a period of time, the Sangpur group got assimilated into the dominant Chungli group and its distinct identity had gone into oblivion.

Generally, Ao villages are divided into two or more sectors, called *Mepu*: The Upper sector (*Impang Mepu*) and lower sector (*Imlang Mepu*). In case of big villages there is even a middle sector (*Yim Tiyong*). These sectors are mostly defined on the basis of occupation by different dominant linguistic groups, i.e., Chungli and Mongsen.

Each colony used to have its own *Arju* (bachelor dormitory), but sometime a sector could have more than one depending upon the size of its population. There were instances of a clan maintaining their own *Arju*, like, for instance, the *Pongen Riju*. Generally, different linguistic groups used to have different *Arju*, but when there is only one linguistic group in the village various clans can decide to have a common *Arju* as a unit, like the first *Arju* of the Ao, the *Senden Reju*. Aside from the presence of

³³ A clan is a group of families related through kinship who identify themselves as being descendants of a common ancestor. A *phratry* is a group of clans with a common ancestor.



Photo 9. *Tazünpur* (a senior clan elders) who are the senior members of the *Putu Menden*. He is holding a spear as a symbol of authority. [S]

different language groups, the division into clans and phratries³³ is another general characteristic of the social structure of the Ao Naga.

Since Chungli and Mongsen are the two dominant groups among the Ao tribe, comparison is often made between the two. The Chongli group's place of origin is believed to be Longtrok at Chungliyimti, whereas the Mongsen group believes it came from beyond Chungliyimti, further to the East. There are some variations between the two groups in traditional dresses and village governing system.

However, it was the Chungli system of village governance of *Putu Menden* that has been able to draw the attention of the British colonial administrators and is also most widely referred to by the researchers, historians, colonial and post-colonial

administrators. Hence, the present study focuses on the Ao *Putu Menden* system which is traditionally practiced by the Chungli and which now generally represents the Ao village governance systems at all levels, and which is recognized by the state and central government as a traditional model of Ao Naga governance.

However, this does not mean that the Mongsen governance system, i.e., the *Putu Menchen*, no longer exists. Just like the Chungli *Putu Menden* the Mongsen *Putu Menchen* also functions under the Village Council Act of Nagaland.

The Arju and age groups

As mentioned earlier, *Arju*³⁴ was the traditional institution of the communal dormitory for boys. The *Arju* was a self-governing autonomous institution of life-centred learning and moral education, exposing the boys and young men to customary practices, traditional knowledge and governance.

Overall systematic learning from warfare to governance and from social sciences to moral and spiritual learning was imparted to all age groups in the *Arju*. Mills (1973, p. 73) described the bachelor's hall, as “both a guard house and club house, which plays a most important part in the social life of the village”.

Similar to *Arju*, which is meant for the boys and young members, there used to be the *Tzüki* for girls and young women belonging to the same clan. With the attainment of certain age, girls would leave their parents' house the same way as the boys, to join the *Tzüki* and learn the purpose of life (Jamir, Amba 2017, p. 5). It was usually the house of a widow who would also act as matron for the girls. In *Tzüki*, the girls learn all aspects of social, cultural and spiritual lives and practical training in handicrafts like weaving.

Today, *Arju* in the form of a dormitory no longer exists in Ao villages. *Arju* was abandoned when western education and Christianity were introduced. However, the significance of the *Arju* still exists as the institution of the age group or peer group, called *Zünga/Züngar* or *Sungpo*, whose members are both boys and girls, still continues in Ao villages.

³⁴ *Arju* or *Ariju* means 'to fight with the enemy' (Jamir, N. Talitemjen 1997, p.40). It is the Ao Naga term for the bachelor dormitory cum learning institution, but in colonial writings *Morung* is the widely used term for the Naga bachelor dormitory.

From the moment of birth, an Ao child is viewed as not only a member of the family but a member of his or her clan, and the village society. As the boy attains puberty, by the age of twelve to fourteen, an age group is formed which, in the past, used to enter the *Arju* as its junior-most member. This was repeated every three years as a new batch of boys born in the village forms a new age group and enters the *Arju*, while the former ranks got upgraded to the next higher level.

The members of *Arju* were collectively known as *Arjusanger*. Likewise, the adolescent girls belonging to the same clan used to enter the clan's *Tzüki*. By becoming a member of the *Arju* and *Tzüki* he or she became a member of a *Zünga* or *Züngar*.

The youngest age group in an *Arju* was known as *Sungpor*. It is mandatory for every male member of a family to be a member of *Arju*. Unless a person becomes *Sungpor* in an *Arju* he could not be member of any peer group nor could he take any important role in the social and political life of the village.

In the first stage after joining the *Arju*, the *Sungpor* assumed responsibilities such as fetching water, collecting firewood for the *Arju*, doing errands for the seniors, passing important information within the village, and most of all doing all the basic chores during festivals like *Moatsü* and *Tsungremmong*³⁵ under the guidance of the elder members of the *Arju*.

As a new batch of boys entered the *Arju* and assume the status and role of *Sungpor*, the incumbent *Sungpor* were automatically upgraded to the next tier known as *Sungumen*. Every third year they were promoted to the next level, hence every member of the *Arju* eventually passed from *Sungpor* through the levels of *Sungumen* and *Tenapang*, followed by *Achuin* or *Chozen*.

When one was still in the stage of *Tenapang*, an active member of the *Arju* a young male was allowed to construct his future house, where he would settle down with a family and ultimately leave the *Arju*. However, till a son is born to him, he continued to be a member of *Arju* and follow the system from outside the *Arju*. When a son was born, he attained the last stage, i.e., *Achuin/Chozen*. However, as a married person he was exempted from

³⁵ *Moatsü* and *Tsungremmong* are the two most important festivals of the Aos. *Moatsü* means 'blessed'. Having ensured blessings from God, people begun to observe and celebrate *Moatsü* by offering animal sacrifices and invoking prayers to God for blessings. This festival is celebrated in the post-harvest season. *Tsungremmong* is celebrated before the harvest of paddy to invoke God's blessings for good harvest. During *Tsungremmong*, rich people would slaughter pigs, cows, buffaloes or Mithun and give a community feast and distribute small portions of meat to celebrate. Both festivals used to have deep spiritual elements.

