

SELF-GOVERNING INSTITUTIONS OF THE AO NAGAS

By

TEMJENSOSANG

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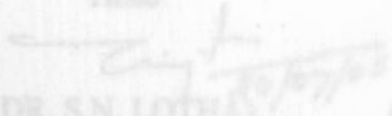
UNDER THE SUPERVISION OF


DR. KSHETRI RAJENDRA SINGH
Reader
Department of Sociology

**DEPARTMENT OF SOCIOLOGY
NAGALAND UNIVERSITY
HQ: LUMAMI**

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*This Little work of mine
is dedicated to all the Ao elders
who have preserved the rich oral tradition.
And to my wife Amenla Jamir
and my daughter Mapudi Imsong
who missed my presence during my research period.*


(DR. S.N. LOTHAN)


(DR. K. S. THAKUR)

DECLARATION

The Nagaland University
July, 2005.

I Mr. TEMJENSOSANG, hereby declare that the subject matter of this thesis is the record of my work done by me, that the contents of this thesis did not form basis of the award of any previous degree to me or to the best of my knowledge to anybody else, and that the thesis has not been submitted by me for any research degree in any other University/Institute.

This is being submitted to the Nagaland University for the degree of Doctor of Philosophy in Sociology.

Candidate

Jamien
19/7/05

(TEMJENSOSANG)

Head

S.N. Lotha
20/07/05
(DR. S.N. LOTHÁ)

Supervisor

Kshetri Rajendra Singh
19/7/05
(DR. KSHETRI RAJENDRA SINGH)

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Last but not the least, I, alone, am responsible for any error and shortcomings that might crop up in the following pages of this dissertation.

Dated: 19/7/05

(TEMJENSOSANG)

CONTENTS

CHAPTER-4 SUMMARY AND CONCLUSION

4.1. Ao political institutions in retrospect	137
4.2. The Ao Putu Menden: Some Sociological observations	157

Acknowledgement.	iv
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BIBLIOGRAPHY

CHAPTER- 1 INTRODUCTION

1.1. Introduction	1
1.2. Statement of the problem	17
1.3. Review of literature	20
1.4. Aims and objective of the study	26
1.5. Scope of the study	26
1.6. Area of the study	27
1.7. Methodology	28
1.8. Chapterization	28

CHAPTER-2 THE AO PUTU MENDEN

2.1. Introduction	30
2.2. Putu Menden in three forms	32
2.3. The Aksü	46
2.4. The Clan system	48
2.5. Land Holding system	50
2.6. Gaongbura and Dobashi system	53

CHAPTER-3 THE VILLAGE COUNCIL

3.1. Introduction	55
3.2. Membership to village council	57
3.3. Functions of the village council	60
3.4. Powers and function: Military and Economy	62
3.5. Administration of Justice and customary law and practices	68

CHAPTER-4 SOCIAL LIFE OF THE AOS

4.1. Introduction	88
4.2. Marriage system among the AOs	89
4.3. Kinship system	95
4.4. Dormitory system	96
4.5. Festival of Aos	98
4.6. Status of women in Ao society	101

CHAPTER-5 RELIGION OF THE AOS

5.1. Introduction	112
5.2. Ancient religion of the Aos	115
5.3. Introduction of Christianity and Modern Education and changes brought about thereof	126

Chapter-1

INTRODUCTION

1.1. Introduction:

The *Nagas* are an indigenous tribal community, belonging to the Mongoloid race, with a distinct culture, and settled in a definite geographical territory. They speak a Tibeto-Burman language. The nomenclature of the term *Naga* has various interpretations, which make the native people believe that the term was given by outsiders. The first reference to the word '*Nagas*' is found in the writings of Ptolomy, the Greek writer, who, during his visit to south and west India about 150 AD, heard the Hindus referring to a mongoloid race as *Nagalok* (thus written as *Nagalok*) meaning naked.¹ WC Smith maintained that, according to Peak, the true form of this word is not '*Naga*' but '*Noga*'. *Nog*, *Nok*, means people.² AZ Phizo, the legendary leader and freedom fighter, has interpreted the word *Naga* based on its feature, that the Burmese word Naka, is the origin of this word. In Burmese 'Na' means ear, 'Ka' means pierced.³ It is a cultural practice of the *Nagas* for piercing of ears. There are at least sixteen major tribes in Nagaland recognized by the state government, all having their age-old customs, practices and usage that are so distinct. People hold them so dearly and passionately with a sense of pride and satisfaction. The tribal people of Nagaland, whose cultures are so colourful and rich, and who have a close attachment to the natural environments, have enchanted people from all corners of the world who have come to enjoy its distinct culture. However, it has been

¹ M. Alemchiba, Ao. *A Brief historical Account of Nagaland*. (Kohima, Naga Institute of culture, 1970), p 22

² W.C Smith, *The Ao Naga tribe of Assam* (Delhi: Mittal Publisher & Distributor, 1980), p 23.

³ A.Z Phizo, *The Naga Case* (London: 1986) cited in Panger Imchen, *Ancient Ao Naga Religion and Culture*, Har-Anand Publication, 1993. p17.

noticed that different forces, have guided the rich cultural practices of the Nagas so markedly since the advent of the British India Company. For instance, the advent of Christianity, the steady progress of modern education, the formation of urban areas, the influence of the western culture, modernization and improved means of communication are some of the social forces that have threatened the existence of indigenous customary practices and usages. Hence, to preserve the rich cultural practices at one hand and to remain isolated from alien rule, the *Naga Club* had on behalf of the whole *Naga* people submitted a memorandum to the Simmon commission in the year 1929. To quote one of the important points of the memorandum "our language is quite different from those of plains and we have no social affinities with Hindus or Muslims. We are looked down upon by the one for our beef and the other for our pork and by both for our wants in education is not due to any fault of ours...we also fear much the introduction of foreign laws and customs to supersede our own customary laws which we now enjoy".⁴ Indeed the awareness for political salvation among the *Nagas* was very much in the air.

Historically, the first foreign country to enter the *Naga Hills* was in January 1832. A British survey team consisting of 700 soldiers and 800 coolies led by Captains Jenkins and Pemberton came to penetrate the *Angami* territory. However, the party was met with strong opposition from the *Nagas* and suffered many casualties at the hands of the *Nagas*. Thereafter in 1838 the court of Directors decided that *Naga* affairs would come directly under the purview of the British government. Thus, a British administrative outpost was established permanently within the *Naga* territory during the year 1847- 1850.⁵ In the then *Naga Hills*, the British Indian administration had originally established its *Naga*

³ *Gazetteer of India, Nagaland, Kohima Districts, 1970, p34.*

⁴ Bendangangshi, *Glimpses of Naga History*. Mokokchung 1993.p 47.

⁵ *Ibid*, p41.

Hills headquarters in "*Samagutin*" (now Chumukidema in Dimapur) which was subsequently shifted to Kohima.⁶ In 1875, the Lotha territory was conquered and a sub-division was established at Wokha. The British imperialists were ambitious for further territorial expansion and thus the Sema country was conquered in 1887 and declared a "control area". The Ao territory was in constant raids of villages amongst themselves and from neighboring tribe. Thus to control and maintain an effective situation a separate Mokokchung sub-division was established in 1889.⁷

The *Naga* Club was formed in 1918 with elders and intellectual citizens. Its members were concern about the political fate of the Nagas in the wake of British departure from India. It was the only organization to voice on behalf of all the *Nagas*, about their thoughts and grievances. The *Naga's* aspiration for political freedom had already gained momentum and the *Naga* National Council (NNC) was formed in March 1946 to voice the aspirations and sentiments of the *Nagas*. June 1947 marked the demand for the separation of the *Naga* Hills from India after India achieved her independence. Three groups came into picture in this demand, one favoured immediate severance of all ties with India and independence for their land. The other advocated continuance of governmental relation with India until the *Nagas* were in a position to take up the reins of self-government, and the third group wanted Nagaland to be a Mandatory State under the British government for a given period of time. The political tug of war has resulted in the signing of a nine-point agreement between the then Governor of Assam, Sir Akbar Hydari as the Indian representative and the *Naga* National Council (NNC) in June 1947,⁸

⁶ *Gazetteer of India*, Nagaland, Kohima Districts. 1970.p34.

⁷ *Ibid*, p 46.

⁸ The 9-point agreement was signed between the Governor of Assam sir Akbar Hydras as the Indian representative and the *Naga* National Council. The meeting was held on 27, 28 and 29 June 1947.

on the eve of Indian Independence. Its preamble recognized the indisputable rights of the Nagas to develop themselves according to their own free wishes. On the Judicial aspects of the agreement, it provided a wide range of freedom to deal all civil and criminal cases in the Hills districts according to the customary practices of the Nagas. On the executive aspects it was accepted as a general principle that the tribal institution should have autonomous power to levy and collect all taxes. On the land aspects, it was agreed upon that the land and its resources should not be alienated by the non-Nagas. The last article of the Agreement was important, as well as controversial. It reads "the Governor of Assam, as the agent of the Government of the Indian Union, will have a special responsibility for a period of ten years to ensure the due observance of this agreement; at the end of this period the NNC will be asked whether they require the above Agreement to be extended for a further period or a new agreement regarding the future of the *Naga* people be arrived at". This point has given a confusing interpretation as to whether after the expiry of the 10 years the *Nagas* would ask for a greater political autonomy within the Indian Union or for complete autonomy from the hands of the Indian government. India attained independence on the 15th of August 1947 shortly after the agreement was signed. However, on the 3rd of November 1949 when the NNC delegation met the representative of the government of India in Shillong to discuss the 9 point agreement they were bluntly told that the agreement was no longer considered to exist by the Indian government. Thus, the Nagas, once placed under the "Excluded Area" was included in the Sixth Schedule of the constitution of India. The NNC rejected the Sixth Schedule and boycotted the election held to form the District Council. On the other side, the campaign for plebiscite was launched and conducted by the NNC in 1951 under the leadership of

* M. Barua, *Naga Politics 1945-1977*, Luv grid publication Delhi.

Phizo and according to this plebiscite, 99.9 percent of the *Nagas* want a Sovereign State of Nagaland. Thus in 1956 the *Naga* Federal government was formed with the hoisting of flag in one Rengma village, whereby in the following years the *Nagas* have experienced the hostilities of bitter treatment and bloodshed in the *Naga* territory. This led to the first *Naga* People's Convention (NPC) in 1957 in Kohima whose primary concern was to bring peace to the land. Subsequently in the following year in 1958, the second NPC was held at Ungma village in Mokokchung District where 16-point memorandum for the constitution of a separate State to be known as Nagaland under the Indian Union was resolved. The third NPC was held at Mokokchung Town. Thereafter the 16-point memorandum was signed between the delegates of the NPC and the Government of India in 1960. Thereby on 1st of December 1963 Nagaland was declared as the 16th State of the Indian Union. (Gazetteer of Nagaland, Mokokchung District, 1971)

Nagaland is the 16th State under the Indian union which has multi-cultural and tribal communities. The State has of eleven District with Kohima as the State capital. According to Horam there are as many as 32 known *Naga* tribes distributed in the territories of Nagaland State, the hills of Manipur State, Tirap Frontiers in the NEFA, (now Arunachal Pradesh) parts of the Cachar hills and also on the western border of Burma⁹ whose cultures and way of life have affinity with the rest of the *Nagas*. However, the State government recognizes only 16 major tribes and a host of minor tribes. The *Ao* tribe is one of the sixteen major tribes inhabiting the district of Mokokchung. The district headquarter Mokokchung is headed by a Deputy Commissioner with the subordinate officers as Additional Deputy Commissioner, SDO (civil) and Extra Assistant Commissioners and a number of departmental officers. The

⁹ M. Horam, *Naga Polity*. 1993.p27. Low price publication Delhi.

population is predominately Ao-Nagas, diluted by a fair percentage of neighbouring tribes of the state. Mokokchung town apart from the urban population, also caters to a rural population hailing from eighty-six villages.¹⁰ Other communities of the state too have a good representation in Mokokchung, and a good number of Nepalese permanently settled here represent a sizable ethnic group. Other business and government servant community such as the Marwaris, Biharis, Bengalis, Assamese and Keralites and Meias too represent the different cultural group though in a small number. The ethnic composition of the town can be described as a mini India, evident from the urban services of the town and that of its population. The founding of Mokokchung town is deeply rooted in the British colonial expansion of the late 19th century as a military outpost. In 1951, it was further upgraded into a district headquarter, which remains to be contemporarily (Gazetteer of Nagaland, Mokokchung District, 1979).

tribes: The Aos are an indigenous tribal community having its own culture and style of traditional administrative organization, a definite geographical territory, and a distinct culture. The traditional form of government is such that, each village is a village republic, which is externally free and internally supreme, capable of making war and peace with other villages, and also capable of handling the executive, judiciary and legislative roles.

culture: The geo-political aspects of the Mokokchung District can be understood in a brief manner. Like all other tribes of Nagaland, the Aos too, have a distinct culture and customary practices. The Aos are the dominant group of people in Mokokchung district of Nagaland. Mokokchung district is composed of six ranges. The *Ongpangkong*, *Langpangkong*, *Asetkong*, *Changkikong*, *Japukong* and *Tsurangkong* ranges. However,

⁹ *Basic of Nagaland 2002*. Government of Nagaland Department of Information and Public Relations. Imphal. The (Aokas) chiefship system that is almost like a tribe.

¹⁰ I.L Aier, *Mokokchung; A Study in Urban Decay* in (Hill cities of Eastern Himalayas, 1993.p189) Ed. A C Sinha. P M Chacko, I L Aier. Indus Publication. 1993.

for all administrative purpose the district is further divided into eight sub division or administrative outpost. These are the *Ongpangkong*, *Kupulong*, *Chuchuyimlang*, *Mangkulemba*, *AlongkimA*, *Changtongya*, *Longjem* and *Tuli*, having its EAC, SDO(c), or ADC post. Mokokchung district covers a total area of 1615 sq Km and with a population of 227230 it has its density of 141 person per sq Km.¹¹ Each administrative circle consist of a number of villages, where each village has its own village government. The system of village administration of the Aos is very much republic in nature and sprit as well. Unlike the other tribe such as the Sema Nagas who have the chief ship (kekami)¹² system and the Konyaks having the *Angh*¹³ (sovereign) with an autocratic government the Aos are more democratic in nature.