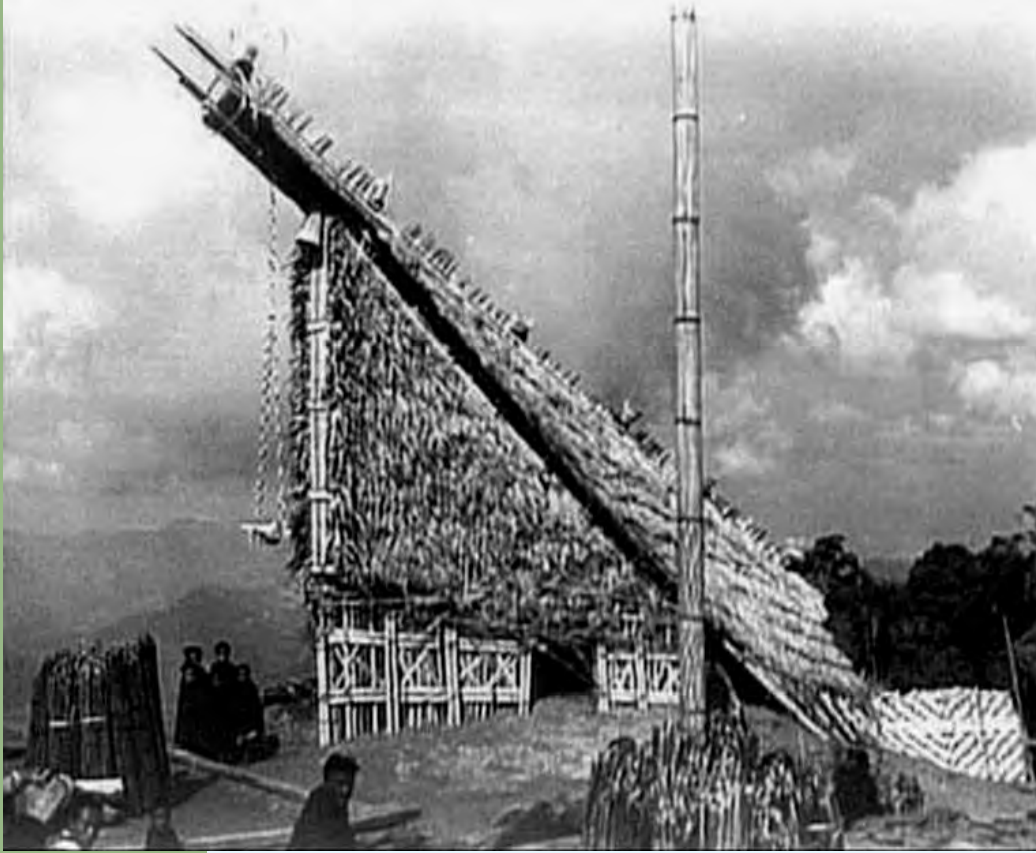


Photo 10. *Arju* at Longkhum village in 1947. [PA]

many regular activities and duties but was obliged to take part in all important meetings and the upkeep of the *Arju*.

In case a member attained the last stage of *Arjusanger* but remained a bachelor, he could still continue as *Arjusanger* but without any authority. The entitlement of *Achuin/Chozen* with all the powers was limited to a period of three years till another group was upgraded to that level.

One ceased all status and power enjoyed at a certain level once the subordinate group was upgraded to the same level. Therefore,

even if a person continued as *Arjusanger* he was considered only as a mere senior member of the *Arjusanger*. Such a person could continue as *Arjusanger* for several years but as he got older and inactive, he ultimately retired from *Arjusanger* and lives as any other citizens of the village. When a man formally completed all the age group stages, he was obliged to donate a live pig to his fellow *Arjusanger*, which was called *Pereso*, meaning ‘worth lived’ (Ao, T. 1980: 25). Even as he left the *Arju*, as alumni, he continued to contribute his service to his *Arju* in times of need such as repairing the *Arju* or contributing knowledge, life skills and services during festivals etc. In return, he commanded respect from all the *Arjusanger*. Among the Ao it was a social prerequisite for a male member of the family to be part of the *Arju*.

As mentioned, even though the *Arju* no longer exists, the institution of age groups with their specific roles and responsibilities are still maintained today. With the abandoning of the *Arju*, the term *Arjusanger* is not used anymore. However, as before, boys who have been newly initiated to their age group (*Sungpo* or *Zünga*) are called *Sungpor*. But they are not going through the ranked age-group stages anymore, i.e., from *Sungpor* (members of the youngest age group in an *Arju*) until *Achuin/Chozen* (the members of the most senior-age group), as was done in the past in the *Arju*.

Instead, a new system has been introduced with numbered stages called *Achuen* (literally meaning ‘sliding through’). After the completion of three years as *Sungpor*, they become *Mezungpuba Achuen* (first *Achuen*), after another three years *Tanapuba Achuen*, then *Tasembuba Achuen*, *Pezububa Achuen*, *Pungububa Achuen* (second, third, fourth, fifth *Achuen*), etc. This continues until a *Sungpor* gets married or becomes old or unhealthy, when he ceases being a *Sungpor* through a process called *Sungpodok* (detachment from *Sungpo*). On this occasion the person gives a pig or cash as a donation to his fellow *Sungpor*.

Today, many young people leave the village for studies or employment. However, they still remain members of their *Sungpo* and when they are away; they have to pay a small amount



Photo 11. *Sungpor* ready to take on their responsibilities in society. [S]

of money to their age group in the village in lieu of the service they are supposed to contribute as a member of the group.

When a member of an age group gets married, he joins the *Lanu Zünga* (literally ‘young peer group’, but meaning ‘young energetic families’). There is no age limit for becoming a member of *Lanu Zünga*.

In the present time, *Lanu Zünga* assume a very important role in the village. Their members execute all decisions given by the *Putu Menden*, oversee and manages all the important functions and festivals and, most importantly, takes care of the welfare of the village. A person gets all practical training to become a member of *Putu Menden* in *Lanu Zünga*.

Like any other organization in the village, it is also under authority the *Putu Menden*, but functions like an opposition party in a government in the sense that it is a mechanism for maintaining some check and balance with regards to the power of



Photo 12. *Zungar* from respective *Arju* for boys and *Tzüki* for girls dancing during *Moatsü* festival [S]

the *Putu Menden*. Members of the *Lanu Zünga* are also in the line for replacement of any vacancies in the existing *Putu Menden*, and ultimately, they are next in line to take over the *Putu Menden* according to the cyclical generational governance.

The *Putu Menden*

In all sense, the Ao village is one complete unit. The village government comprises representatives of all clans within the village. The innate laws, customs and beliefs, though unwritten, bind them together. Above all, the village governance institution of the *Putu Menden* gives a complete shape to a village with its own identity, security and prestige.

After establishment of the village, it is the fundamental duty of the citizens to set up their own *Putu Menden*. Its main task is to lay down laws and regulations for social and political administration of the village. *Putu* means ‘generation’ and *Menden* means

‘seat’. Thus, *Putu Menden* can be translated as ‘government of generations’.

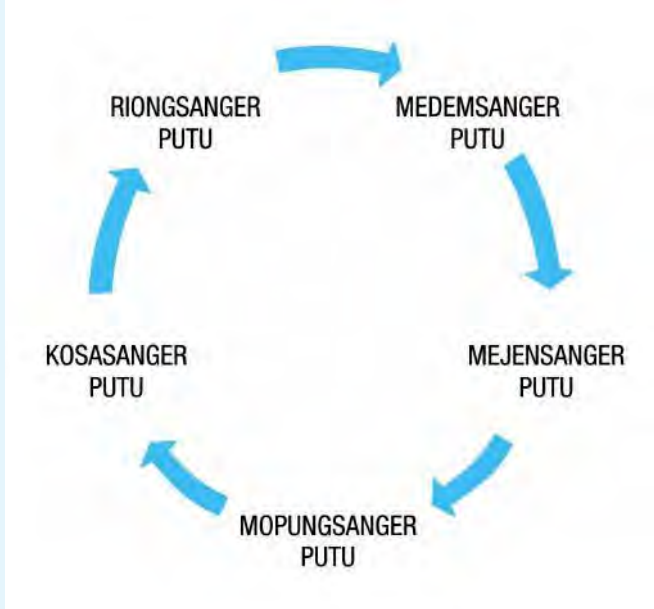
Throughout history, the clan division has been the basis for the organization of community life among the Ao and governance of the village. The formation of *Putu Menden* varies from village to village and most distinctly between the *Chungli* and *Mongsen* even within the same village. In certain Ao villages, both *Chungli* and *Mongsen* groups are found living side by side, as for instance, in Longkhum village, Sungratsu village, Mepongchuket village and Mokokchung village. In these villages, both the *Chungli* and *Mongsen* groups maintain their respective *Putu Menden/Putu Menchen* but nevertheless generally have amiable relationships to each other. In both cases the *Putu Menden/Putu Menchen* is formed by the representatives of the different clans in the village.

There are five established *Putu* (generations) amongst the Ao. Each *Putu* rules the village for 30 years, and they are taking turn in a cyclical pattern. Within each *Putu* there are seven to eleven age groups (*Zünga*). The *Züngas* are ranked based on the seniority principle. The elders hold forth over their juniors and accordingly, the work distribution and roles and responsibilities in each *Putu* is established. Among the different *Züngas* the middle *Zünga* is known as *Rekotong*³⁶, which forms the most important group for the village since it acts as the ‘defence force’ in any emergency, as for instance, fire incidents, attacks from wild animals and most importantly during village feuds.

After the 30 years’ governance of a *Putu*, it is succeeded by another *Putu* with different *Züngas*. At the end of the allocated 30 years, all council members of the outgoing *Putu* vacate their position and a new *Putu Menden* takes over. No member of the outgoing council will be re-elected, no matter how efficient or influential he may be.

The five *Putu Menden* succeed each other in a cyclical pattern:(1) *Medemsanger Putu*, (2) *Mejensanger Putu*, (3) *Mopungsanger Putu*, (4) *Kosasanger Putu*, and (5) *Rionsanger Putu* (see graph 1). In the literal translation, *Medemsanger* means ‘equal people’, *Mejensanger* ‘those who do not run away’,

³⁶ *Reko* means ‘fence’, and *Tong* means ‘post’, hence *Rekotong* means ‘fence post’ in the sense of ‘defense’.



Graph 1. Cyclical Generations (Putu) of the Ao

Mopungsanger ‘wind people’, *Kosasanger* ‘broken people’ and *Riongsanger* ‘many people’ (Mills 1973, pp. 181-82).

The size of a *Putu Menden* depends on the population size and number of clans in a village, ranging from as few as 12 members to as many as 200 members (Jamir, Amba 2017, p. 4). Membership in the *Putu Menden* is generally based on clan divisions. However, just being a member of the clan or being senior is not sufficient to qualify to be a member of the *Putu Menden*.

Within the patrilineal Ao society not only does clan membership follow the father’s lineage, but the titles are also inherited from the father. Therefore, only male members could represent his clan in the *Putu Menden*. To be a representative of a clan one needs to be an able person worthy of representing the clan. No member of the *Putu Menden* should have any physical deformity. He should be trust-worthy, hardworking and bear no adverse record in the community. Also, a known criminal like a thief or a habitual liar,



Photo 13. *Rionsanger Putu* taking over the *Putu Menden* from the *Kosasanger Putu*, Chungli, Longkhum Village. [P]

or an individual known for being in an illicit marriage cannot become a member of the *Putu Menden*.

Each clan therefore carefully scrutinizes their potential representative members to the *Putu Menden*, seeking one who would be able to contribute worthy services to the governance by carrying out all the duties and responsibilities in such a manner as to bring good reputation to the clan.

The structure and functioning of *Putu Menden* vary from village to village and also between the Chungli groups and Mongsen groups. But they all follow a similar structural framework and follow the same standard of conventions and norms.

Whether Chungli or Mongsen group, the peculiarity of Ao Naga governance lies in the fact that there are different status positions within the *Putu Menden*, which are symbolically reflected in the meat portion³⁷ they are entitled to receive when a pig is slaughtered. Otherwise, their social, cultural and religious conducts are the same as that of the rest of the citizens.

Generally, the Ao *Putu Menden* has the following status positions:

1. *Onger Menden* (Seat of the Priest)

The word *Ong* means 'head' (Ao. Tajen. 1980, p.120), thus the *Onger*³⁸ is the titular head of the *Putu Menden*. Though he occupies the premier position in the council he does not exercise extra powers to override any decision made by the council in which he is a member of. He can at the most advise the council before any decision is arrived at. This is a prestigious post and all the council's important deliberations will be held at the *Onger*'s house.

This seat is entitled only to the Pongen clan. In the past, in addition to his position as the titular head of the council, he also acted as a priest. He was regarded not only as the sacred head of the village but acted as the representative of the sanctity of the village itself. Therefore, this position was very sacred and respected by all. *Onger* would do all the rituals, thus acting as the medium between the sacred and the profane. He was also considered the repository of knowledge of matters related to beliefs and rituals. He would translate the laws of the nature and guided the council members to act within the laws set by the nature when it concerns forest, rivers, agriculture etc.

With the introduction of Christianity, the *Onger* does not do any rituals and animal sacrifices anymore. However, the status of the *Onger* is still considered sacred and he still has to strictly observe all the taboos related to it.³⁹ This shows that some of the traditional belief is still strong alongside Christianity.

2. *Tazüng Menden* or *Samen Menchen*⁴⁰ (Seat of the Elders)

They consist of the senior-most members (*Tazüngpur*) of each

³⁷ For example, the *Onger/Samen* will get the left thigh, *Tazüng/Tongla* will get the right thigh, *Tekong* will get the neck portion, etc.

³⁸ Only senior member with commendable personality and morality from *Tongpok* descendants (*Pongen* clan) can become the *Onger*. In case there is no member from the *Tongpok* descendants or there is no suitable candidate, members of other clans can become the *Ong* or *Onger*. It is believed that Ao have descended from six prominent persons, and *Tongpokis* considered to be the priest among them. When slaughtering pigs, the *Onger* receives the head as meat share. *Onger* will always receive the head, also when slaughtering other animals.

³⁹ For instance, some days before the council meeting the *Onger* does not to sleep with his wife, or will not kill any animal. When the village has some serious issues or a conflict with another village, the *Onger* has to observe many taboos, including some related to food, besides staying away from his wife or any other women.

⁴⁰ *Tazüing Menden* is the term used by the Chungli group and *SamenMenchen* is the term used by the Mongsen group.

⁴¹ *Aksü* literally means 'hosting of pigs slaughter'. During *Aksü* the host village presents two hind legs to the guests, and in return the visiting group presents *dao* (machete), a pack of salt or *chabili*. Before the introduction of money, *chabili* were used as currency. They are strips of iron about six or seven inches long with a shape roughly that of a knife bevel. (Mills 1973: 102; also in Kunz and Joshi 2008: 147).

clan. The *Tazüingpur* are the most powerful group in terms of decision making and one can become *Tazüingpur* only through promotion from the lower rung *Tekong*, who is equally important in the *Putu Menden*. From amongst the *Tazüingpur*, the senior most (*Tazüingtiba/Aola*) will preside over the meeting and all the important decisions or judgement made by the *Tazüingpur* will be pronounced by him.

The *Tazüing Menden* will formulate all important policies, exercise executive and judicial power and make plans for the whole year or the more distant future. From time to time the village organizes a feast by slaughtering pigs and invites neighbouring villages or more distant villages with whom they have traditional relationships. This renewal of friendship relationships is called *Aksü*⁴¹. The *Tazüing Menden/Samen Menden* fixes the house tax and other contributions like *Menden Saru* ('different council membership fee') etc.

3. *Tekong Menden*

In literal sense, *Tekong* means 'neck'. They perform tasks assigned by the *Tazüingpurs* and ensure the proper implementation of rules laid down by the *Tazüing Menden* in the entire village. They enforce executive and administrative orders passed by the *Tazüingpurs* and also assist them in matters of negotiations and settlements of inter-village disputes and other public issues.

When there is a dispute between two or more parties, depending upon the case, *Tekongpur* will determine the penalty for the defaulters by way of fixing a price of livestock as fine and fix a time frame for the fine payment. They are responsible for the collection of tax, fines, and other revenues.