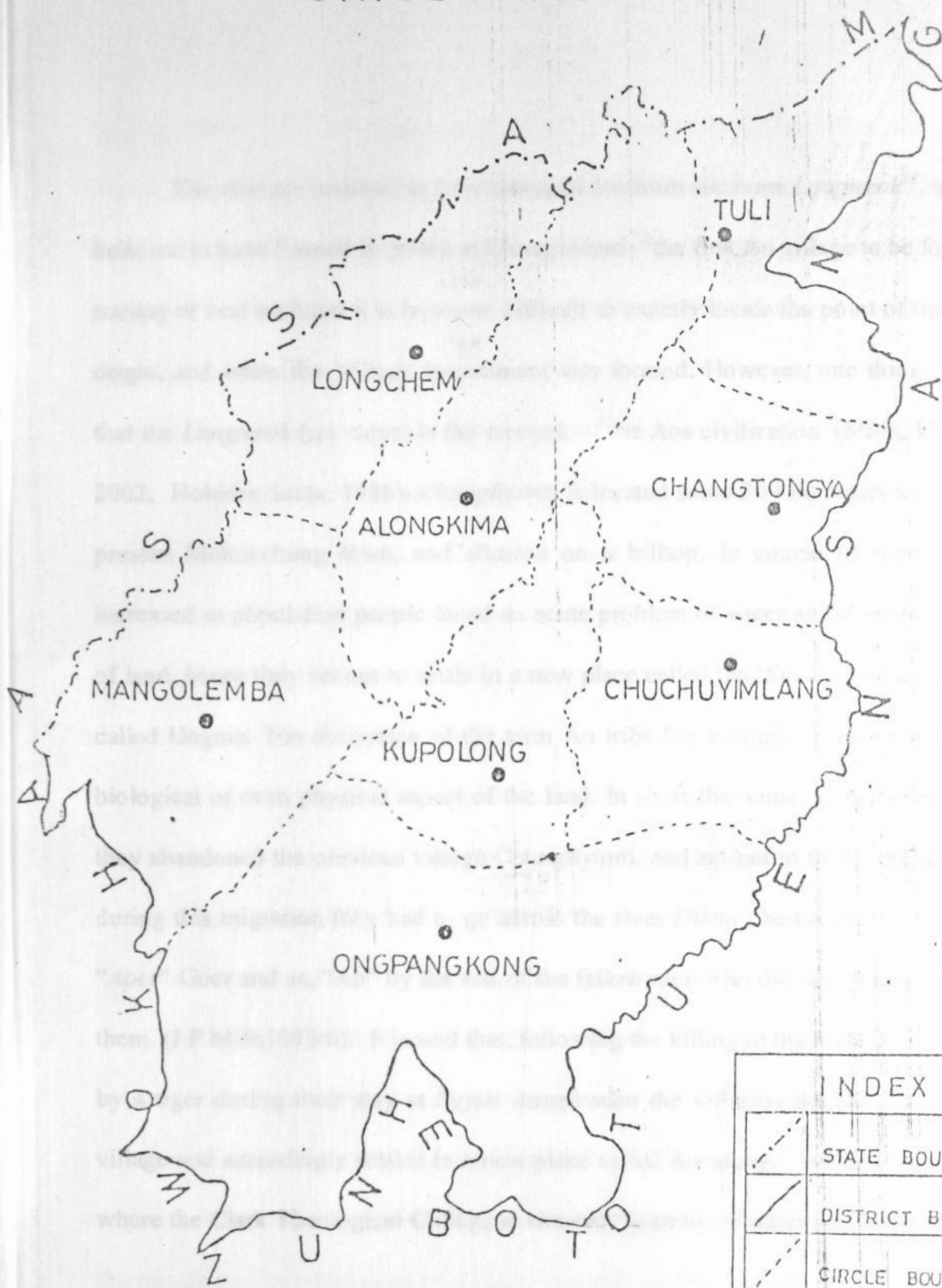
The entire geographical territory of Mokokchung shows a multi- cultural boundary. It is located in the northeast corner of India having 26° 12" and 26° 45" north latitude and 94° 18" and 94° 50" east longitude. On the East it shares the boundary with the Sangtem tribe of Tuensang district. On the North and North-West it shares the boundary with the state of Assam; on the south west it shares the boundary with the Lothas of Wokha District. Down on the extreme south it shares its boundary with the Sema Nagas (see Mokokchung map next page). Being surrounded by a number of cultural groups the acculturation of the neighboring culture appears to be more in a diffused manner.

¹¹ *Basic of Nagaland 2002*. Government of Nagaland Department of Information and Public Relation.

¹² The Sumi community of Naga has the (kekami) chiefship system that is almost like a ruler in the village.

¹³ The Konyak community of Naga has the Angh system that is the souverign authority in the village administration.

CIRCLE WISE



INDEX	
	STATE BOUNDARY
	DISTRICT BOUNDARY
	CIRCLE BOUNDARY
	NAME OF THE CIRCLE

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Longchem was the second Ao Village in the history of Ao...
 where the...
 Kanding is the third phase of Ao Civilization. This was stage the Ao...
 villages.

The Aos are believed to have emerged out from six stone *Longterok*¹⁴, and further believed to have formed its polity at *Chungliyimti*¹⁵ the first Ao village to be formed. In a society of oral tradition it is however difficult to exactly locate the point of time as to its origin, and when the Village government was formed. However, one thing is for sure, that the *Longterok* (six stone) is the earmark of the Aos civilization. (Mills, 1973; Smith, 2002; Hokishe Sema, 1986). *Chungliyimti* is located some 30 kilometers away from the present Mokokchung town, and situated on a hilltop. In course of time due to the increased in population people faced an acute problem of water and even for cultivation of land, hence they set out to settle in a new place called the '*Suyim Aonglenden*',¹⁶ now called Ungma. The derivation of the term Ao tribe has nothing to do with the cultural, biological or even physical aspect of the land. In short the name *Ao* came into use after they abandoned the previous village *Chungliyimti*, and set out to settle in a new village, during this migration they had to go across the river *Dikhu*, hence they were called the "*Aoer*" Goer and as, "*Ao*" by the rest of the fellow men who did not migrate along with them. (J P Mills 1973:6). It is said that, following the killing of the village priest "*Unger*" by a tiger during their stay at *Suyim Aonglenden* the villagers decided to abandon the village and accordingly settled in a new place called *Koridang*,¹⁷ which is now the place where the Clark Theological College is situated. Scarcity of water and land resource was

¹⁴ Longterok (six stone) is the cradle of the Aos. Aos believed that three men and three women emerged out from the stone. Thereafter procreation began. The six stone is located 30 kilometers away from Mokokchung town.

¹⁵ Chungliyimti is the first Ao village where political institution was also founded..

¹⁶ Suyim Aonglenden is the second Ao Village in the history of Aos. Ten mothers gave birth to ten baby sons on the first night in the new village. The place was plain and suitable for civilization hence called Suyim Aonglenden.

¹⁷ Koridang is the third phase of Ao Civilization. Till this stage the Aos had been living in one single village.

an acute problem for them again, therefore they decided to resettle in the previous village *Suyim Aonglenden*, but renaming it “Ungma”.¹⁸ The establishment of new villages by this time had already began- Suttsü, Kubza, and Longkum were the first three village to form, thereafter coming to Ungma and than the creation of other villages began. In the present day, it is accounted to have approximately eighty-six villages under Mokokchung district, having the same polity system, which they constituted during their stay at *Chungliyimti*.

In spite of the fact that the Aos have migrated from one same place and settled in the same village, practice the same culture and tradition, live under the same age old polity system, yet they have different phratries , such as the *Chungli*, *Mongsen*, and the *Changki* phratries. There are certain cultural and traditional differences among them but they all live harmoniously in one village.

In a tribal society the smallest but the most important institution is the family. However, unlike the Hindu extended joint family system where father, mother, children, grandchildren and in-laws live together, an Ao family consist only of father, mother and children. The Aos practice exogamous marriage system and the descent goes to the father line. Marriage within the clan is strictly prohibited or is even considered as taboo. The children take the clan title of their father, and traditionally spend most of their time in the dormitory, Aruju and Tsüki training places for the young boys and girls. Young boys engaged themselves in making handicrafts, singing love songs and the girls spinning, weaving and singing love songs with their loved ones (A L Ao. 2003).

Jesong pangun clan, which is, considered as the eldest and most often
priest clan. Next is the *Longkumar* clan and the third is the *Jomir* clan.

¹⁸ During their stay at *Suyim Aonglenden* the priest of the village was killed by a tiger. Thereby abandoned the village and settled in the third village *Koridang*. Due to scarcity of water in *Koridang* the Aos again decided to resettle back in *Suyim Aonglenden* but renamed the village as *Ungma*. “Ung” meaning priest and “ma” means lost.

The Aos, until the coming of Christianity and modern education, were living in darkness. Headhunting, was considered the most prestigious act and attributed a high social honour. The Aos, since time immemorial were animists. Animism could be said to have been their sole religion. It was so deeply rooted in their thoughts and practices that they would often offer animal sacrifices to their god in order to have blessing, guidance and protection from all unseen dangerous activity. The concept of god is multi dimensional, placing in highest or supreme position believing that these gods can do anything good or bad on them. The concept of god is seen in three phase namely the God of creator as *Lijaba*, the God of blessing as *Longtitsüngba* and the god of Judgment as *Meyutsüngba*. These three gods are one but worshiped in three different phases.

Among the Aos, clan is of prime importance. A clan is like an extended family whose members are spread to all the villages. Yet, they uphold the fact that they have come from the same ancestor. The traditional attires are differentiated on the basis of clan, thus a person can wear only those attires that are designated to/for his/her clan. Some times a person is identified by his/her traditional dress and attire, especially among the women folk. Wearing of others clan's cloths or attire is a great shame and even invite penalty from the respective clan (s). These cultural dresses and attires are usually worn during occasions of celebration of tribe Festivals. The clan too, holds the right of land, unlike the Sema Naga, whose lands are controlled by its chief. (Hokishi Sema.1986:6). Every Ao belongs to one or the other clan. The Aos have three major clans i.e, the *Imsong pongen* clan, which is, considered as the eldest and most often considered as the priest clan. Next is the *Longkumer* clan and the third is the *Jamir* clan. There are however a number of sub- clans which have branched off from their mother clans. The clan is the

nucleus for all administrative organization. Since the village government is composed of the representatives of the different clans, the concerned clan selects their representatives to sit in the *Putu Menden* (in literal sense, meaning, generation seat; functionally it means Polity). This is in contrast to the Sema *Nagas*, whose chiefs hold all rights over the land. Land is a common property of the clans for the Aos, for cultivation purpose or for any other reasons. On selection of sites, the eldest in terms of age is given the first preference followed by the second, third eldest and so on. The village government is formed with equal or nearly equal representation from each clan. The selected representatives are called the Tatars who perform the role of executive, legislative and judiciary. The constitution is an unwritten constitution, and the people follow the oral tradition and customs, and strictly adhere to it. Such is the practice since time immemorial, where true working of democracy is identified.

The formation of the Ao political institutions, which controls every aspect of an Ao life, took place during their stay at *chungliyimti*, the first Ao village in a social contract called *Arr Salang nung Sümedem*.¹⁹ This political institution in the local vernacular is called *Putu Menden*²⁰ literally meaning Generation seat. The characteristic feature of the *Putu Menden* is the system of rotation in a cyclical manner. Thus the Aos have 7 (seven) *Putus/* Generations each consisting of 30 years. The names of such putus are *Medemsanger, Mejensanger, Mopungsanger, Kosasanger, Amangsager, Rensasanger and Reyongsanger*. As people born into each putu/Generation are marked with different quality and personality, hence such titles/ nomenclatures were given to the common

¹⁹ *Ar Salang* literally means cane platform and *Sümedema* means uniformity. This term indicates strong unshakable resolution accepted by every one. Thus the formation of political institution was strong and binds every Ao citizen.

²⁰ *Putu Menden* means Generation seat. The political institution of the Aos is called *Putu Menden*.

nature, quality and personality of the people living therein in a given *putu*. The first *putu*/ Generation that came into being was *Medemsanger*, the etymological meaning of *Medemsanger* suggests that people were equally complete and ready to face any kind of problem unitedly “come what may, we are ready”, they were equally ready in their word and action, hence the name *Medemsanger putu* /Generation was given thereafter. The second in the sequence is *Mejensanger*, the people of this *putu* /Generation were marked with certain qualities which the former do not possess. The word *Mejensanger* suggests, “people who do not run away” As headhunting was a game of pride, they hunted hard and never ran away from their enemies. With their tactics and hard work, they protected their people. The third *putu* / Generation in the cycle is *Mopongsanger* meaning “wind people”. Here the nature and quality of the people are altogether different. This *putu*/Generation had wind like nature and could quickly and easily do all their works. Thereafter comes the fourth *putu*/ Generation *Kosasanger*, this *putu*/Generation had no set principles i.e, took things easy and led an easy life. People were normally rich, could easily conquer their enemies, and enjoyed their lives with no standard norms but according to one’s own free will. Then comes the fifth *putu*/ Generation *Amangsanger*, “Dark, Darkness no light”. This literally, was a dark generation of people with no happiness in mind; they were very gloomy, as there were severe virus that caused sickness, moreover tigers would come out to the village and kill the people. In the sequence of the generation comes the sixth *putu* the *Rensasanger* “to cut into pieces”. People in this *putu* / Generation witnessed division among themselves, peace and tranquility was totally absent in this generation. Hence, there was no peace, progress, and development. Thereafter, the final *putu* in the sequence comes, known as *Reyongsanger*.

later during the Mejensanger putu in Ungma Village, also a recipient of Governor's award for his contribution in the field of Arts, Dance, Folk and Literature.

The population growth in this Generation was very less, yet people were very rich and prosperous and life was peaceful hence it was called *Reyongsanger*.

According to Satemmeren Longkumer²¹ of Ungma village, the rotation of the seven generations in a cyclical manner began at Chungliyimti. However, in the process of migration from one place to another as stated earlier, the two putus/ Generation i.e 5th and 6th witnessed no peace, progress and development, and there was no harmony in the society. Therefore, it was during their stay at koridang-the 3rd phase of Ao civilization, that they themselves decided to exclude or totally abandon the two-generation sequence. Today the Ao society has only five-generation sequences. The rotation of the putu / Generation in a cyclical manner begins from the *Medemsanger* then *Mejensanger*, *Mopongsanger*, *Kosasanger*, and finally ends at *Reyongsanger*. As and when the cycle completes, it re-starts again from the *Medemsanger* putu. This arrangement of the putu in a sequence/ orderly manner is not, at any cost, shuffled or rearranged. In an Ao village especially of the *Chungli* phratry one putu menden rules for 30 years, however in the case of *Mongsen* phratry, a person is selected to rule over his people for life time or unless he retires with a good reason. It is however said that the tenure of putu menden in certain Ao villages of chungli phratry have been shortened for reasons best known to them. For instance in *Longsa* village the tenure has been reduce to 20 (twenty) years, whereas at *Longmisa* it is only six years and in *Mongsenyimti* has reduced to 25 (twenty-five) years.