4. *Lasho Menden*

It is below the *Tekongpur*. Its members are called *Tarsosang/Sosanglak*. They get the ribs and stomach portion as their meat shares. Although they also represent their own clan in the *Putu Menden*, they do not have any power or authority whatsoever. Their duty is to disseminate information and decisions made in the *Putu Menden* to the citizens of the village. However, in some

situations their role becomes important in negotiations between conflicting parties so that the case is amicably settled before the final judgment is served.

5. Jameja Menden

The lowest position of the *Putu Menden* is that of the *Jameja Menden*. They are also representatives of their clan, but, like the *Lasho Menden*, they do not have any power or authority whatsoever. During the council meetings their primary chore is to cook food, prepare tea, serve rice beer, etc. They are responsible for making all important arrangements during community fishing, hunting etc.

Customary law and village administration

The *Putu Menden* has been constituted based purely on customary norms and consensus. The members enjoy a great deal of powers but at the same time great responsibility concerning the governance of village affairs.

In the past, according to Ao Naga customary law, only the graduates of the *Arju* were eligible to become a member of the *Putu Menden*. However, since there are no more *Arju* in Ao villages, being an *Arjusanger* as a precondition for membership in the *Putu Menden* is no longer applicable. Nevertheless, as in the past, membership in the *Putu Menden* is still exclusively reserved for men. Generally, the public and political affairs remain within the male domain, while women's role is mostly confined to managing domestic affairs or work in the fields.

Women's role in the public has always been in subordination to men. However, women are highly respected in Ao society and in many other social and cultural spheres women have the right to equally participate in all activities such as festivals, social and cultural gathering, works etc. regards both women and men have equal rights as a citizen of the village.⁴²

The *Putu Menden* formulates all rules and regulations concerning customary law related to ensuring a fair and healthy society. Offenders and law breakers are duly punished and fines are imposed according to the gravity of the case.

⁴² There is a division of labour between men and women. Land and houses are inherited by male descendants, but women have always had their share of rights regarding the use of land and house as long as she lives or until she is married and leave her family. And within a family everything is considered to belong to the family as a whole. The father and mother jointly decide on the management of their property and resources.



Photo 14. Camaraderie of Arijusanger. [S]

It has always been considered a priority to maintain the social cohesiveness and security of the village through customary laws and practices that have been followed for generations. These customary laws encompass every aspect of village life. The customary laws deal with cases like land disputes within the village and with neighbouring villages, norms about marriage, extra marital affairs, divorce, death and mortuary practices, inheritance, social taboos, rituals and worship etc.

Apart from maintaining law and order the *Putu Menden* is responsible for the upkeep of the village like maintaining the water source to ensure drinking water, clearing foot paths leading to their fields and all connectivity to other villages and important places, maintaining the village environment by involving the age groups or by organizing communal work.

The village court and justice systems

The Ao Naga traditional village institutions have both legal and judiciary aspects, which are handled through its own time-tested traditional laws and practices. The village courts adjudicate disputes through the applications of customary law and the use of customary norms and methods of conflict resolution. In the Ao *Putu Menden*, the *Tatar Menden* is responsible for taking care of the judicial rights of every member of the society and to safeguard the judicial obligations within the village.

The traditional way of dispensation of justice among the Ao is direct, quick and transparent. Any dispute and case involving members of the community, be they individuals, clans, or groups, can be taken up for adjudication. Sometimes the council can summon any individual or group when their action is against the system that merit intervention of the council.

In the Ao polity, laws generally fall within two broad categories, divine law and man-made law (Goswami 1979:70). The man-made law is further divided various categories of which criminal is well differentiated from the rest of the civil laws. The fines for criminal case are known as *Puti Senchi*. Theft, assault, injury, homicide, and murder are criminal cases. Criminal cases are generally viewed very seriously as their implications are far-reaching in the society. Hence, the outcome is always with heavy punishment or fines. In some extreme cases a fine of seven pigs or cows will be imposed, or *ki-dangtsu*, which means the criminal will be completely barred from all public lives for a period of months or years and even to the extent of ceasing the ancestral land which is considered not only an insult but one of the greatest punishments for a citizen.

Cases such as land dispute, property, inheritance, marriage, divorce, defamation, fraud, deliberate damage to others' property, bringing enmity with other villages or incurring defamation to the village, public nuisance, etc., are categorized as civil cases. Both civil and criminal cases are dealt with in accordance with a set of customary practices and laws.

Generally, the conflicting parties were encouraged to settle the matter amicably, but if that fails, the parties approach the *Putu*

Menden for arbitration. In the process, the parties are heard and statements and evidence gathered, inspected and deliberated upon by the *Tatars*. Once the case is heard and consensus is reached in the *Tatar* court, the decision is announced in presence of both parties. In some cases, there is even ‘shaming’ (Ibid.: 37) of the offender in the assembly before the judgment is pronounced by the *Putu Menden*.

It is also common among the Ao that disputes are settled by oath. In a situation when both parties take their firm stand and no compromise is possible, and in the absence of witnesses, the *Tatar Menden* will resort to the extreme method of *Azüngashi* (oath taking and swearing). The members involved in the dispute will take an oath and swear in the name of God and bite a tiger tooth and declare ‘nothing but truth’.

Sometimes in the case of land disputes, both the parties will dig the earth from the disputed area and eat it as a claim of ownership. This is an extremely reverential method because it is done in the name of the sun, moon, sky and the Supreme Being. When a person or party enters into such oath-taking the entire *Putu Menden* as well as the community will closely observe to see if any losses or sickness occur in the families of the conflicting parties involved.

Even injury or natural incidents like fires, death of an animal belonging to the involved or death of any household or even family members and relatives occurring during the stipulated time (6 days to 30 days) will be considered as the divine sanction to the guilty party. If no misfortune happens, it will be taken that they are not at fault.

Though the *Putu Menden* is the supreme law-giver and adjudicator of the community, its members themselves are equally subject to such laws and justice. They receive no preferential treatment from the supreme authority. If any member of the *Putu Menden* is found guilty of any serious offence or any delinquency, he is expelled from the *Putu Menden*, and a fine is imposed on him according to the nature and degree of the offence he committed.

Traditional Governance of Longkhum Village: A Case Study

4

Although, there are slight variations in terminology between Ao villages, the general structure of the *Putu Menden* remains the same. Longkhum village has been selected as a case study because its *Putu Menden* is well represented in both the Chungli and the Mongsen group.

Longkhum village occupies a very prominent place among the 112 Ao Villages inhabiting the district of Mokokchung. Davis, the then Sub-Divisional Officer of Mokokchung recorded that “the Aos occupied a fine country we first came upon Nungkam (Longkhum) the largest and the most important village of the whole tribe” (Longkhum Baptist Arogo 2003, p. 17).⁴³

Like all other Ao, they trace their origin to Chungliyimti, where they, along with the rest of the Ao as a people, established a village with a definite political institution through the *Putu Shilang Menden*⁴⁴ and social norms (*sobaliba*). The peculiarity of Longkhum village, which distinguishes it from many of the contemporary Ao villages, is its continuation of the strict observance of all traditional social norms with regard to marriage, family and kinship relations and belief systems. Over and above, they are noted for the continuity of *Putu Menden* in its original form as was practiced at Chungliyimti village. Therefore, Longkhum’s *Putu Menden* may be considered a replica of the most original *Putu Menden* of the Ao Naga.