In trying to understand the socio-cultural and political scenario one should also keep in mind that the customary laws and practices are inseparable from every day life,

²¹ Personal interview with Mr. Satemmeren Longkumer, on 15th August 2003, a retired school teacher and *tatar* during the *Mejensanger putu* in Ungma Village, also a recipient of Governor's Award for his contribution in the field of Arts, Dance, Folk and Literature.

the folkways which cover all aspects of their community life. The Aos appear to have a common culture in its outlook but belong to four language speaking group. They are the *mongsen* the *chungli* the *changki* and the *sangpur* speaking group. However, when it comes to the question of administrative system, the difference appears to be between the *chungli* phratry and the *mongsen* phratry. There are certain innate differences among the phratries in terms of the status and position and enjoys certain privileges consistent with the respective status in the way of sharing meat, and in matters of special rights to wear certain kinds of ornaments.

Having seen the effective working of democracy among the tribal areas, especially of the North-East region, and in most of the societies in India, the concept of local self government was introduced by the British government. Thus, panchayats in rural areas and municipalities in urban areas were given such powers of self-government under various local names vide different enactments by the British government. For instance, the "Bengal local self-government Act 1885". "the Bengal village self-government Act 1900", and the "Bengal municipal Act 1884" etc.

Besides this, after India's independence, the framers of the constitution of India were not satisfied with the working of these local bodies or government, and therefore a further directive was included in the constitution of India in 1949 in Article 40. It reads "the state shall take steps to organize village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self government". Further, the constitution of India by its 73rd and 74th amendment Act 1992 inserted part IX and IX A in the constitution. Part IX relates to the panchayats containing article 243 O. parts IX A relates to municipalities containing Article 243 P to 243 ZG.

Mentioned can also be made here of the special provision for the *Nagas*. Article 371(A) in the constitution of India provides a wider scope for maintaining *status quo* in the structure of the entire *Naga* society as per their social practices and customary law. This Article provides that no act of parliament in respect of this provision could be made and enforced on the *Nagas*. However, if the people so desire, the system may be restructured by an act of Legislative Assembly. Having seen the needs to safe-guard the indigenous customary practice, the Nagaland state Government has also passed an act called "Nagaland village and area council act 1973". It was further amended in 1978 with a view to enhance the customary practice of the *Nagas*. Such constitutional provisions at the center as well as the state Assembly have shown a wide range for the protection of the indigenous self-governing institutions.

At this point it will be appropriate to define the self-governing institution in the context of the *Ao Nagas*. The *Ao Putu Menden* or the self-governing institution is an institution having the highest legislative, executive and judiciary powers, with the mandate to rule over the people and is thus, the highest institution of governance. Its power and authority come from the people. In other words, it is a governing institution of the people, for the people, and by the people themselves. The *Ao* self-governing institution has a wide scope in practicing its own customary laws, relating to civil as well as criminal cases, disputes in regards to land issue, robbery, adultery, or any other nature of cases are settled within the village court. Thus, even if any decision given by the village court is challenged in the high court or Supreme Court of India, for further reference, the decision of the village court stands.

Besides the village court, *Dobashi* court exists side by side with equal importance and purpose. The introduction of the *Dobashi* was made during the time of British administration as an agent/agency to assist the British administrator in interpreting the local dialects. After the Indian independence, the concept of *Dobashi* courts became paramount to protect the culture and customary practice of the tribal people. Thus, equal emphasis and importance was given to the *Dobashi* courts. They play a vital role, especially in judicial aspect to protect the indigenous interest. Although the mode of selection of *Dobashi* is different from the village *putu menden* by ways of appointment, recognition and discharge of duties, being an agent of the state government, yet, both the institutions preserve the local customary practices. Another such institution, though without having the judiciary power, is the institution of the *Gaongbura* in the village. Its main function is to bridge the gap between the village governing institution and the state government. Any information from the state government is transmitted through the *gaongbura* to the village government, and he assists in the functioning of the district administrative officers by reaching the villages for coordination vis-à-vis the villagers to the state government.

1.2. Statement of the problem:

Having given a brief profile of the self-governing institutes of the *Ao Nagas*, and the constitutional provisions to safe guard the interest of the traditional customary practice of the *Nagas*, the statement of the problem for study may now be stated. A true democratic spirit of the *Ao Putu Menden* is formed with the representation from all the clans member with equal share. Once the village government is formed / constituted it lasts for 30 years in respect of the *chungli* phratry, whereas for *mongsen* phratry the

tenure continues for 6 years or until he retires because of physical inabilities or impeachment on the moral ground. The *Putu Menden* follows the rotation in cyclical manner having its own name. Thus, the first government that comes as stated earlier is *Medemsanger*, followed by the *Mejensanger*, *Mopongsanger*, *Kosasanger* and finally *Riyongsanger*. The sequence of *Putu Menden* cannot change at any time for any reason. Although the Aos shares a common culture among them, the *Chungli*, *Mongsen* and *Changki* phratries have some innate differences, which need further examination. Moreover, the self-governing institution seems to be deeply rooted in tradition in spite of the fact that the statutory administrative system has been introduced since independence. Besides this, how effectively does the traditional self-government of the *Naga* model i.e. the village *Putu Menden*, the area council/*Hoho*, and the tribal council/*Hoho* work? Moreover, how far has the special provision for *Nagas* i.e. Article 371(A) in the constitution of the India and the Nagaland village and area council Act 1973, safeguard the interest of the indigenous customary practices? Does it make any adverse effects? How are the three tier *Hoho* system related to one another? Do the *Nagas* in general and the Aos in particular prefer the statutory system of administration, or the traditional self-government? The introduction of statutory system of administration has given a wider role to the village councils and the village development board. All developmental works in the village are supervised by the VDB, duly approved by the village councils. Added to this, the existence of *Dobashi* court appears to be very important. If so, how does the *Dobashi* court function? What are the roles performed by these courts to protect the customary practices of the tribal people?

The Tatars in the village *Putu Menden* seem to have a monopoly in terms of power with regards to legislative, executive and judiciary. Do the people abide by the decision given by the village *Putu Menden*? Do the Supreme Court and high court of India accept or ignore the decision of the *Putu Menden*? Is the *Putu Menden* capable of handling criminal cases in spite of the existence of police and judiciary department? If such institutions like the *Putu Menden* and the *Dobashi* court have the power, can these court decide or declare disqualification of their co-member if found guilty in any case? If yes how? Do the members of such institution have equal powers and authority?

1.3.3. The system of *Dobashi* court is of recent introduction among the *Nagas*. Does *Dobashi* court protect the customary practice of the AOs? Is this court entitled to be called as self-governing institution? What is the judiciary role of this court in maintaining status quo of the customary practices in AO society? In spite of the village court, the *Dobashi* court is very influential in deciding certain cases that arise between different villages. Moreover, it appears that people give more preference to the *Dobashi* court ignoring the village court. The question is does the Supreme Court and high court honour the verdict of the *Dobashi* court?

1.3.4. Besides these, the *Nagas* in general and the AOs in particular have been constantly exposed to the outside world through modern education, Christianity, and modern ways of living. If so, how far have the indigenous political institutions been affected by the outside world? Also, how far has the introduction of Christianity brought changes towards social ethics, culture values and practices? What are the impact of modern education in socio-economic and the worldview and living style of the people? Was change through Christianity for all goodness or for worse?

Having stated the problems, the present study attempts to study empirically the self-governing institution of the AOs. Emphasis is given in identifying the reasons that enable the survival of the age-old traditional system of political institution. Further, it shall investigate the directions the political institutions are changing towards, if they are changing at all. Moreover, it shall also attempt to find out how, by introducing the statutory administrative system such as village council Act, the smooth functioning of the administration has been enhanced. Besides these, the changes that have taken place in socio-economic and religious sphere will also be studied.

1.3. Review of literature:

The study of state and polity formation can be traced back since the days of Aristotle and Plato. Human beings have, since time immemorial, lived in groups and associations, and therefore, Aristotle once said that man is essentially a social animal. If so, the state and polity are the necessary creations by man for the growth and development of human personality. Since man cannot reach the height of his perfection without state, any kind of society, be it primitive or modern, has its own nature of polity organization without which no society can exist as it regulates the behavior of the individual and group. The simplest society such as pastoral has its own polity system based on the culture and structure of their society, although in a very rudimentary form. With polity, a society appears to be well structured, where social cohesion and integration are paramount, and the culture grows and develops. The state and polity are therefore, the most universal and most powerful of all institutions. Wherever human beings lived together for any length of time, we find organization and authority, and where we find organization and authority, we have the nucleus of the state. In any cultural society, there

¹ R.L. Gupta, *Political Theory*, 1991, p. 43, Sullanchai & Sons, Delhi.

is always an issue with regard to who rule and who are being ruled. In fact, this is all about polity.

The publication of Jayaswal's "Hindu polity" has led to an increasing interest in the field thus leading to a serious field of study among the social scientists. By state / polity formation, one generally means the process of evolution / growth / development from an unstructured to a politically structured society, besides it further deals with power, authority, force, justice etc.

Thomas Hobbes, Jean Jacques Rousseau and John Locke were the early thinkers who have presented the social contract theory on formation of state. For Hobbes life of man in the state of nature was solitary, poor, nasty, brutish and short. For Locke, the state of nature was a pre-political condition with the existence of natural law. Rousseau however remarked that the primitive man was nearer an animal than man. They were free, happy and honest; life was guided by the sentiments of self-interest and pity and had no moral obligation to other man. State was therefore a necessary creation for good governance and better living of the people.²² Following the social contract approach, the formation of political institution among the AOs can be understood as, *Ar Salang nung Sümedem*, (Maintain uniformity in the cane platform i.e, the formation of AO polity was a social contract). Prior to this, people had an unorganized living and the principle of individualism existed. Political institution was therefore a necessity for the growth and development of the people. In the *Sümedem*, marriage rules, the clan system, the distribution of attires, polity based on clan system were founded. The political institution of the AOs (*Putu Menden*) is organized with chosen representatives from all the clans, functioning in the principle of democracy, and thereby have the authority of legislative,

²² R.L Gupta, *Political Theory*, 1991.p143. Sultanchan & Sons. Delhi.

judiciary and executive, having the mandate of the people. Self-governing institution or the *Putu Menden* is therefore the highest political institution of the Aos. It controls and guides every aspect of an Ao's life, and acts as the guardian of the oral tradition. Evolutionary theory states, "The state is the result of an evolutionary process and is not an outcome of some deliberate effort. It is a growth and not a make. It is the product of a slow but continuous historical growth and it has evolved in the course of thousands of years from a simple organization of society to a highly complex political organization".²³ It was Marx and Engels who identified the structure of the state with that of the ruling class. For Engels, the state is an instrument created in the interest of the ruling class (F. Engels 1977). Studies on tribal political systems have been carried out in different parts of the world. Mention may be made of Leach, who has presented in a very systematic manner, the structure and culture of the Kachin society (Leach, 1970). Fortes and Evans-Pritchard have made a comparative study of the African political institution where different types of social organization found in a number of African societies are described and have also analyzed the traditional forms of government (Forte & Evans- Pritchard 1961). Moreover, Lucy Mair's work "primitive government" of African state and east Africa shows the formation of polity based on culture and tradition of a particular society (Mair 1962). The British administrators and ethnographers have attempted to record almost all the tribal societies of the North-East India and presented the social structure and custom of the tribal people. Among them, Verrier (1969) has discussed the social life of the *Nagas*, the political institution and the working of democracy among the tribal communities of Nagaland. Smith (1980) has also made a systematic account of the Ao Naga socio-political and culture life. American missionary Clark, (1907) has commented

²³ Ibid,p143.

on the smooth working of democracy and the village administration among the Ao communities. The British administrators and ethnographer popularized much of the *Naga* culture and practices to the western world. The way of life and practices of the Aos is seen in the work of Mills (1926). An account of the *Naga* people, its culture and practices as an ethnographic record is also seen in the work of Furness (1902). *Nagas*, whose wild cultural activities of head hunting have attracted the attention of the ethnographer and British administrators on one side, and the scholars around the world on the other. Added to these, mention may be made of the works of Romila Thapar (1984) who observes the theories on the earliest formation of the state in India. A.C. Sinha's (1962) Study on the formation of polity in tribes of central India has brought into limelight the importance of such studies. Rajendra Kshetri's Study (1990) on the polity formation of Moyo and Paite tribes of Manipur provides relevant documents and references in understanding the Ao Naga polity. Horam's (1994) Study on Naga polity is a pioneering work among a few selected Naga tribes. Added to these are the studies of traditional self-governing institutions among the hill population of Mizoram (R N Prasad 1994). The traditional self-governing institutions among the hill population group of Meghalaya (L S Gassah 1994), and the traditional self-governing institutions in Tripura and the constitution's 73rd amendment (Mahadev chakarvati 1994). The traditional self-governing institution among the hill tribal population groups of Assam (B N Bordoloi 1994), And the traditional self-governing institution of the Naga model (A L Ao 1994), constitutes some of the most important sources in undertaking this work. Besides these, the work of A.L. Ao (1993) on the rural development in Nagaland has pointed out the rural social institution and authority system. The work of Panger Imchen (1993) on

ancient Ao Naga Religion and Culture, which examines the cultural and religious aspects of the Ao society, may also be mentioned here. A. Lanunungsang (1992) in his article "the scope for election reform in Nagaland state" has made a clear emphasis on the scope for restructuring the entire Naga society or to maintain status quo concerning Article 371 (A) to the constitution of India.

The work of Amar Hasan (1988) on Tribal administration in India provides a fair picture of the tribes in general and particularly the tribe in UP. A full scale presentation of the 'local-self government in India' by MP Sharma (1978) could also be mentioned. It provides the detailed ideas of the functioning of village panchyats and its various powers. An equally important work is that of MP Jahagirdar (1992), whose comprehensive study on the aspect of the leadership and the process of distribution of powers, decision making, power structure, the role and interaction of the traditional leaders and the new emerging leadership in relation to new democratic set-up and development process in the rural areas in his 'self-rule and changing rural leadership'.

The holistic approaches in understanding the entire matrix of the tribal society, revolving on the axis of oral tradition provides a fair knowledge about the tribal customary laws and practices in the north-east of India and its social set-up as seen in the works of Shibani Roy and Rizvi (1990). Customary law and practices of the Aos of Nagaland' (LRI Gauhati high court 1979) provides the in and out picture of the Ao Naga society and the magnificent working of the traditional customary practices. Besides these the customary laws and practices of the *Apatani* of Arunachal Pradesh helps in understanding more about tribal customary practices, (LRI Gauhati high court 1985).

Akang Ao study (1999) on the *Naga* customary law provides a practical knowledge about the working of the customary law in the *Naga* society.

Relevant literature pertaining to different societies have provided an important sources of information in this study. Thus, works of Lanunungsang (2003) "The working system of *Tsüki*: A traditional female institution of the Ao Nagas" provides a clear understanding on the traditional female institution of the Ao Nagas. Praveena's (2004) work on Gender, property right and responsibility for farming in Kerala can be accounted for comparison of Ao women to that of the Keralites counterpart. Mention could be made of Barbara's (2004) "India's socially regulated economy" which provides a good insight of the social institutions in the economic development of the Indian society. Moreover, Susana's (2002) "The cultural basis of regional economy" has further widened the spectrum of knowledge in understanding the economic situations in Spain. Added to these, Bhanj and Tripath (2004) have presented the strategic intervention through dairying for rural development, which gives a good insight on the planning for rural development. Studies on marriage conjugal norms and the reformist agenda in 19th century Assam by Tilottoma (2004) gives a comprehensive understanding about the status of women in Assam thereby, providing a relevant source of information when studying the status of women in Ao society. Veena's (2004) "Study on the ecology and status of women among tribals of India", also constitutes a relevant source of information in understanding the status of women among the tribal communities of India. Lanu and Kshetri's (1999) "Sociological observations on the Impact of Bangladeshi and Nepali migrants in Naga society" provides a clear picture on the current issues on the migration of foreign nationals and its impact on the Naga society. Moreover, Mervyn's (2002)

"Study on the crisis of identity in high modernity" provides a relevant reference in understanding Ao Naga society in the modern world.

1.4. Aims and objective of the study:

The objective of this study is to:

1. Study systematically the working of the *Ao Putu Menden* (traditional self-governing institutions of the Aos).
2. Examine the working of the judiciary system among the Aos.
3. Find out the reason why, in spite of statutory administration (since India's Independence), modern education, advent of Christianity, modern political practice, the system of self-governing institution appears deeply rooted in traditional ways.
4. Find out whether there is any change in the self-governing institution due to change in socio-economic, religious scenarios.
5. Examine if the introduction of the village council Act has any impact on the functioning of the polity system.
6. Bring out a comparative study of the self-governing institution of the three phratries.

1.5. Scope of the study:

The present study on the self-governing institution may provide the much-needed light on the much-discussed issues of why and how the indigenous tribal political Institution is still effectively operating. Added to this, the self-governing Institution of the Aos has been increasingly and consciously playing a role of paramount importance in the state politics.

Since our study emphasizes more on the change in the self-governing institution, it is hoped that this work will be of immense help not only to students of political sociology, who would like to study and understand the traditional polity system but to the political leaders and the administrators as well. It is hoped that it will also provide authentic literature for other researchers in the academic field. Much of the discussion would concentrate on the socio-anthropological perspective of the society. In addition, studies on the traditional and modern system of polity, social stratification, religion, economy and social change would be discussed thoroughly. Thus it would be helpful not only to students of social anthropology and political science but also to a wide spectrum of people, because it will also discuss to some extent, women's participation in decision-making processes.

1.6. Area of study:

The present study shall focus on the tribe of Ao Nagas who are the dominant group in Mokokchung district of Nagaland. Ao villages are demarcated according to six ranges viz. the *Ongpangkong*, *Langpangkong*, *Asetkong*, *Changkikong*, *Jafukong* and *Tsurangkong* ranges. Each range has a number of villages. The ranges are divided in accordance to the physical geographical location. In all these ranges, one finds the composition of the *chungli* and *mongsen* phratry system of the polity. In certain villages both the phratry system exists. The other phratry i.e. *Changki* is found only in *changki* village. However, it is quite similar to the *mongsen* system. The universe in this study covers the whole of Mokokchung district occupied by Ao Naga villages. However, it is delineated to only three villages. One village each from the two phratries system would be identified and the third village would be where both the system exists. Thus, *Ungma*

village, which falls under *Ongpangkong* range, represents the *Chungli* system. The *Waromong* village comes under *Changkikong* range represent the *Mongsen* system and the *Mopongchuket* village of *Asetkong* range represents the combination of the two systems.

1.7. Methodology:

This study adopts interview technique as a tool for collection of data and information. This technique is actively used in the manner of both structured and unstructured ways. This is done by organizing the interview with fixed timing and place, giving pre-information about the theme and so on. Unstructured interviews are conducted in such a manner of informal conversation in the field, without any fixed timing or place. Added to this, participant and non-participant observation techniques are also actively applied to get authentic primary data. Secondary source of data from published books and journals are also used. Using the aforementioned tools, primary sources of data/information are collected from three different channels:-

- (1) The village elders of the three different villages, who are actively participating in the village administration.
- (2) Elderly people, not necessarily from the three selected villages, irrespective of Village, range, and residence location, who have enough knowledge on Ao polity and administration.
- (3) Women, irrespective of village, range and residence location who take active Participation in Village Development Board (VDB) Women's wing.

1.8. Chapterization:

The first chapter comprises the introduction of the study and its subject matter. Chapter two deals with the comparative study of the workings of the Ao *Putu Menden* in

the three forms, the *Shol* system (pig killing feast), the land holding system, and the introduction of *Guonghara* and *Dobachi* system. Chapter three is devoted to the introduction of the Village Council Act, the working of judicial system, and some major aspects of customary practices. Chapter four discusses the social life of the Aon, such as marriage, kinship, domestic system, festival of the Aon, and to certain length, have discussed on the status of women in Aon society. Chapter five is all about the Religion of the Aon - the ancient animism and the introduction of modern Christianity and education, and, changes brought about thereof. Chapter six constitutes the last part of the study where summary and conclusion of the study is drawn with certain suggestions and sociological observations are also presented.

General Introduction

Chapter I - The Aon

Chapter II - Customary Practices

Chapter III - Judicial System

Chapter IV - Social Life

Chapter V - Religion

Chapter VI - Summary and Conclusion

Appendix

Index

References

Notes

Tables

Maps

Photographs

Appendix I

Appendix II

THE AO 'PUTU MENDEN'

2.1. Introduction:

Ever-since, the formation of its polity, like other *Naga* tribes, the Ao village is a village republic. It is more akin to an independent state like the ancient Greek city-state. Elwin thus comments, "Each village amongst the Aos is a small republic and each man is as good as his neighbor, indeed it would be hard to find anywhere else more thoroughly democratic communities. The Headsman, Tatar, do exist, but their authority is very small" (V.Elwin 1961). Every Ao village is a well-organized village with clear boundaries between the neighboring villages. Usually villages among the *Nagas* in general and Aos in particular are located around the hilltops. This was done as a defensive strategy against attacks by enemies. The village government was formed based on the chosen representative (s) from all the clans. The village government is the supreme authority for the Aos and their decisions are binding on all the citizen of the village. Thus "every Naga knows that all discussions should lead to some conclusions, and once a decision is arrived at, a Naga is ready to obey it. He has a great respect for his village elders and tribal chieftains.¹ Every Ao village is a self-sufficient village. Their economy is based on the agriculture with almost every household engaged in jhum cultivation. Every one in the family engages in the production process, as there are no alternative activities. In a village republic, every measure is taken by the village government and ensures that the village is safe and protected from any evil situation. The village

¹ Joseph Puthempurakal. *Baptist Mission in Nagaland*, (Shillong:Vendram Missiological Institute, 1984)p,5.

organizes village guard or watchman round the clock on a rotation basis and the people enjoy freedom and democracy within the village.

Coupled with democracy of the *Nagas* there was the factor of independence of villages. These village states were linked to the Greek city-states - an image conjured up by the British and regarded as the height of civilization. In this way, the Naga people were regarded as having cultural nobility, which was, perhaps, one of the reasons the British excluded them from the hierarchical influence of the plain.² Each village is a separate village state, having a conducive environment for the people to live in. People share a common sentiment and uphold the cultural and traditional values strongly. It is the responsibility of the villager with a sense of loyalty to protect his village. In any situation such as raids by other villages or tiger coming inside the village, the (*tsutemonger*) or the village guard quickly beat the log drum which indicated that there was a situation, thereby the male members of the village come with his weapons i.e. a *dao* and a spear. Major Butler on his military expedition to *Naga Hills* has thus commented the Ao village republic in the following words. "Every man follows the dictates of his own will, a form of the purest democracy which it is very difficult indeed to conceive as existing for even a day; and yet that it does exist here is an undeniable fact."³ The village government as a sign of its mandate from the people, every year the village councilor organizes a collection day, (*saru*) a collection of certain amount which may vary from village to village. As in the case of unigma village it is Rs 50/- (during 2003) for every house hold. Which may change according to time and need by the village councilor. This is to signify that the councilor is empowered by the people and that he

² Andrew Gray. (ed). *The Nagaland Nation and its struggle against genocide: A report compiled by IWGIA*. (Copenhagen: IWGIA) Document 56, July 1986.p83-98.

³ V. Elwin. *The Nagas in the nineteenth century*(London: Oxford University Press, 1961:324)

rules on behalf of his clansman. The collected money, can be utilized for the purchase of a cow or a pig which would be distributed to all the councilor according to the status and position in which he is serving. The councilors then distribute the meat to his clansman from where he was chosen. As the people, in good faith and hope chooses their leader, the leader is also expected to reciprocate by performing his duties and function with loyalty and honesty and for the welfare of the people. Thus the system clearly indicates the practice of democracy among the Ao villages.

The traditional Ao *Naga* society since time immemorial has been a democratic society. Unlike the Indian society, caste system and untouchables are non-existent and unknown to them. For all administrative purposes, the political power rest with the people and the chosen administrator enjoys the office through public support. The village government is set up consisting of representatives of all the clans. Such major clans are the *Imsong-Pongen* clan, the *Longkumer* clan and the *Jamir* clan and of course a host of sub-clans. The representatives of each clan are selected by consensus and the members hold the status for a certain period of time, wherein all powers for the village administration are rested on them. However, a person found guilty of robbery, thief, crime, adultery etc, i.e, those who violate the social norms and mores are not allowed membership to administrative body of the village government popularly known as *Putu menden*, which is also called as *Tata menden* by the chungli speaking phratry and the *Samen menchen* by the mongsen speaking phratry.

2.2. Putu Menden in three forms:

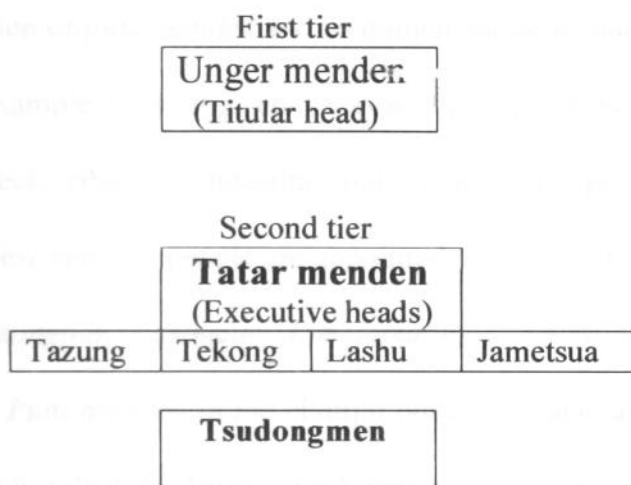
It appears appropriate to present the organizational structure of the putu menden of the two phratry i.e. the Chgungli and the Mongsen in its ideal form and the third

¹ Ungma Baptist Church, Annual census report of Ungma village 2003.

organization is the combination of both the phratry system in a single village. For this, Ungma village as been studied as a Model for the chungli phratry and Waromong village as a model for the mongsen phratry. The third is Mopongchuket village which has a combination of both the phratries. The organizational structure of the *Putu Menden* is shown in tables 1, 2, 3, respectively.

Table-1

The Chunglir system of Putu Menden a model of Ungma village.



Ungma village is just a kilometer away from Mokokchung town. The village is considered as the second largest village in Nagaland, second to Kohima village, Kohima. The village has approximately one thousand house holds and a population of around Five thousand to six thousand⁴. The village is connected by tarmac road to Mokokchung. Almost every house is electrified and piped water supplied. The village is also connected to the rest of the world in terms of modern communication such as telephone, television etc. The village is divided into two Khel the 'A' khel and 'B' khel. Although the two khel have their respective Putu Menden, yet, it is under the same umbrella of the village

⁴ Ungma Baptist Church, Annual census report of Ungma village 2003.

council. The village falls within the administrative jurisdiction of Ongpangkong Block under an administrative officer of the rank of Extra Assistant Commissioner.

The organizational structure of the *Putu Menden* presented in table No. 1 shows the structure of *Putu Menden* at Ungma village of "B" khel, during the tenure of the *Mopongsanger Putu*. This *Mopongsanger Putu* is about to complete its tenure of 30 years within 4 to 5 years from now.⁵

The term *Tatar* in *Ao Putu menden* literally means "having share of meat". The structural organization of *putu menden* and its nomenclature is maintained in the structure of an animal for example Cow, Pig, etc. A cow for instance is divided into following portion as head, neck, ribs, and intestine and so on, corresponding to the following portion a group of few selected people are appointed to each of the portion and are called the *Tazungpur*, *Tekongpur*, *Lashupur*, *Jamejapur* etc. These are the four groups of people forming the *Putu Menden* in the chungli phratry village, and any selected person to these four groups is called the *Tatar* as each person has a share of meat in the structural stratum of the *Putu Menden*.

The first tier of the *putu menden* is the *Unger menden*. The *Unger* is the titular head of the *Putu Menden*, it can also be called as the nominal head of the government. *Unger* is appointed generally from the *Imsong-Pongen* clan or a descendent of the *Tongpok* clan. That he should be a senior member of the clan and should have no sorry marks or bad records of his past life in the manner of theft, robbery, adultery etc. the *Unger* by name is the priesthood of the government therefore his office is maintained in great respect and sanctity. Any decision made in the office of the *Unger* cannot be changed under any circumstances. During the assembly session at the *Unger's* court yard

⁵ Interviewed with Akangkokba Tatar, Ungma Village on September 23rd 2003.

/ office, no outsider is allowed to enter the office. Fine imposed for robbery and theft in terms of domesticated animals are slaughtered in the *Unger Salang*. Interestingly, the AOs considered fine for robbery and theft as the most serious case and therefore most shameful and sinful. It is a belief that only the *Unger* can do the atonement of such shameful and sinful acts. Hence fine in terms of animals in such cases are slaughtered in the *Unger Salang*.

Putu Menden The second tier is called the *tatar menden*. The first stratum of people are called the *tazungpur* literally the trunk, comparing of the senior members of the *Putu Menden* or the cabinet of the *Putu Menden*. Among the *tazungpur*, there is a hierarchical arrangement of the members. For instance, like the prime minister in a democratic form of Government, the one who occupies the first position in this stratum is called the *Aoula*, who indeed plays a wider role in the *Putu Menden*. He is also, in most of the instances the final authority in any decision. Accordingly, the rest of the members occupy the following ranks. However, unlike the modern governmental organizations that have various ministry and portfolio allocations, the Tatars in the *Putu Menden* are without any portfolio even though they are the nerve of the village administration. However, they take all-important decisions. Thus, as a matter of fact, it is the *tazungpur* who actually rule by virtue of having the highest power of administration which has been mandated by the people. This stratum of people in the village *Putu Menden* occupies the highest position, they make laws according to the need of people and time. In a village, all legislative, Executive and Judiciary power rest on them. The second stratum of people in the *tatar menden* is called the *Tekungpur* who collectively act as a messenger i.e., any important decision of the cabinet in the village *Putu Menden* when required to be sent to any

individual, can be delivered only by the *Tekongpur*. Besides this, the financial matters of the *Putu Menden* is taken care of by them. After the decision of the cabinet to impose fine or penalty in any kind on an individual or group of people, the *tekongpur* carry out the action. During such process of action they some time can reduce the amount if the culprit request so admitting his fault, or otherwise even the amount increase if the culprit misbehave in their presence. On the other hand, the *Lashupur* are a group of people in the *Putu Menden* who act as messenger who spread the information whenever a meeting of the village councilor is convened. This stratum of people can be questioned/or are accountable if they fail to inform any of the councilors. The lowest stratum in the village *Putu Menden* is the *Jameja*, i.e, who usually serves tea or rice bears in the meeting hall.