The village is located at an altitude of 1846 metres above sea level on a mountain of rocky terrain, hence the name Longkhum, which means ‘dominated by stone’. According to oral narratives,

⁴³ Those days according to the Longkhum village census, excluding widows, widowers and old citizens (*Putir*) there were 572 households (Longkhum Baptist Arogo 2003).

⁴⁴ The additional word ‘*Shilang*’ in *Putu Shilang Menden* literally means ‘piece of meat’, hence *Shilang Menden* implies reserved seat through piece of meat.



Map 3. Location of Longkhum village within Nagaland state.

Longkhum was established in the year 765 by seventeen clans during the *Rionsanger Putu*, one of the five cyclic generations of the Ao described in the preceding chapter (Ao, W. Ch. 2002: 19). Today, the village has a total of 546 households with a population of 3,811 (1,961 males and 1,850 females) (Longkümer et. al. 2019: 1).



Photo 15. Satellite image of Longkhum Village (Source Google Earth 2023)



Photo 16. View of part of Longkhum village. Over the centuries since its foundation, the village has grown to over 500 households. [LL]

Although the Village was founded on a rocky mountain site, surrounded by many other Ao villages and different warring tribes on all sides (Sema, Lotha, and Sangtam) Longkhum village's existence has been with the continued blessings and protection from the creator of the earth *Lijaba*⁴⁵ and the supreme God *Lungkitsüngba*⁴⁶. Thus, Longkhum maintained its preeminent position within the confines of the Ao people (*Ao-Chalo*), Ao polity (*Salang*) and in the system of Ao traditional prestige (*Ao-Konang*) before the coming of the British (Ibid., p. 13).

The village occupies one of the largest ancestral lands (about 80 sq km) among the Ao villages. Surrounded by the inaccessible natural protection, Longkhum defended its territory against all aggressors and never suffered a defeat at the hands of invading warriors from neighbouring tribes and villages.

According to Hutton's ethnography (1921), as far as the Kileki stream the country was occupied by the Ao, who were driven out by the invading Sema. But Longkhum was found too hard a nut to crack, owing to its great size combined with its strategic position (Namo 1987: 52; Hutton 1921: 7). Therefore, for centuries, Longkhum acted as a sentinel and a fortress for the rest of the Ao villages.

In the pre-literate world of tribal societies, oral tradition played the elemental role of a chronicle, source of knowledge and wisdom which guided and influenced the people in all aspects of their lives (Longkümer2009: 11). Throughout the Ao Naga history, the oral tradition has played a pivotal role as an effective means of communication and records that have persevered for many centuries.

The origin of the village, history of the tribe, clans, individuals, war, truce, village governance, etc. were all transmitted through word of mouth from one generation to the other through songs, folk tales, legends, and poems. Longkhum is known for its rich cultural heritage of oral tradition, which they have used effectively in building relationships with the neighbouring villages of the Ao country and beyond. Even before the arrival of the British colonial administration in the Naga Hills, Longkhum had

⁴⁵ *Lijaba* in the Ao Naga traditional belief is the creator of the earth and all living things and vegetation of the earth. He is all powerful and he causes natural calamities too when he is displeased with humans (Ao, Temsula 1999, p.52).

⁴⁶ *Longkitsüngba* is the supreme God. He is supposed to be the Lord of the sky or heaven. He is also referred to as *Lata-Zuni Tsüngrem*, i.e., Moon-Sun God (ibid., p.53)



Photo 17. Village elder in his kitchen. [1]

already established cordial relationships with the Ahom people of Assam. There are instances of Longkhum village entering into an agreement with the Ahom king that helped strengthen their relationship, ensuring a peaceful co-existence between the hill people and the plains for centuries.

Before the advent of the British administration in the Naga Hills, Dr. Edward Winter Clark, an American missionary along with the people from Molung Village⁴⁷ visited Longkhum twice with a view to convince Longkhum to bring a complete stop to the headhunting practice among the Ao Nagas, but without any outcome.

Only in his third attempt, on 24th April, 1887 Dr. Clark along with the British administrator could have a formal meeting with the Longkhum village elders, which also marks the day of

⁴⁷ *Molung* is the first village in the history of the Ao Naga to accept Christianity. From there Dr. Clark started his mission of converting the Ao Naga to the Christian faith.

Longkhum's accession to the British Colonial Government.⁴⁸ It is recorded that the sub-divisional officer of Wokha⁴⁹ carried out the direction of the Deputy Commissioner of Kohima to first establish complete control over Longkhum Village in order to annex the entire Ao country (Longkhum Baptist Arogo 2003, p.17). This was the beginning of the annexation of the Ao country, followed by the imposition of a house tax⁵⁰ by the colonial administration.

Throughout the British colonial era, Longkhum had an affable relationship with the administration and continued to enjoy almost the same status it had in the pre-British period. Hence, the traditional village governance continued without any direct interference in its affairs.

Longkhum maintained its eminence throughout the colonial administration, but soon after India's independence things changed drastically. During the 1st World War (WW1) and despite its limited interaction with the outside world, two groups from Longkhum participated in the WW1, going as far as France as part of the 21st Naga Labour Corps (Ao, W. Chubanungba. 2002, pp. 8-9).

During the Naga political movement, the village had produced an eminent personality like Lt. Imkongmeren, who was then the Vice-President of the Naga National Council (NNC) that spearheaded the Naga national movement for independence. Along with him the entire village was at the forefront fighting for Naga independence. As a result, the village was completely burned down in 1956, grouped several times, granaries and rice fields destroyed to cripple the economy of the village. Many were tortured, killed and all sorts of violation of human rights were perpetrated upon them.

Yet, Longkhum remained firm in its resolve. It produced one of the highest numbers of warriors and soldiers for the Naga army, both men and women and including a general, fighting for the liberation of the Nagas from the domination of India and Burma. All these contributions were made possible due to the village's strong foundation in the traditional governance of *Putu Menden*.

⁴⁸ One noticeable positive change of the British colonial administration in the Naga country is the complete cessation of headhunting among the Nagas.

⁴⁹ Today, Wokha is the headquarter of Nagaland's Wokha district.

⁵⁰ The House tax was the hallmark of the colonial administration's primacy over its subject. When the Ao villages gathered to deliberate on the issue of the imposed house tax, it was only when Longkhum agreed to the terms of the colonial administration that it was regularized.

Longkhum's *Putu Menden*

For the past many centuries, the *Putu Menden* has been practiced without any modification. Like in all Ao villages, there are five *Putu* (generations), which take turn in a cyclical pattern in governing the village for a period of 30 years.

The names of the five *Putu* are the same as in other Ao villages: (1) *Medemsanger Putu*, (2) *Mejensanger Putu*, (3) *Mopungsanger Putu*, (4) *Kosasanger Putu*, and (5) *Rionsanger Putu*. Currently, Longkhum village is governed by the *Medemsanger Putu*, after it has taken over the *Putu Menden* from the *Rionsanger Putu* in 2021.

Like in all other Ao villages, it used to be imperative for every male member of the village to go through the period of being an *Arjusanger* before assuming any important role in the society. More importantly, it was not possible for anyone to become a member of the *Putu Menden* without being an *Arjusanger* as such a person would not have any credential in their socio-political life, which is a prerequisite to be a member of the *Putu Menden*.

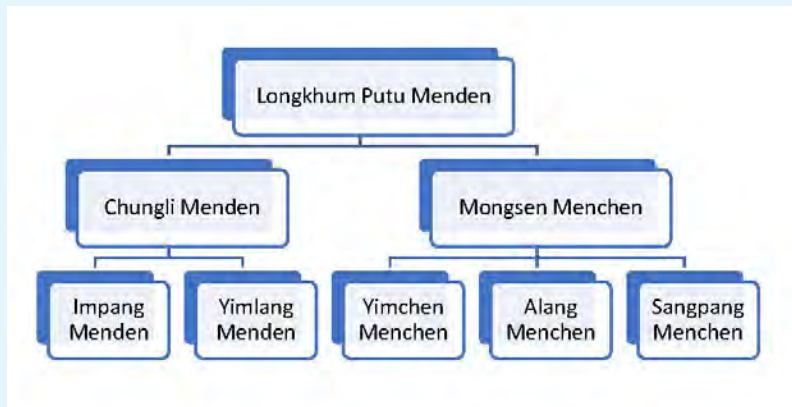
However, in the present context, since the *Arju* has ceased to exist in all the Ao villages including Longkhum, being an *Arjusanger* as the basic qualification for membership in the *Putu Menden* is no longer applicable.

The population of Longkhum is composed of the Chungli and the Mongsen linguistic group. While there are some linguistic differences between the two groups, they both follow the same system of traditional village governance. The clans of both the Chungli and Mongsen group have equal representation in the traditional village governance.

Traditionally, the Chungli group maintains two *Shilang Menden*,⁵¹ one for the upper sector (*Impang Menden*) and the other for the lower sector (*Yimlang Menden*), each comprising different clans. The Mongsen group has three *Shilang Menchen*: the *Yimchen Menchen*, *Alang Menchen* and *Sangpang Menchen*, equally comprising different clans.

Before becoming Christians, each of them used to have its own separate *Arju*. Each of the five *Shilang Menden* has ten

⁵¹ *Shilang Menden* is also called *Zünga Menden*. The two terms are used interchangeably.



Graph 2. Longkhum village's *Putu Menden*

representatives to the *Putu Menden*. Hence the Longkhum *Putu Menden* is a council of 50 members.

Each of the *Shilang Menden* consists of two to six clans. The clan attachment to the particular *Shilang Menden* is not very rigid, and a clan can switch over to another *Shilang Menden* for a better position in meat sharing and the corresponding status.

Conversely, if they feel that their *Shilang Menden* becomes overcrowded, they may hinder the prospect for eligible members of the clan from entering the *Putu Menden*. However, such a case is very rare and discouraged, as it would also imply a question of integrity among the fellow members which they are a part of.

Like all traditional Ao Naga governance systems, Longkhum has a several-tier *Putu Menden*, but with more details. The organizational structure of Longkhum's *Putu Menden* has five levels, each of them with ten members from different clans:

1. Sami
2. Tatem
3. Tekong
4. Tarsosang Tilaba
5. Tarsosang Tuluba



Photo 18. Slaughtered pigs ready to be distributed on the occasion of handing over the *Putu Menden* from *Riongsanger* to *Medemsanger*, Longkhum 2021. [P]

1. *Sami*

The *Sami* occupy the premier position in Longkhum's *Putu Menden*. From among the seniors of each clan the most capable person will be nominated to represent the clan in the seat of *Sami*. They are like the constitutional head. When a consensus decision is arrived at, the *Sami* will pronounce the decision of the *Putu Menden* and this will be final and binding.

Besides judiciary, other administrative matters related to law and order, village development, welfare, diplomacy etc. that are decided in this house will become law and binding. *Sami* can also act as advisor to the lower body, i.e., the *Tatem*, and in so doing



Photo 19. Mongsen *Tazünpur*, Logkhum Village. [T]

they can exert great influence in the entire decision-making body (*Putu Tazüng Menden*)

2. *Tatem*

The *Tatem* is the second level and the most important group of the *Putu Menden*. It consists of senior clan elders (*Tazünpur*). This body formulates policies, exercises executive and judicial powers and prepares all the plans for the village. Together with the *Sami* they constitute the ***Putu Tazüng Menden***⁵², which takes all the decisions in the village governance. *Sami* can never take any decision without the *Tatem*.

It is the *Tatem* who has more access to and influence on the lower tiers, hence most of the decisions of the *Putu Tazüng Menden* are done on the basis of decisions taken by the *Tatem*, which are finally approved and carried out by the *Sami*. In the event of any crisis in the *Sami* it is the *Tatem* who will intervene and take the final decision by resolving the issue.

⁵² *Tatem* is also referred to as *Tazüng*. There is no proper word to explain the meaning of *Tazüng*. It refers to something firmly attached to a base, like the main pillars of a house.

3. *Tekong*

This consists of an auxiliary group with a clear set of rules and functions. One of the functions of this group is to ensure that all the rules laid down by *Tatem* are made known to the citizens of the village. The *Tekong* is also responsible for many financial matters including collection of revenue, fines imposed by the *Putu Menden* on any citizen for breaching the rules and norms. They enforce the executive and administrative decisions of the *Putu Tazüing Menden*.

4. *Tarsosang Tilaba*

This group is part of the *Putu Menden* but not part of any decision making at all. The duty of its members is to disseminate all decisions made by the *Putu Tazüing Menden* to all the other bodies, organizations, units and individuals of the village. They are potential members to fill the gaps in the *Tekong*, *Tatem* and *Sami* if vacancy arises due to untimely death or other circumstances from amongst their clansmen or *Shilang Menden*.

5. *TarsosangTuluba*

This group is at the bottom of the *Putu Menden* structure. In all the meetings they are present but it is the duty of the *Tarsosang Tuluba* to prepare food and serve other members of the *Putu Menden*. Just like *Tarsosang Tilaba*, they are not part of the decision-making. They cannot replace any position in the *Putu Menden* even if vacancy arises in their clan or *Shilang Menden*. They remain in the same position till retirement.

The *Zünga Mendi* or *Menchendi*

The *Zünga Mendi* or *Menchendi* is a house where all meetings and important activities are carried out. It is maintained by the lowest member group of the *Putu Menden*, comprising of the members of *Tarsosang Tilaba* and *TarsosangTuluba*.

Although both the *Tarsosang Tilaba* and *Tarsosang Tulu* have a meat share in the *Putu Menden* they are not part of any decision making, and do not have any power. Once the final decision is done in the *Putu Tazüing Menden*, the decision is passed on to the

Zünga Mendi or *Menchendi*. It is the duty of the *Zünga Mendi* to depute at least two members, one each from the *Tarsosang Tilaba* and *Tarsosang Tuluba* to inform the decision to the offender or guilty and also fix befitting fines (in cash or in kind) to bring the case to an end.

The Village Council

Like all villages in Nagaland, Longkhum village also introduced the Village Council as per the Nagaland Village and Area Council Act 1978. The Village Council also follows the guidelines given in the Act. For instance, the Village Council has a Chairman, Secretary, and the Council members serve for a period of five years (against the 30 years term of the *Putu Menden*). So, in addition to the *Gaonboras* and the *Dobash* is introduced already during British colonial times, the Nagaland state government has imposed new institutions and positions of authority and power, creating a number of challenges, some of which are discussed in the concluding chapters.

Nevertheless, in spite of the new systems, the *Putu Menden* continues without changing its structure. Unlike many villages where the Chairman acts as the head of the village and often has considerable power, the Chairman of the Village Council Longkhum cannot arbitrarily act on his own. All decisions are based on the decision made by the *Putu Menden*. Thus, the *Putu Menden* continues to be the supreme authority in the village, and the Chairman is just the nominal head of the Council.

State Interference in Ao Naga Self-governance

5

British colonial administration recognized the validity of the customary laws and the dispensation of justice in the Ao Naga customary governance. Mills recorded, “wherever possible the principle is strictly observed of interfering with local custom as little as possible” (Ao, Alemchiba 1972, p. 36). Mills further mentioned that “in the settlement of cases and disputes tribal custom is followed except where it is repugnant to our sense of justice” (1973, p. 406).