Another group of people called the *tsudongmen* are constituted with equal representation of the different clan, to assist the *Putu Menden*. They are not the member of the *Putu Menden* and therefore they have no share of meat in the village government. However they take active participation or in other words take the lead during any social work such as cleaning of village pond etc. they also check and maintain the village reserved forest as well as inter village boundary. However, they are accountable to the village *Putu Menden*.

The size of the *Putu Menden*, or the number of persons to be inducted in the government is not fixed. The people themselves decide this. However, one thing is sure i.e, they induct as many as possible to run the government satisfactorily, and without any shortage of manpower. It is also taken into account, that all the clans are equally represented.

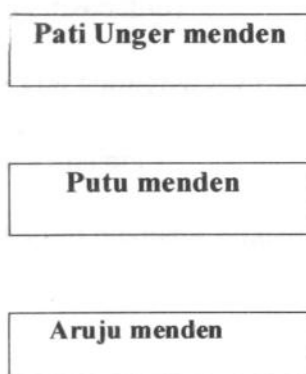
* Village Council Waromong, interviewed on 7th January 2002. Name of persons interviewed are in the bibliography.

The organizational structure of the Mongsen system of Putu Menden : A model of Waromong Village.

Waromong village is situated in the *Changkikong* range and falls within the administrative jurisdiction of *Mangkulemba* Sub-Division. It is approximately 50 kilometers away from the district head quarter Mokokchung. The village has a total population of 4442 person living in the village according to its village census 2002 and has 639 household.⁶ The village is connected by tarmac road, is electrified and almost every house is a semi pucca house having ethnic *Naga* style of making *majang*. The village is a self-sufficient village- almost every one in the village being a cultivator.

The structure and working of the *Mongsen* system of *Putu Menden* in *waromong* village is classified as under.

Table 2: Mongsen system of putu menden.



The *Pati Unger Menden* is composed of three age groups/peer groups/ *Zunga* who are considered to be the eldest group of people in the village in terms of age. The second is the *putu menden* which is composed of another four *Zunga* (age group/ peer group) i.e. the *Olangoyim Jupang*, *Jupang Tampu*, *Jupang Teyongtsu*, *Jupang Talak*. These groups of people are in fact the one who takes most active part in the village *Putu Menden*. The

⁶ Village Council Waromong. Interviewed on 7th January 2002. Name of persons interviewed are given in the bibliography.

third is the *Aruju Menden* which is considered as the junior most group of people. This group is composed of seven *Zunga* in the village.

Powers and function of the Pati Unger Menden: The *Pati Unger Menden* may be considered as the House of Lords. It is the eldest or the senior most *menden*, which, in certain cases, controls the most active group of people. It also controls and acts as guardian to the village council. Certain powers allocated to this *Pati Unger menden* are;

- (1) *Kilamet senchi* (imposition of fine for Adultery)
- (2) *Merok mi senchi* (imposition of fine for making wild fire)
- (3) *Council-I Yimli nung aiebelenba* (to check and control the village council from being over used or misuse of power.)
- (4) *Yim-li nung tax agiba* (to collect tax for the use of village / community land)
- (5) *Senso agatsuba* (to grand citizenship)
- (6) *Artsu yim ana tsungta or yim telongted reprangtsu* (boundary settlement between two villages or among the villagers.)
- (7) All financial matters and audit business related to *Putu Menden* are done in the Unger's residence).
- (8) *Ki shipangtsuba* (literally to close ones house; this is done when a person after Trial of a case does not obey the verdict given by the village *Putu Menden* than the person is barred from access to public property, meeting etc).

In the village, there can be two *Ungers*, the *Mongsen*, and *Chungli Ungers*. Besides the two *Ungers*, there are also 2 (two) helpers each called as *Tongnu*. These two *Ungers* are selected only from the entitled clan. On the other side the other clan have two representatives called as the *Pati* and *Jujang* in the *Unger Menden*.

The Putu Menden: The *Putu Menden* which consists of four *Zungas*/ age group/peer group is the most active group of people from which the chairman of the village council is also selected. In fact all responsible activities of the village are carried out by this stratum of people. The beauty of *mongsen* system of *Putu Menden* lies in its member selection as it follows its own style by way of selecting from the oldest to the youngest. No younger person what so ever his merit would not supersede the elders except when the senior is unable to function or otherwise dispensed with on the moral grounds. The system of replacement of person in the *Putu Menden* is in the manner of *Lajen Jakru* which literally means, retiring one after another, from oldest to the youngest. The nature of its member selection is based on the consensus of the clan and not through election. The net working of different parts in the *Putu Menden* shows the existence of pure democracy. However persons such as *Asangchir*, *Aur*, and *Kidongchir* i.e. children of unknown father, thief, or children whose parents belong to the same clan can not become a member in the *Putu Menden*. It is therefore called the purest (*tasungtet*) and sanctity, sanctified (*temishi*) form of village government. Also the *Putu Menden* is solely responsible for the impeachment of any members from the *Putu Menden*. The *Putu Menden* is the highest authority when it comes to the judiciary aspect of the village. Its decision / verdict of the village court is final and binding.

Aruju menden: Younger groups of people in the village consisting of seven *zunga* who are immediately below those members of the *Putu Menden* constitute the *aruju menden*. Although not much function is allocated to them, they always assist in the smooth functioning of the village. As this group of people is young and energetic, during any

occasion of the village for mass social work, they take active part and remain supportive to the village councilor.

The organizational structure and working of the Mongsen and Chungli system of putu menden in a single village: A model of Mopungchuket village.

Mopungchuket village is some ten kilometers away from Mokokchung town, and is now called the tourist village in Nagaland. The village is under the administrative out post of Kupulong. The village of Mopungchuket is divided into three khel. i.e. The *Anungsang* khel, the *Mongsener* khel, and the *Pongen* khel.

The structure of *Putu Menden* in the village is organized in the following manner.

Table 3: Mongsen and Chunglir system of *Putu Menden*.

Unger (Titular head)
Tatars (Executive heads)
Senyimer (Finance)
Shimulong (Assistants)
Kubener (Porter)
Unger tenyar (Peons)

Table 3 shows the structure of the *Putu Menden* in Mopungchuket village with various allocation of portfolio in the three khel. In all three khel there is an *Unger* each,

who is the titular head of the khel, and whose powers and function are no less than that of the Tatars. There are again four Tatars (headman) each in the three khel who are the nerve of the *Putu Menden*. Besides these, there are also three *Senyimer* (finance), one each from the three khel, who take the responsibility of all financial matters in the *Putu Menden* as and when required. Another group of people are the *shimulong* (middle part of the meat), one each from three khels. Again there are also *Kubener*, (goods carrier), one each from the three khel who carry the goods/belonging of any higher up ranks from the *Putu Menden* going to another village on official tour. Finally one *tenyar* (messenger) each is attached to the Unger.

The selection of Tatars is based on consensus and not through election or any other system. Each Tatar is a representative of his own clan and therefore he enjoys the office with the support of his clansman. That unless he is found guilty, or becomes unable to sit in office because of ill health, one cannot easily resign or discontinue office in the *Putu Menden*. This is because once a person is selected he holds office with no salary, not for his personal profit or gain but for his clansman with no salary. The other component parts of the *Putu Menden* also follows the same pattern. The mechanism in selection of the *Samen* or *Aoula*⁷ - the senior most or who occupies the first rank in the structure of the *Putu Menden* is selected from where the eldest in terms of age among the Unger belongs to. Therefore, the selection of the *Aoula* or the *Samen* may not necessarily be from one khel alone, or in other words, there is no particular permanent khel that has reserve rights to the *Samen*. There is provision for the impeachment of the members of the *Putu Menden*, as and when one is found guilty of misconduct or misbehavior that

⁷ The first rank in the hierarchy of the village councilor is called the *Samen* by the Mongsen phratry and *Aoula* or *Tazungti* by the *Chungli* phratry.

hurts the sentiments of the people at large i.e. violation of the social norms or action against the will of the customary practices. The *Putu Menden* takes steps for action in the manner of impeachment.⁸ The *Putu Menden* has very wide powers, Unlike the present day elected government system there is no theory of the separation of powers. The Tatars are the legislature, the Executive and the Judges. All three powers are vested on them and they therefore act accordingly, in the making of laws, planning of the village administration, village developmental works, implementation of plan, laws and order related activities, trial of cases, settlement of disputes, preserve of customary laws and practices etc. Having seen the organizational structure of the *Putu Menden* of both chungli and mongsen phratries at Mopongchuket village, it can be said that although there exist three khel system and also the two phratry system they have equal representation to the village council.

The assembly of the Ao *Putu Menden* in general is composed of representatives from the different clans that are in the village. There is a well-organized clan institution whereby every clan has an equal share. A person, by virtue of his qualification, capacity and ability discharges the responsibility as a member of the *Putu Menden*. As the *Putu Menden* is the highest authority of the village administration, the holder of such authority has also a vast and vital role to play in order to keep his people safe and to lead the village to economic progress and prosperity, as well as to have sound administration. Such responsibilities may be enumerated as follows.

1. To keep the village safe from all unwanted elements.
2. To maintain friendly relations with the entire neighboring villages as his diplomatic policy by way of having Aksü (pig-killing feast).

⁸ So far impeachment of the village councilor have not taken place in Mopungchuket village.

3. To maintain law and order in the village, and educating the villagers to be responsible citizens.
4. To organize the villagers in maintaining the village / community pond.
5. To organize the villagers in maintaining the footpaths leading to the paddy field.
6. To organize the villagers to clear up certain jungle path to enable the villagers to go for hunting or for collecting of vegetables from the jungle.
7. Organize and observe their cultural festivals such as *Moatsu* and *Tsungremong*.
8. To fix the date for burning of the *Jhum* for their cultivation.
9. To organize for mass hunting or driving away of wild animals such as tigers, boar, or even elephant, if it endangers the life of the villagers or cause damage to the crops.
10. To hear grievances appealed to the village court and to do justice in such cases.
11. To ensure that the developmental works provided by the Government are carried out successfully and by fair means.
12. To maintain cooperation with the Government agencies as and when required.
13. As a good gesture, to entertain guests in the village.

Besides these, a host of other related activities and responsibilities, which are encountered in the day-to-day social affairs, are also accounted.

The village *Putu Menden* is internally supreme and externally free from outside control. It is capable of making external diplomatic relation as well as warfare with other villages. The members who are appointed to the village government are called the *Tatars*, (meaning- who have the share of meat). Hoebel (1958) has pointed out that "the leader is expected to speak on all important occasion. Among the *Yavapai* of Arizona, the

headman was moderate in speech, stops quarrels and knew the best campsite. People follow him because his personality won this confidence. The headman in the primitive world rarely has explicit authority, his functions are so subtle that they defy easy description, yet he is the focal point of the local group".

It is these Tatars or the 'headmen' who do the legislative, executive, and the judiciary functions of the Government. Thus, the concept of the theory of separation of powers is not much pronounced here. In other words one can say that the whole government acts as a judiciary body, an executive and legislative body as well. Regarding the *Putu Menden* Clark (1907) wrote, "Each village is a little democracy managing its own affairs, except when other village interfere, either voluntarily or by partisan invitation, and each has its headman called *tatar*, who are the civil magistrate". The village *Putu Menden* has the power to execute but not to dictate or impose rules on people because they follow the dictates of the people at general mass meeting. Any important common laws and decision will become an act only after the final approval by the general public i.e. the villagers.

Among the mongsen phratry the *tatars* hold office for a limited term of six years or for life or may be set aside by the village for unworthiness, unpopularity, or for bad administration. They have entire control over civil matters, looks after the entertainment of distinguished guest and of person coming on official errands, and have powers for requisition of the service of the village for any labour necessary to the well-being of the community. They have no salaries but are well paid in perquisites and gratuitous labour. All higher offices, civil, military and priestly are held by those of matured age. The younger ones do not object, as each one hope that in due time his turn will come.

Unlike the Konyak and Sema tribes of the state having the *Angh* (sovereign) and the *Kukami* (the ruler), the institution of chieftainship based on the heredity is not practiced among the Ao Naga villages. Every member has equal status and has an equal voice/say, except for some exceptional cases such as latecomers, who have less voice or say in making important decisions for the village, or for that matter, they are usually not given the privileges for the post of cabinet. However, it does not affect the smooth functioning of the village democracy.

The Aos have two phratries, the Mongsen speaking and the Chungli speaking phratry respectively. Thus, the system of government or village council has certain innate difference in terms of the organization of the village *Putu Menden*. "The mongsen phratry practices a patriarchal system of *Tatar Menden*, in which a chosen elder represents the clan in the highest village council with an assistant, He is the final authority in his clan as far as his clan property, administration and judiciary are concerned. His assistant will replace his seat both in the village council and in the clan after his death or his voluntary retirement because of age, unfitness or moral ground, but this system had no period of term" (Panger Imchen 1993).

On the other hand, the chungli speaking phratry constitutes the government for a period of 30 years. The *Tatar Menden* (government) is represented by each clan, and occupies various strata, that some become the chief, while others discharge the role of assistant, and so on. It is here that a little difference or inequality is found, in that the late comers at the time of new village settlement, are not entitled to hold the status of the chief or *Tazungti*, except for the post of assistant. In the structure of the government,

Unger is the elder head in the village Putu Menden. His rules are limited but very strict.

Decision taken in the courtyard of Unger is binding and cannot be overruled.

"Ahu" or pig kill feast is organized between two villages to ensure peace and cooperation in a peaceful environment. This feast is the traditional Ao style of making bilateral relations in the affairs of the village government.

besides the *tatars*, there is a highly respected position called the 'Unger'⁹ in whose house, decision once taken cannot be revoked. Only the *Imsong- Pongen* clan in the chungli speaking phratry is representing this.

The political institution is organized in the principle of democracy for the *Nagas*. And the clans constitute an important component in fulfilling the principle of Democracy. The ideas of democracy were present among the life of *Nagas* in general and Aos in particular. Thus, Dalli namo states "Democracy is a way of life for *Nagas*, it is a part of our existence. If the Greek had city-state, in Nagaland every village is a small republic, before the British occupied a part of our territory, every village enjoyed sovereign authority to declare war or to make peace, every village has an unwritten constitution made up of customs and usage based on age-old Tradition. If ancient Athens had the popular Assembly known as *Ecclesia* the *Nagas* have popular assembly of chosen village elders. In the village, legislative, executive and judiciary is one. This sounds unbelievable, but it works magnificently in *Naga* society"(Dalli Namu 1987).

2.3. The Aksü:

A characteristic feature of the Ao polity is the practice of the *Aksü*.¹⁰ which literally means *Ak*=pig, *Sü*= killing, and hence "pig killing feast". In fact, it is not a mere killing of pigs and organizing feasts, but it has its importance and significance in the Ao political system. It is a known fact that Aos in particular and *Nagas* in general were headhunters. The act of head hunting was being accepted as an honour and prestige by the Aos. Headhunting thus became a game to earn one's social status and prestige. In this

⁹ Unger is the titular head in the village *Putu Menden*. His roles are limited but very important. Any decision taken in the courtyard of Unger is binding and cannot change.

¹⁰ *Aksü* or pig kill feast is organized between two villages to ensure peace and cooperation and to maintain peaceful environment. This feast is the traditional Ao style of making bilateral relation in the external affairs of the village government.

context, the etymology of the term *Aksü* developed when two villages during the head hunting days came to an agreement to stop raiding of each other's village and to maintain peace, both the villages cemented the decision by killing a pig and make a feast in the host village.

An *Aksü* can be categorized in the following manner.

1. *Yimden Aksü*. Usually between two village councils. This *Aksü* or feast is organized between two villages of same strength and might, in order to stop the raids by each other's villagers. Here the two villages mutually agreed upon to maintain peace and abstain from raids.

2. *Tepo-ja Aksü*. It is organized between a principal village and tributary village mainly seeking protection from the principal village because it cannot defend itself during raids by other villages. Therefore, the tributary village attributes father figure/status to the principal village.

3. *Kidong Aksü*. This practice is usually organized between the same clan but of different village. It is organized basically to establish and maintain brotherhood among the same clansman living in different villages. It also promote to establish peace and to create a sense of "We" feeling among the clansman.

Besides the diplomatic policies and functions of the villages among the Aos through *Aksü*, another policy which is similar yet, the latent purpose is different to the former practices is known as *Akangtep*.¹¹ Basically the concept of *akangtep* is to make bosom friendship between two people of different village not necessarily of same clan. It involves huge expenses that very few people can perform such *akangtep*. One can simply

¹¹ *Akangtep* or *Akangjungshi* literally means to throw a feast in the name of a person as a sign of making bosom friendship. This friendship feast is usually given to a friend from another village.

understand the latent function of *akangtep* as an exposure of ones wealth or richness. However, such practices have enabled the villages and the people to come closer to each other, and know more about others and create peace and goodwill among themselves.

2.4. The clan system:

Every human society is identified with a particular social structure. For instance, caste system is significant in understanding the organizational structure of Hindu society. On the other hand the western societies have the class system which appears to be more open when compared to the caste system. Unlike the two types of societies, the *Naga* society in general and AOs in particular have the Clan system. The whole of Ao social organization is centered on the clan system. A person born into a certain clan remains unchanged until death. This is more similar with the caste system in terms of rigid ness, as both clan and caste are ascribed, where one is bound to remain in his clan. However the characteristic features of the caste and clan system are different altogether in that, all clan are equal in status. A clan can be defined simply as a group of people who claim to have same ancestor, hold the same things sacred and share the same cultural attires. The AOs have three clan systems called the *Imsong- Pongen* clan, the *Longkumer* clan, and the *Jamir* clan. The AOs believe that the *Imsong/Pongen* clan is the eldest followed by the *Longkumer* and the *Jamir* clan. Today with the passage of time and civilization and the establishment of new villages, AOs have a host of sub-clans, these sub-clans however subscribe to the mother clans.

The clan system is of prime importance for an Ao. The identity of a person is better known by his/her clan. There is a pervasive sense that the acquisition and

¹² Mervyn F. Bendle: *The crisis of identity in high modernity*. The British journal of sociology, 33: 1, 1. March 2002: p 1-2 (London School of Economics, Houghton Street London)

maintenance of identity has become vital.¹² All social institutions such as marriage, political institution of *Putu Menden*, and the landed property has a direct relationship with the clan. If an Ao boy, for instance, wants to marry an Ao girl, the first query to both is to which clan he/she belongs. This is important because intra-clan marriage is strictly prohibited, and considered a taboo. Hence, a person marrying someone of the same clan causes to ex-communication from the village. To quote Horam "any clan can be traced back to a single family which has multiplied into numerous families and, which in turn, has managed to stay connected. Two or more such clans form a village. Thus, a clan belonging to the same tribe may be spread over hundreds of villages. Whereas, recently, the *Nagas* have become conscious of tribal loyalties, in the days gone by first clan and then village loyalties alone prevailed. This was mainly due to the practice of head-hunting between one village and another of the same tribe and of course of other tribes. The clan or kinship therefore is a continuation of the family unit on the paternal side. Thus the clan in its earliest stage was the combination of the families of the sons of one household joined by the families of the male cousins from the father's side" (M Horam. 1992:50).

It is also the clan that choose their representative to sit in the *Putu Menden*. Normally a person selected by his clansman is someone who knows about his clan's history well and who has the capacity to shoulder the responsibility of the village. Unlike the Sema *Nagas*, Land is a common property of the clan for an Ao. Whether homestead land or Jhumland, the clan acts as the custodian of the land. No individual person can sell the land or does any work without the knowledge of his clansman.

¹² Mervyn F.Bendle . *The crises of identity in high modernity*. The British journal of sociology. Vol 53, No 1. March 2002: p 1-2 (London School of Economics, Houghton Street London)

2.5. Land holding system among the Aos: land acquired land (6) confiscated land (7)

The land reform system in India and around the world took place due to high population pressure on land. "The structure of land tenure was completely transformed during the 1970s when many local day laborer and small renters, industrial workers and migrants bought small plots of land and become landowners who either worked the land directly on a part time basis, rented it or had it worked by share croppers.¹³ The *Nagas* and particularly the Aos were not affected by the land reform system in India. Further, during the rule of British India, land tax was never imposed upon the *Nagas* especially to the Aos. House tax was however levied during the British India period and even today, one sees the imposition of the house tax under the government of India.

The land belongs to the people, for the Aos, unlike the Semas and the Konyaks whose land belongs to the chiefs and the *Angh*. It is important to note that, as the land belongs to the people and the clan for the Aos, the government of India in its constitution referring article 371 (A) (iv) has clearly indicated that, Notwithstanding anything in this constitution "the ownership and transfer of land and its resources shall not apply to the state of Nagaland unless the legislative assembly of the Nagaland by a resolution so decide" (D D Basu 1997:).

The right of status of ownership of land, transfer of land and above all its resources are protected by the constitution of India. Thus, *Nagas* enjoy a special privilege when compared to others. The land among the Aos, especially in the villages are either inherited from their forefathers, or in certain cases purchased. Ownership of land can further be divided into the following categories; (1) community land (2) village land (3)

¹³ Susana Narotzky. *the cultural basis of regional economy: the Vega baja del segura in Spain*. An International Journal of cultural and social anthropology, Winter 2000 vol xxxix no 1 , University of Pittsburg.

the clans land (4) Individual land (5) government acquired land (6) confiscated land (7) village reserved forest and (8) church land.

Every bonafide member of the Ao community lives freely in his homestead land. He need not necessarily pay any tax or such kind to anybody so long as he lives in his homestead land or clans' land, in the later case, because he is already a member of that clan. Homestead land in fact, can be given for tenancy with an agreement between the owner and the tenant. In a village people, know about his land boundary and the village territorial boundaries as well. By tradition and practice, the *Nagas* use stone pillars, drains and fences to demarcate the homestead land. However village territories are usually demarcated by some natural geographical feature such as river, valley or mountain ranges, such demarcation items are thought or believed to be sacred and therefore anyone who does any displacement are punished severely by the village authority. Land is the most valuable asset for an Ao, because it further confirms his identity to a village. The system of land ownership is unique to the tribal *Nagas* and its protection was provided earlier under the Chin Hills Regulation 1896, which stipulates that for formal acquisition a reasonable compensation have to be paid by the Government for the land taken over. The regulation provides that the customary rights of jhuming land is considered to be established in villages or communities which had enjoyed the right to cultivate or utilize such jhum land for not less than 5 years prior to the making of the regulation. Thus the rights of the village communities over their respective territories in Nagaland as well as in Arunachal Pradesh, were recognized at least theoretically (Roy Burman, 1986:92). Furthermore, the above regulation has brought to light the Jhum land regulation in Naga Hills in 1946, adopted from the Chin Hills regulation. This regulation

safeguards and regulates the rights of the indigenous people to jhum lands. The regulation also laid down how the customary rights to jhum land could accrue in favour of an individual cultivator or a village or a community if utilized for not less than 30 years, and how such rights could be transferred. It further provides for terraced cultivation and rights to forest produce in jhum land. All these rights were subjects to payment of rent, tax or any other due as were lawfully imposed by those entitled thereto (Luthra, 1974:62-68). However, by the late sixties this regulation ceased to be tenable, and the Naga Forest Act 1968 and the Nagaland (Regulation, Acquisition) Act 1965 were instead enforced. Giving the Government absolute rights to carve out forest reserves and acquire any plot of land for its purpose. Besides these, the other legal framework for determining the right to cultivate land in Nagaland today is the Naga Jhum Land Regulation (Amendment) Act of 1970.

With reference to the above-mentioned articles to the constitution of India, for transfer of land, an individual has the right to transfer his self-acquired land or its resources to any person he likes. However, in many situations, selling of land in the villages or within the jurisdiction of a village is restricted to the outsider by the village government. Such practices are also in force in Ungma village at present. In terms of clans' land, a single person cannot transfer his clan land without the knowledge of his clansman. In case of community or an individual land in Nagaland or particularly among the Aos, can be given to the government, institution, agencies or even companies for developmental and welfare purpose, eg, site provided by the village / clan / individual for establishment of educational centers such as school, or even medical centers etc.

determined by the government according to the population and needs of the village.

¹⁰Interviewed with Saanglinoog Head Gungbuu of Ungma Village on 25th September 2001.

However, in disposing such land, appropriate compensation or agreement are made between the two parties before hand.

2.6. Gaongbura and Dobashi system:

The concept of *Gaongbura* began at the time of British government. It is a term borrowed from Hindi (*Gaong*- village, *Bura*- oldman). After the advent of the British government, they introduced the GBs but without affecting the original system of village republic, and set a parallel office which is accountable to the *Putu Menden*. "The purpose of introducing GBs was to help the British government in carrying out their day to day official activities successfully. These *gaongburas* act as middle men between the British government, and the village government."¹⁴ Besides this another designated group of people called the *Dobashi* were also introduced. They were used as interpreter to the British government official whenever and wherever they went to the Ao villages. Both the concepts still exist today, even after the British government left India, and still continue their office, maintaining and protecting the customary laws and practices of the land. Today under the district administrations of the state government, *Dobashi* courts have been established as court of customary law court. Unlike the *Gaongbura* in the village the *Dobashis* are paid government servant.

Gaongburas on the other hand, remain active in supplying information passed by the government of India and the state government as well. This has now become a regular feature of the village *Putu Menden*. The *Gaongburas* are chosen in the manner like the representative to the village government from their respective clan, with the same criteria. But, since it is a government agent the number of *Gaongpuras* to be in a village are determined by the government according to the population and number of household in

¹⁴Interviewed with Sanglimong Head Gaongbura of Ungma Village. on 25th September 2003.

the village. Thus, for every 50 house holds a *Gaongbura* is appointed. Further they are also supplied a red blanket every year as a sign of being a Government agent.

The *Gaongbura* has certain duties and responsibility to perform, as given under;

1. As and when the state and central Government wants to contact a particular village information is passed on through the *Gaongbura*.
2. As and when there arises the necessity to have an army operation or if police wants to undertake checking in a village, they would take the *Gaongbura* along with them as a witness.
3. In the event that some government officials want to visit a village, the *Gaongbura* takes the arrangement and chalk out the programmes but in consultation with the village councilor.¹⁵

¹⁵ Ibid.

Chapter-3

THE VILLAGE COUNCIL

3.1. Introduction:

The *Nagas* in general and the *Aos* in particular are, since time immemorial, living in their own land with their own model of administration in their respective villages. The isolation of the villages with little or no interaction with the outside world was a conducive environment for the development of the village republic. Every village was a self-sufficient village in terms of economy and was also well protected round the clock. It was however, after the advent of the British India government, that a little exposure began to take place. Since then, slowly and steadily the amount of exposure developed more and more. It was after India's independence, and latter on when Nagaland attain its statehood on the 1st of December 1963, that the government of Nagaland passed a bill called the Nagaland Village, Area and Regional Council bill of 1970, and there after become an act in the year 1978. The Act, enacted in the twenty-ninth year of the republic of India reads as follows:

1. (1) This act may be called the Nagaland village, area and regional council act, 1978.

(2) It extends to the whole of Nagaland.

(3) It shall come into force on such date as the state government may by

Notification in the gazette, appoint, and different dates may be appointed

for different provision of this act.

The Act provides that every recognized village shall have a village council. The definition of village according to this Act includes an area recognized as a village as such

by the government of Nagaland. An area in order to be a village under this Act shall fulfill the following condition namely:- (a) the land in the area belongs to the population of that area or given to them by the government of Nagaland, if the land in question is a government land or is given to them by the lawful owner of the land. (b) The village is established according to the usage and customary practice of the population of the area. It further reads that, a village council shall consist of members chosen by the villagers in accordance with the prevailing customary practice and usage, the same being approved by the state government. (The Nagaland Code 1986)

In the light of the above given Act, every Ao village has a village council which is duly approved by the state Government. The traditional system of *Putu Menden* is however not ignored in that, the introduction of the village council is just a standardized way of the traditional system of *Putu Menden*. Further the introduction of the village council does not in any way affect the system and practices of the customary laws and usage. With the rest of the Ao villages, the three model villages selected for this study (Ungma, Waromong, Mopongchuket) too adopt the system of village council under the same Act. Thus, the village *Putu Menden* is now used as the village council. The modern concept of village council is applicable to both the mongsen system of *Samen menchen* and the chunglir system of *Tatar Menden*. The members selection for the village council follows such a pattern that those who are selected to sit in the *Putu Menden* from their respective clans automatically become the member of the village council. The council is formed with a chairman, either selected on consensus or elected from amongst the members themselves. He holds the office for a period of five years, and in the completion of his tenure, another on the same basis from amongst the members would replace him.