Although most disputes were settled within the village by the traditional village councils according to the customary laws and procedures, certain disgruntled people would appeal to the British magistrate’s court, in pursuit of further adjudication over such cases.

The *Dobashis*, mostly rather hand-picked men to act as interpreters and advisers for the magistrates over the customary matter, were appointed to hear the cases and pass judgments which were final and binding. During the colonial administration, the *Dobashis* were held in great esteem by the public. Besides, many village headmen or influential persons in the village were picked to act as ‘go-between’ for the government and the village (ibid, p. 407).

We have seen that aside from the *Dobashis*, the British administration appointed *Gaonboras*, of which a small village had just one, but a large village would have even up to five or six. These two influential positions instituted during the colonial administration had a crucial role in the Ao village governance for a long time.

Initially, the *Dobashis* and *Gaonboras* were appointed to liaison between the British administration and the village administration, but gradually became powerful agents executing colonial



Photo 20. School boys and girls of the Eden Academy School, Mokokchung, daring and challenging each other before the tug-of-war. [EAM]

policies. Using such agents, the British colonial administration could effectively implement their policies and subsequently bring all villages under their control. The *Ao Putu Menden*, which hitherto functioned independently under the traditional Ao customary law, hence assumed a subordinate status under the district administration.

As described in chapter 2, in post-independent India the state of Nagaland has been given a unique and special status in Article 371(A) of the Indian constitution (Sema1986: 97). This provided the state with various measures for the protection of customary laws and procedures, indigenous religious and social practices of the Nagas as well as ownership of land and resources. Such provisions were meant to facilitate the smooth running of the traditional governance at the village level.



Photo 21. One of the Mongsen Clan group of Longkhum Putu Menden. [T]

In 1978, the Nagaland Village and Area Council Act was legislated by the Nagaland Legislative Assembly. According to the Act “every recognized village in Nagaland shall have a Village Council”. The Act, in clause 14(1) states “the village council constituted under the law in force from time to time shall administer justice within the village limit in accordance with the customary law and usages as accepted by the cannons of the justice established in Nagaland, and the law in this respect as enforced from time to time” (Government of Nagaland 1979: 2-4).

At a glance, it appears that because the Indian penal code and the codes of criminal and civil procedures are not mandatory for Nagaland this gives ample scope for the *Putu Menden* to continue with the traditional system of governance or to make their own laws to suit their local situations. However, in contradiction to

these provisions, the clause 22 of the same Act, under the sub-title Control of the Village Council, clearly states that the District Administration has absolute control over the Village Council.

Further, clause 9(1) states that “the state government may remove any member of the Village Council”, and thus simply annuls the sanctity and practice of the traditional governance of the Ao.

The Indian state has continued with the colonial practice of appointing *Dobashis* and *Gaonboras* ostensibly for upholding the traditional customary laws. Over time, the *Dobashis*, by virtue of establishment of Dobashi Courts, became adjudicators in their own right.⁵³

The Dobashi Courts allegedly functioned on the premise of customary practices. But the working procedure adopted in the Dobashi Courts is based on documented records and standardized customary laws and practices. The courts of the *Dobashis* are appointed by the state government and put under the bureaucratic structure of the state. The Dobashi Courts is attached to the office of the Deputy Commissioner in all administrative districts or units within the district, and arguably it can be said that there is a strong manifestation of state bureaucracy in their functioning as well as in the process of dispensation of cases.

The Dobashi Court may hence be regarded as a transitional court between the ‘codified’ and ‘uncodified’ legal system in the state or an amalgamation of traditional and modern political statutory institutions. Therefore, though they are seen as a customary court, yet they act at the behest of the state. In a way, they only create a negotiation space between the customary law and the state.

Unlike the Dobashi Courts, the Ao customary laws and practices are based on oral tradition and time-tested traditional knowledge and wisdom founded on the cultural values and ethos of the Ao people. In the traditional judicial practices, the members of the *Tatar Menden* would strictly observe all taboos and norms before handling any case as it is the belief that any wrong judgment would invite the wrath of the supreme God in

⁵³ In 1914 Mokokchung Sub-Division Customary Law Court was established, which was headed by a *Dobashi* and eventually became the Dobashi Court (Echa 2014, p.8).



Photo 22. Log Drum – A sacred and venerated guardian of the Ao Naga village. [S]

the form of misfortune or curse, not only on them but on their families and community as well.

The Nagaland Village Area and Regional Council Act of 1978 is an important administrative act of Nagaland. This act gives the Village Council chairman and members full administrative power that was once held by the traditional body *Putu Menden*. Contrary to the state government's ostensible affirmation of Naga traditional practices in the act, the government gives a clear direction to the villages to follow the procedure of the act.

Accordingly, the Village Councils have to take on board the colonial institution of the *Gaonboras* and also include modern government officials like Chairman and Secretary, who may or may not be a member of the traditional governance institution.

Unlike the traditional governance in which the membership of the *Putu Menden* is based purely on customary norms, the present selection or election of Chairman, Secretary and *Gaonboras* are based on the criteria of educational qualification, political or social connections and other considerations different from the traditional criteria. Not only the village elders but a person from any walk of life can become a Village Chairman.

Today, all the Ao villages have a Village Council manned by a chairman in accordance with the Nagaland Village Council Act. Under the present governance system, the Village Council is superimposed on the *Putu Menden*.

When the Village Act was initially promulgated in Nagaland, there emerged numerous uneasy tussles and ponderous awkward situations between the *Putu Menden* and the newly instituted Village Councils.

Interestingly, even today, while the *Putu Menden* purportedly continues to be the supreme authority in the village, it is the designated Chairman of the Village Council who gets recognition from the state administration as the head of the village authority and thereby he not only acts as the leader of the village in all interactions with the government and with other agencies but his decision is taken as final and binding. This creates much grey area and often leads to conflicts of interest between the traditional *Putu Menden* and the Village Council.

One may therefore concur that while the Village and Tribal Council Act allegedly sought to preserve the sanctity of the traditional institutions, certain incongruities have been built in the act itself. The constitution of the Village Council, which has to follow the provisions of the Act, has only weakened traditional governance.

Furthermore, after the introduction of modern liberal democracy, electoral politics is radically challenging the traditional political system of village governance. The Nagas not only resisted the arbitrary division of the Naga people and ancestral territory between India and Burma and its incorporation in the nascent Indian state, but initially also rejected the electoral



Photo 23. An *arjunsanger* sending out the alert. The buffalo horn is traditionally used as a trumpet during mithun or buffalo grazing to signal the herd to gather as well as to scare away wild animals (such as the tiger, which is said to be afraid of it). The horn was also blown to warn of natural calamities and to call for vigilance and preparedness for all dangers, including those from their enemies — aptly symbolising an important aspect of Naga customary governance. [WJ]

system imposed upon them. They boycotted the first and second general elections of independent India held in 1952 and 1957.

A.Z. Phizo, the erstwhile president of the Naga National Council (NNC), which struggled for Naga independence, argued that “there is no political party in Nagaland. We do not need it”, and continued, “Nagaland need not adopt foreign institutions [modern democracy, L.L.] in a matter of political organization” (cited in Wouters 2014, p. 59).

In 1964, the first state assembly election in newly created Nagaland state was held. However, resentment against the Indian elections continued to fester, clearly seen in the general election of 1998, when the Naga people resoundingly responded to the

Naga Hoho's⁵⁴ call of “we want solution, not election”, in a bid to push for early settlement of the Indo-Naga political conflict. No Naga participated in the said election that year.

Thrusting the modern democratic electoral system upon the primordial governance system has not come without a challenge. Present electoral politics in Nagaland state have witnessed the emergence of certain trends practically unknown in other democracies. For instance, in some villages the Village Council enters into pre-poll agreements to elect consensus candidates. In other instances, some Village Councils even publicly declare allegiance to a certain political group or candidate, effectively curbing the individual right to free vote since one cannot go against the mandate of the Village Council.

From one perspective, such acts may be viewed as a breach of modern liberal democratic norms. However, a contextualized interpretation of the same within a culturally embedded understanding of Nagaland's electoral processes renders bare not only the incongruency between modern democracy and traditional Naga polity (Wouters 2014: 60). In a primordial society like the Nagas, affiliation of clan, village and old loyalties significantly matter even in present-day social and political relationships, and to a great extent such factors determines the present election systems.

Modern electoral challenges are visible not only at the village level but extend even to the Nagaland State Legislative Assembly, where one striking feature of electoral politics has been the phenomenon of constant defection and merger among different political parties. Such practices are due to the non-ideological character of many political parties in the state (Amer 2014, p. 6). Thus, the current state government is in essence an “opposition-less” government, contrary to any modern democratic forms of government. All these are manifestations of just how the Naga traditional polity and the people in general try to adjust and reinvent themselves into the new system while trying to maintain their age-old traditional governance as well.

⁵⁴ Naga Hoho is the Apex body of the different Naga tribes. The membership is not only confined to Nagas tribes of Nagaland but also includes Naga tribes from other states.

Among the Ao, the socially embedded institution of the *Putu Menden* has always been a people-centric governance that effectively managed whatever limited resources they had for the welfare of the people. As discussed above, over the years, the imposition of state administration and liberal democracy have brought about profound changes. In particular, the central government's policy of 'tokenism' towards the Nagas has brought along many corrupt practices in society, including in village governance.

The traditional Naga polities have been about chiefs and democrats (Jacobs 1998, p. 69), nobles and commoners, bodies of elders, sovereign village states and village republics (Oppitz et.al. 2008, p. 12),⁵⁵ and clan rivalries (Hutton 1969: 109). They represented a continuum with hereditary autocracy, if not near dictatorship, and radical democracy at its opposite ends (Wouters 2014, p. 60).

The Ao *Putu Menden* was once not just a sovereign law-making institution but was also considered sacred. To become a member of the *Putu Menden*, apart from the cultural qualification of having been an *Arjusanger*, a man should have proven credentials as a responsible person with high moral integrity worthy of representing his clan. Any person with tainted records could not become a member of such an august institution.

However, the ancient tradition has fast altered and its credibility has greatly degenerated from its original form due to the introduction of a new administrative system on one hand, and the state electoral politics on the other hand. Besides, the introduction of new acts and laws over and above the traditional governance has brought about many changes, and, most seriously, reduced the once supreme political entity of village governance into an auxiliary body of state administration.

⁵⁵ See also in Chasie 2004, p.130

After the creation of Nagaland state in 1962 one of the policies by means of which the government of India countered the Naga movement for self-rule was pumping money into the state under the guise of economic development. The resulting sudden spurt of a money-oriented culture changed the value system and lifestyle of the Nagas, whose nascent materialistic worldview and living demanded money, whatever the source (Jamir, Toshimenla 2016, p. 127).

Furthermore, as already discussed, at first glance it may appear that the institution of Village Councils in Nagaland, which was supposed to be built upon the good traditional values, practices and management systems of the Nagas, was a progressive move. However, there remain a number of issues that need to be considered holistically. It has become obvious that the Nagaland Village and Area Council Act 1978 was above all meant to exploit the traditional administrative abilities of customary village councils for decentralization of developmental responsibilities to local bodies.

One of the complicating factors in the context of the traditional governance of the Ao has been the introduction of the Village Development Boards (VDB) as a developmental institution to oversee development matters in the village, but which has in reality further diluted the supposedly traditional governance character of the Village Councils. The VDB was allegedly created to facilitate all developmental programs in the village by augmenting the strength of the traditional village governance. However, both Village Council and the VDB are structurally and functionally different, and hence the imposition of VDB on the traditional *Putu Menden* governance has raised many issues and created problems.

Members of the VDB's Management Committee are mostly educated, influential people who have the ability to deal efficiently with the government and financial agencies, and at the same time execute developmental projects in the village. Using their position, many VDBs started to bypass the Village Councils and to deal directly with the government agencies, thus undermining the authority of the Councils.

Under the present system the Village Councils are assigned with many developmental activities and programs for which the traditional institutional capability, particularly in terms of technical knowledge, is inadequate. When any project or other developmental money flows into the village, members of the *Putu Menden* often get involved in developmental activities instead of remaining within the confine of the traditional governance, as engaging in developmental projects are lucrative. There are instances, in which not only individual members of the *Putu Menden* but even the *Putu Menden* itself directly gets involved in developmental projects. By doing so, the Village Council, which is supposed to monitor and oversee all the developmental works carried out by the VDB, has in many ways got themselves involved with the functioning of the VDB.

Hence, the traditional governance body of *Putu Menden* has witnessed varying levels of exogenous impositions, the latest of which are in the form of the Village Councils and the VDBs. This is coupled with the introduction of electoral politics, which allows for interference by political parties in village affairs, above all in the election of the Village Council Chairman, which is a highly coveted position, but devoid of the sacredness traditionally associated for a leader in the village governance.

The traditional governance institution of the *Putu Menden*, which was once deeply rooted in the cultural philosophy and the traditional practices of the Ao, is being severely weakened by such changes. Thus, it is worth pondering whether traditional village governance should be separated completely from the state developmental agencies so as to preserve its traditional values and system.

Another contemporary challenge for the traditional governance system of the Ao community is the issue of compatibility of customary governance with universal democratic values and human rights. Democracy is accepted as a political system, in which the opportunity to participate in decision-making is widely shared among all adult citizens. The system is assumed to offer the best hope for justice to any given society. Yet, the state of democracy in Nagaland stands debated from many viewpoints. The

Nagas with their rigid patriarchal social structure characterized by notion of male superiority over female, exemplifies a society with modern façade but underpinned by deep traditional values that severely marginalizes women from decision making, both old and new (Jamir, T. 2016: 128).

Even the Village Council, introduced by state law as the main decision-making and administrative body in Nagaland's villages, does not allow women as members on the pretext of 'traditional' practices. Regretfully, the modern instituted Nagaland Village Act completely sidestepped the issue of equal participation of women.

The VDB, however good they may be in terms of carrying out developmental work or in governing a village, does not provide scope for women to participate in decision-making either. Thus, claims to democracy in a system of all-male decision making continue to be questionable in Naga society. The core essence and principles of democracy remain unfulfilled when the female citizens are completely marginalized. Democratization will have true meaning only when all sections of the community are strengthened and empowered with equal participation in decision-making.

Finally, it has to be stressed that many of the contemporary challenges faced by the Ao *Putu Menden*, like the traditional village governance among other Nagas, have been exacerbated by the prolonged period of systematic militarization of the Naga areas that have served to denigrate the traditional village governance.

Despite repeated onslaught on the political, social and economic fronts right from the colonial time until today, the Nagas have been striving to preserve their social structure and cultural stability. One can only speculate about the fate of the Ao *Putu Menden* and the other forms of Naga traditional governance, which rests largely on the unresolved Indo-Naga conflict that is currently under political negotiations between the Naga leaders and the Indian state.

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