¹ M. Hovam (1972) *Naga Polity*, p 24. low price publications. Delhi-110013

² Government of Nagaland, Village council act 1978.

When a chairman retires after completion of his tenure, he remains as a *tatar* or council member till the cycle of rotation of *Putu Menden* is completed for chunglir, or till he is replaced by his assistant for the mongsen phratry. Further the Act also provides to have a council secretary who may be chosen either from the house or otherwise from out-side the *Putu Menden* if there is no competent person to do the secretarial works. The size of the village council depends on the number of clans in the village. The people also decide the number of representative from each clan during the formation of the *Putu Menden*.

3.2. Membership to village council:

The village council is the most important organ of any *Naga* village. The members of the council are either elected or selected in most of the *Naga* villages. However, among the AOs, the representative of clan to the *Putu Menden* becomes the member in the village council. Thus after the formation or constitution of a new *Putu Menden* among the AO villages, its members are placed before the state Government for approval. Once it is approved by the state government, the members automatically become the recognized member of the village council. The methods of election of the council differs from tribe to tribe but all *Naga* tribes have some sort of a village administrative body in which the entire village is represented either by clan wise or by khel wise.¹

Very little is mentioned in this Act for membership to the village council. A person should be a citizen of India and that he should not be less than twenty five years of age.² However for all practical purposes members who are selected from their respective clans to sit in the *Putu Menden* are entitled for becoming the members of the village

¹ M. Horam (1992) *Naga Polity*, p 84. low price publications. Delhi-110052.

² Government of Nagaland, Village council act 1978.

council irrespective of age. One should be a regular citizen of that village. That he should not have bad records of life history such as theft, or should not be a criminal. Other qualifications are that he should have a good knowledge of the village history as well as his clans history. That he should be capable enough to handle any problem. That he should be a person on whom his clansmen can trust. His service should always be available as and when required by the people. It is not a written rule yet a conventional practice and norm strictly observed. The Ao councilors are normally the representatives of the various clans residing in the village. A person who is able to speak up boldly for his clan and is also otherwise the fittest, will be send by the clan to be its representative in the village Governing body.³ Different tribes have different ways of organizing the village administration. The Angamis do not have a council, therefore any matter under dispute is taken before a meeting resembling the ancient Greek democratic meetings. Where, an eloquent elder of the village usually opens the proceedings, and he is usually the 'Kemovo' or the head of the village.⁴ The system among the Tangkhuls is such that the head of each clan is the ex-officio member of the village council. The head of the clan is the eldest male member of the clan and holds the position till death or otherwise is unfit and ineffective due to his age may than be replaced by a younger and more energetic clansman.⁵ In this regards the Tangkhuls system of member selection has a close relation and similarity to the Aos of Mongsen phrarty. As the Mongsen phrarty practices the system of clan representative from eldest clansman and is replaced by the second eldest and so on because of death or due to age. On the other side, the Aos of Chungli phratry adopts the system that the best and ablest person, irrespective of age and

³ M.Horam (1992) *Naga Polity*, p 85. low price publication. Delhi-110052.

⁴ Ibid, 85

⁵ Ibid, 85

seniority is followed. In case of replacement of a councilor due to death or unfitness, the assistant succeeds the councilor.

Further, the Act clearly prescribes the powers to remove members from the village council. According to the Act, a member can be removed on the basis of the following criteria.

- (1) Who is convicted of any offence involving moral turpitude by a court of law,
- (2) Who refuse to act, or become incapable of acting or,
- (3) who is declared to be insolvent or,
- (4) who has been declared by notification in the gazette to be disqualified for employment in the public service, or
- (5) who without an excuse or sufficient ground in the opinion of the state government absents himself from the majority of the meeting in a year of village council, or
- (6) Who has been guilty of misconduct, in discharge of his duties or of any disgraceful conduct, and two third of the total members of the village council at a meeting recommend his removal.

The above are the six points laid down by the Act for disqualification of a person from membership of the village council. Apart from the statutory rules, the customary laws and practice of the Aos do not allow an illegitimate person i.e. whose parents are of the same clan, a person whose father is unknown (*Asangchir*) therefore clan identity is a problem, or whose life history has a record of being a thief at one point of time, are debarred from membership. In spite of the formal laws for removal of the members from the village council as and when the members violate the rules, it is reported that so far no members of the three village councils selected for this study have removed any of its

* Government of Nagaland village council act 1978.

members. Without defending the argument it can be justified that during the induction to the *Putu Menden* the representative members take an oath and pledge before God to solemnly and faithfully serve the people and to abide by the laws and practices of the village council.

3.3. Functions of the village council:

The function of the village council may be broadly categorized into three aspects: the Executive, Administrative and the Judicial. In its executive aspects, the village council decides disputes that arise within the village between two persons or two parties. The village council is also responsible for the effective execution of the decision resolved in the council. In case a party or a person fails to abide by the decision of the council, it takes necessary action against the defaulter. The village council also sees to it that all decision whether developmental, administrative or any other resolved in the meeting of the council is properly executed. (Details of the Village Council Act may be seen in Appendix "A") The *Nagas* and especially the *Aos* have innumerable taboos involving *Dos*, *Don'ts*, and any violation, deliberately or unconsciously invites wrath of the evil power. In such a superstitious community, the observance of law is strictly enforced.

In its administrative aspects, the village council, as provided by the statutory law shall be auxiliary to the district administration and shall have full power to deal with internal administration of the village. In serious cases, offenders may be arrested, but such persons should be handed over to the nearest administrative officer or police station without undue delay.⁶ The village council is responsible for maintenance of village water supply, clearing of footpath in the jungle leading to the paddy field, to keep the village clean by organizing social works and educating the people for hygienic living. It is also

⁶ Government of Nagaland village council act 1978.

the responsibility of the village council to formulate village developmental schemes, to supervise proper maintenance of roads, forest, sanitation, education and other welfare activities. The *Nagas* have an interesting custom of observing mass hunting and mass fishing days. And the Aos are no exception. For e.g., the Aos organize mass fishing days known as *Tsüyok*. The time for clearing of jhum side and burning the same is also decided by the council. It further takes the initiative to help various Government agencies in carrying out development works in the village and to constitute the Village Development Board (VDB). The council further takes important measures during the time of dry spring seasons to protect the village from fire incidents, like directives that, every house should keep three to four bamboo jars filled with water. This is still practice in Ungma village. In financial matters, the council is also the custodian of the village fund or finance. It is also empowered to borrow money from the Government, banks or financial institutions for application in the development and welfare works of the village. Besides these, the village council administers hosts of social activities.

On the judicial aspects of the village council, it is itself is considered to be a court. It is the highest court of justice for the Aos. All disputes that arise in the village, whether criminal or land disputes, petty theft or any nature of crime, are attempted to be settled amicably in the village. The village court does not stop a person going to higher courts for justice, this however does not undermined the importance of the village court. Throughout the ages before such statutory laws were enforced to the *Nagas* in general, and Aos in particular, the Aos were capable of handling any kind of disputes that arises within the village. Judiciary aspects are therefore discussed in a separate heading.

of young and energetic people to perform military service to the village

3.4. Powers and functions in military and economy: *clares a war with a certain village*

Nothing much is mentioned with regard to the military activities of a village in the village council Act. However, one can clearly assume that in a village republic, protection of one's own village is one of the most important activities of the entire villagers. As a republic, every village has the system of village guards, or the *Tsutemonger*. Depending on the situation of the village, the *Putu Menden* will decide how many people per day should be employed to guard the village round the clock. With every household having an equal participation in this activity. However, certain relaxation is also given to those of the widowed households in case there is no male member or son living with her. There is a certain practice with regard to deployment of village guard in Ungma village i.e., ten men each from all the clans in terms of age are exempted from performing the duties of village guard. However, on the day of burning the jhum site, since every one is busily engaged in their respective works, these ten men each, from all the clans, remain as village guard until the villagers return home. Village guards are organized on a rotation basis from each house hold. In times of emergency in the village such as fire in a house leading to burning of the village or passing of death news to the victim's family who are in the jhum field are also done by the village guards. A traditional Ao village has a well-organized military system. The system of *Aruju* popularly known as boy's dormitory is not only a sleeping place for the boys in the village, but also a training place or institution towards becoming a full-fledged man. Only young unmarried male members were qualified to enter into this institution. Besides their learning activities in their customs and practices, it also constitutes a handsome institute of young and energetic people to perform military service to the village as and when

required. As such, as and when the village council declares a war with a certain village the Aruju people take active participation.

The economic activity of an Ao is directly linked to land and its production such as jhum cultivation, terrace cultivation and even the forest production. The United Nation remarks on tribal economy states "Tribal people in general derive either directly or indirectly a substantial amount of their livelihood from the forest. They subsist on edible leaves and roots, honey, wild games and fish. They built their homes with timber, bamboo, and practice cottage crafts with the help of local raw materials. They use herbs and medicinal plants to cure their diseases and even their religion and folklore are woven around the spirit of forests. Commercial transactions are predominately by barter, trade being left mostly to the outsiders who controlled the money economy". (1973:4). Every Ao village is a self-sufficient village. The villages practiced jhum cultivation as there were no alternatives to replace the jhum culture. Life was confined in a compact world that people go to their jhum fields every day as a routine work. As it was the only available vocation to them, they tried to meet all the requirements and wants by working in the field. Wants and needs were of course limited to this people as there were not much of exposure to the out side world for trade and commerce.

Agriculture or jhuming is the main source of village economy among the Aos. Both man and woman engage in the agricultural activities-from the time of clearance, burning the jungle until the harvest is over, and the paddy yield is stored in the granary. The main tools used in this cultivation process are dao, hoe, spade and basket made of bamboo split. Through out the years people work in the paddy field. However, apart from other crops items are also cultivated for domestic consumptions as well as for sale in the

² Barbara Harris-White. *India's socially regulated economy. The Indian journal of labour economics*. Vol 47, No 1 (January-March 2004)

market. Like other *Naga* tribes rice is the main staple food for the AOs. Maze and millet are used but in a very minimum manner which cannot substitute the rice. The agricultural production can be divided into two categories i.e, cash crops and rabbi crops. Cash crops include green vegetables, chilly, potato, tomato, pumpkin; yam, sweet potato, mustard leaves etc. Cash crops are used both for domestic consumption and for sale in the market. Thus the economy of small towns and urban centers are dominated by the agricultural and food-related goods and service.⁷ The rabbi crops are rice which is the main crops grown in the paddy field. Wheat, maze and millet, which are popularly grown in the plain areas, are not so popular in the hilly tracks of Nagaland especially among the AOs.

Passion In recent years, some Ao villages have also focused on the development of horticultural production apart from the agriculture production, which proves to be more profitable and more income generating. Villages like Chungtia and Aliba produce cucumber and oranges where as Changtongya village produces pineapple and oranges. These items dominate the fruits market in Mokokchung and Dimapur and other towns accessible to transportation. Introduction of new culture in the village economy is diffinitely improving the economic condition of the Ao villages. Few Ao villages like Ungma, Mokokchung village, Khensa and Chuchuyimpang are located very near to the urban center and this has enabled the office goers to settle in their respective villages, and they constitute the non-agriculturist segment of population. The rest of the villages are far off from the main town and therefore salaried people working in the offices migrate to the urban centers. Mokokchung district has a total population of 227230 according to 2001 census, out of which, 196026 constitute the rural population, and only 31204 is of

⁷ Barbara Harriss-White. *India's socially regulated economy*. The Indian journal of labour economics, Vol 47, No 1 (January-March 2004)

urban population.⁸ Agriculture is the main sources of livelihood for the rural population. It also caters the demands of the urban population in terms of agricultural production such as cash crops items. Of the various crops items produced by the villages in Ao areas the yield of jhum paddy, which is, also the staple food of the Aos has accounted for 18100 metric tonnes in the year 2001.⁹ Other crops items such as T.R.C Paddy, Jowar, Bajra, Maize, Millets, and Wheat etc too are produced yet in negligible amount.

Horticulture is fast developing in Nagaland and especially in Mokokchung district. Major items of horti-products from the Ao villages accounted during the year 2001 are Banana 7272, Orange 3000 Papaya 1050, Mango 500, Pineapple 11500 and Passion fruits 3681(all measurement in metric tonne).¹⁰ Nagaland does not have any industry that can substitute the traditional practices of jhum culture among the Nagas in general and Aos in particular. Cottage industries are slowly gaining acceptance and are growing popularity such as blacksmith, handicrafts and weaving but they still constitute a negligible percentage in the village economy.

The places in the Ao territory are more suitable for practicing jhum cultivation except for a pocket of areas in changki valley where there is little provision for practice of terrace cultivation. Traditionally the Aos do not practice much of horticulture or floriculture, pisciculture and thus, the economic development of the families in particular and the village in general has been based on paddy cultivation. The important role of the *Putu Menden* in the village economy is apparent to see in the fact that it decides the place for cutting and clearing of the jungle for jhumming and is the concern of the village council to decide when to burn the jhum side for sowing of seeds etc. The economic

⁸ Government of Nagaland, *Statistical hand book 2001*. Directorate of economic and statistical.

⁹ Ibid,

¹⁰ Ibid,

scenario of every Ao village in particular, and the villages among the Nagas in general, in modern times, have shown some major improvement. This is due largely to the attainment of the statehood. Various programmes are implemented with a target to eradicate poverty and to provide better living standard to its people. Mention may be made of certain programs such as the Rural Development Fund, which is allocated to all the villages in Nagaland annually, implementation of the Development of women and children in rural areas (DWCRA), the Employment assurance schemes for the young unemployed youth, the JRY called the Jawahar Rozgar Yojana, etc.¹¹ These are all aimed at the rural poor so as to improve their economic condition. Such schemes are activated by a village development board in all the villages under one VDB secretary and a number of committee members in the board. The “ rural areas in which nearly three-fourth of the country’s population lives are characterized by poverty, low levels of productivity and lack of adequate basic minimum services to ensure a quality of life to the people compatible with their physical well being. The developments of rural areas and improving the social and economic condition of the people residing therein have been among the central concerns of development planning since its inception. Recognizing that economic growth alone does not ensure that its fruits percolate to the most disadvantaged section of the society; state has resorted to direct intervention in terms of special redistributive measures focusing on the vulnerable groups. Ministry of Rural Areas and Employment, apart from promoting infrastructure for improving productivity and social development in rural areas, has through a frontal attack on rural poverty endeavoured to

public relation. New Delhi.

¹⁰ Interviewed with Mr Noyntiba, village development board secretary of Uagma village in 2004.

¹¹ DWCRA projects, the development of women and children in rural areas where by central government has stated an endowment funds, as a central government policy.

¹¹ The stated programme are a central government sponsored schemes for economic upliftment of the country.

reach out to the poorest of the poor through programmes of asset building, income generation and wage employment.”¹²

In a close interaction with the VDB secretary¹³ of Ungma village, it was disclosed that the Village Development Board initiates developmental activities like the construction of link roads and main roads inside the village, improvement of water supply facilities and public will, maintenance of streetlight in the village etc, on receipt of such funds from the government. Besides these, in certain projects, funds are allocated for construction of houses to the rural poor, where the VDB, on the direction of the village council, provides CGI sheets to enable the rural poor to construct houses. The introduction of DWCRA¹⁴ projects has enabled the womenfolk to take active participation in the economic development of the village. Moreover, projects like self-employment schemes for the rural youth have also been introduced and implemented. Interestingly, a Canadian project was recently introduced in the village providing certain loan system to the rural farmers to develop their cash crop farming. After the fund is provided to the village, the VDB distributes the loans to the farmer at a maximum amount of rupees ten thousand (Rs. 10,000/-) at a minimum rate of interest i.e. @ 2% per annum. The collected amount of interest is further released as capital so as to cover more number of farmers to avail such opportunities. It may further be noted that the VDB women wings are also actively participating in the village development programs by way of organizing “weavers association” under the society registration Act of the Government of

¹² Government of India, *India 1998*. Annual hand book published by the ministry of Information and public relation. New Delhi.

¹³ Interviewed with Mr Meyutiba, village development board secretary of Ungma village on 10th of may 2004.

¹⁴ DWCRA projects, the development of women and children in rural areas where by fifteen to twenty women were grouped together and started an endowment funds, as a central government policy, certain amount of seed money was provided from the government through VDB to such groups to begin with their projects.

Nagaland. This has enabled, not only the housewives, but also the educated unemployed young girls to earn a living.

In any circumstance VDB is however accountable to the village council, thus any developmental works in the village are carried out successfully with the initiation of the VDB and the reports of the said activities are submitted to the village council at the end of the year.

3.5. The administration of justice and customary laws and practices:

The administration of justice among the *Nagas* in general and the AOs in particular is carried out by the respective village councils in accordance with their traditional customary laws and practices. The *Putu Menden* for AOs is the supreme political organization, and it is also designated as the village court. Since the theory of the separation of power is not applied to such tribal communities, the *Putu Menden* acts as the legislature, the executive and the judiciary, so that petitions are filed for all the grievances of the villagers. In certain cases the *Putu Menden* advise the respective clans to settle minor disputes that arises within the clan.

The *Putu Menden* is the custodian of customary laws and practices within the village. All disputes and cases whether civil or criminal within the jurisdiction of the village are settled judiciously by the *Putu Menden*. However, one needs to note, as it has been found in the modern times that the villagers themselves also make an appeal at the higher courts for justice, such as high courts and Supreme Court. However, this does not mean that customary laws do not provide justice, rather indicating the dynamic nature of the society.

Ao Naga custom and practice has its own style of conduct in the administration of justice. Cases of dispute are first settled at the clan level, and if they cannot be settled, then the cases can be filed to the village court. In certain extreme cases, the Aos too practice the style of administering oaths to settle the disputes. The Aos consider oath taking as very sacred and serious and is, therefore binding. This is partly because they respect an oath and, chiefly because they greatly fear the wrath of heaven that will befall if they falsely swear on oath.

The village council Act of 1978. No 14 reads; (1) the village council constituted under the law in force from time to time shall administer justice within the village limits in accordance with the customary law and usages as accepted by the canons of justice established in Nagaland, and the laws in this respect as enforced from time to time. Thus, with the provision enlisted in the village council Act and in accordance to the customary laws and practices of the Aos, the village council makes laws and executes the laws according to the need of the time. All grievances whether individual or groups are settled in the village court. Or some time such cases are filed to the *Dobashi* court. The working of the administration of justices among the Aos can be better understood by examining some instances.

Land disputes:

Illustration: dated 6 September 2003, Ungma village Court;

Land disputes arise mostly in the maintenance of boundary. Aos, normally make the boundary by putting stone pillars or demarcate according to natural streams, mountains, topographical features etc. Instances of land disputes arise, when the ancestral landed property is used without consulting the co-owners, when the neighbour with

The investigator was a silent non-participant observer during the proceeding of the case on 6th September 2003 at 10:30 AM, At Ungma "B" kind court.

the land boundary is shared, annexes or encroaches and claims the rights of the land. An illustration is cited below on the land dispute that arises among five brothers over a small jhum land claiming for ownership rights among themselves. The case was filed to Ungma village 'B' Khel court and had its hearing on 6th September 2003.¹⁵

The dispute arise among the five brothers over a piece of jhum land on which one brother, Mr. Chungpongnungshi filed a case against his four brothers. According to the version of the petitioner, he bought the land some 30 years ago. He had at his side a person witnessing that he bought the land. On the other side, the remaining four brothers claimed that since it was bought by their brother, they have the rights over the land, and started to use the land by way of opening farms and plantation in that very land. The petitioner told the court that he asked his brothers to stop using the land but did not obey him. The court after serious deliberation and investigation over the issue held that the land belongs to the petitioner. The court gave its verdict in favour of the petitioner who is legally the owner of the land. The four brothers were imposed fine of Rs. 500 for using the land without the consent of the owner. Further, the court also ordered the four brothers to withdraw from the land with immediate effect. It is pertinent to note here that the customary laws and practices of the Aos protects the rights of a person to his own land whether jhum land or homestead land, or any other category of land which is possessed by him, through inheritance or by purchased.

The *Putu Menden*, which is also the customary law court also settles disputes in the manner of serving oath to the parties involved in the case. In disputes arising especially to land ownership or boundary disputes between two parties, where there is no

¹⁵ The investigator was a silent non-participant observer during the proceeding of the case on the 6th of September 2003 at 10:30 AM. At Ungma "B" Khel court.

concrete evidence in support of the claimant, the court serves oath to both the parties. i.e., in the manner of eating a piece of soil of that disputed land. Thereafter the parties are carefully observed by the councilor for a fixed period of time/days to see any uneventful occurrence to any of the parties. If within the fixed time frame, any misfortune or bad thing happened to either of the parties, the court accordingly gives the judgment. Oath serving usually takes place when the court does not have concrete evidence from both the complainant and the defendant and have agreed upon for oath. Cases on begetting of illegitimate children petitioned to the district customary law court is an evident example where oath was served.¹⁶ The philosophy of oath taking in such serious situation is to reveal the truth of the matter which human beings could not, but only by the creator of the earth.

Another instance could be cited to illustrate how disputes were settled by the village court. One Mr Sentitsuk was badly assaulted by Mr. Chubangangshi. The court after a thorough investigation and deliberation, and having interrogated the defendant, was found guilty of his action. Therefore, the court imposed a fine in terms of domesticated animals of three cows. Further the culprit was asked to provide financial assistance to the victim's family for medical treatment.¹⁷

The above cited cases show the effective working of the judiciary aspects of the village council in different situations and in different nature of cases. Any disputes or grievances that are brought to the notice of the village council are dealt with by way of

¹⁶ May 1980 Mokokchung dobashi court. Sentirepla vre longrikaba. the complainant gave birth to an illegitimate child and claim the defendant as father of the child. the defendant refutes the claim. The parties have agreed to take oath before the dobashi court at mokokchung town. The terms and condition of oath was to pay the sum of Rs 500 by the loser to the winner on the happening of some unusual incident within a time limits of thirty days as normally practiced under local custom. The complainant puts her hands on the child and left hand on the apron of the defendant. The defendant too puts his right hands on the child and with his left hand caught the complainant's skirt by saying that he never opened her skirt for intercourse and bites the skirt. The complainant lost the oath and her relatives paid up the amount on the bid on her behalf. In Akang Ao 1999.

¹⁷ Case proceeding in Ungma village court. Recorded on 5-2-1993.

trials. Punishment or penalty is awarded according to the nature and seriousness of the case. There is no fixed amount of fine to the culprit in most of the cases. Therefore, penalty or fine imposition is solely the rights of the customary court.

Headhunting, which was once a social pride, is no more in force. Now, its customary law to live peacefully and safely on one side and to punish and correct the wrong doer on the other side protects every individual person. Attempt to murder, humiliate or assault by the co member of the society are therefore brought to justice so that a safe social environment is created for every one to live peacefully.

By custom, an Ao loses all the land when he migrate to a new village and settles there permanently. He lives under the guardianship of a putative father who provides land for jhumming side and other necessary things, as and when required. However migration to urban centers, whether towns or cities, do not affect such rights. A simple fact is that in the former case, one ceases to pay the annual subscription of the village, and not all undertakes the social activities in the village, while in the latter case, he continues to pay annual subscription and participate in welfare activities and important meetings of the villagers.¹⁸

The Ao Naga customary laws and practices and its philosophy are modeled in such a way that it saves and protects every individual in the society. However an interesting feature of the Ao Naga customary laws and practice is that any person born to parents belonging to the same clan has no social status and no membership in the putu

¹⁸ Mokokchung case No. 3 dated 11.6.1945. Mr Teka of Chungtia vrs Mr Impang of kinunger village. dispute on jhum, belonging to deceased Mangko. The parties are descentent of one arensenba. When Mr Mangko doed Yachangnok moved himself from kinunger village to chungtia village. as Mr Mangko died without direct hier. Teka now claim a rightful share in the jhum according to the Ao customary law. Impang took oath that to kinunger custom since Teka has moved to Chungtia, he has no right and claim to the properties with him. Oath was administered by Mr Senkalembe, Head Dobashi Mokokchung and the complaint waived the oath. But this custom is not applied to person, who migerate to urban areas for service and business. Although they reside and settle in urban areas and town, they continue to enjoy and owned rights of land and other properties in their old village and also get their share in the joint properties of clan or village. in Akang Ao 1999.

...men. Couries belonging to the same clan are excommunicated from the village. However, during an emergency they are allowed to visit the village with due permission of the village council but for a maximum of three days after which he/she will be compelled to leave the village. (It is still practiced in ungma village). The time limit may vary from village to village. The death bodies of such persons are not allowed to be buried in the village graveyard. The customary laws strongly condemn a person convicted of robbery, thief. Such persons are dispensed from membership to the village *Putu Menden*. He is also not used in any of the village activities.

The administration of justice is the highest and supreme activity of the village *Putu Menden*. Any person whether rich or poor, high or low in social status has to obey the word of the *Putu Menden*. The statues of a blind folded woman with a measuring scale in her hands indicates that the law whether customary or the so-called legal laws, knows no person with regards to caste, creed, sex, religion, or social status. The principle of equality before the law is strictly adhered in the practice of the customary laws.

While discussing the customary laws it becomes necessary to discuss at certain length, the practices and usages of the Ao custom which automatically become a law. Some important practices that regulate the Ao social life are discussed here under.

Succession and Inheritance:

The Ao Naga society is a patrilineal and patriarchal one, where father is the head of the family and on whose custody lays the right of all properties. It is unlike the Khasi society, which has the female rights of descent. It is the father, who in his family of procreation has every right over the movable and immovable property to take any decision on his will. Such properties (among the Aos whether movable or immovable) are

International, interdisciplinary journal of man-environment relationship. Vol 13 No 4 April 2004
Kanis-Raj e-copies, Delhi, India. Use after as Shale, Ecology.

Land, homestead or jhum, the resources of the land, house, granary, ornaments or traditional attires, weapons such as gun, spear, dao, shield, or any other that a person owns as his property. These properties are acquired either from his end or from the ancestors. All these properties can be enjoyed by all the family members' i.e including the children and his wife so long as they live together under one roof. However once a son moves out of his father's house i.e. (his family of orientation) he has no rights over the parental property unless the later permits him to use or access to his property. But the rights to access to his ancestor property are reserved. When the father of a family dies all his properties are inherited by his son/sons. The definition of son includes all male children whether of the legal wife or of another woman with whom the man begets a male child. It is the practice of the Aos that the eldest son takes the initiative to distribute their father's property and the younger brothers' follows according to the decision of the elders. It is quite similar to the practice of the Thankhuls whose eldest son gets the lion's share including the house. (Horam 1992:92). The concept of patriarchy prevails in subsistence societies, thus among the "Bodhs of Ladakh primogeniuty was the norms whereby the eldest son inherited all property except the ornaments of the mother which goes to the eldest daughter. This has been changed however, after the introduction of the law pertaining to abolition of big land estate and individual rights. Presently all siblings have equal share in the family property, and in the absence of any male sib, the Ladakhi girl is the sole inheritor".¹⁹

However, in the absence of a son the deceased property shall be inherited by his brothers, brothers' sons or by the nearest sibling of his family line. Thus, in a more

¹⁹ Veena Bhasin, *Ecology and Status of women among tribal India*. Journal of Human ecology, International, interdisciplinary journal of man-environment relationship. Vol 15 No 4 April 2004. Kamla-Raj enterprises. Delhi. India. Here after as Bhasin, Ecology.

general practice the sons takes the precedence over the father or some time his paternal uncle. In case of no son or brother than the nearest person from his clansman will take the inheritance. Theoretically, the wife of the deceased does not have any share in her husband's property, especially in terms of immovable property such as homestead or jhum land (only the son or sons have the rights). However, if such immovable properties are bought during the lifetime of both, she has the right over the land although her sons will inherit after her death. The wife lives in her husband's house with her unmarried sons and daughters. A widow after her husband's death, if remarried to another man, no longer holds the rights of property of her deceased husband. The Ao Naga customary practice is silent in the remarriage of a widow. A conventional practice is that a widow can be remarried if she so wishes and provided there is a man to marry her. A daughter does not get anything or any property as inheritance unless her father so desire to give a gift from any of the property he acquired by his effort. This however does not include the ancestral property. A daughter after her marriage goes to live in her husband's house. By custom and practice women are treated as inferior to man in the Ao society. Women are therefore not given hard works.

Though women are not privileged in matters regarding the inheritance of property, daughters, whose parents have performed the feast of merit, were given certain ornaments and waist cloths by their parents as a sign of status in society. The inheritance of such fame and status in Ao society was highly envied by every one. Such dress ornaments, cloths and like, are inherited by her daughter, if any, after her death. In case if she does not have any daughter such property are given to her lineal. Some times in certain situations, women get landed property from her father as a gift. There are

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occasion, though rare, when a widow buys land on her own effort, she becomes the sole owner for such landed property, and a will is normally made as to whether her sons and daughter, if she is married and have children, or her father's clansman who are her brothers or brother's sons shall inherit her property. Among the Assamese Hindu "the main contention of the orthodox opinion was that under both the Dayabhaga and the Mitakshara laws of the Hindus, a widow may succeed to her deceased husband's estate and enjoys it during her life time, provided she remains "chaste". That is, does not remarry or have sexual relationship with another male. The privy council, interpreting the relevant Hindu shastras came to the conclusion that violation of the condition laid down in the text after the succession to the property did not involve forfeiture."²⁰ The foregoing discussion is focused mainly on the oral custom practiced by the Aos since time immemorial. There has however been lot of changes due to the introduction of Christianity and modern education. This will be discussed thoroughly in the concluding chapter.

Adoption and guardianship:

Adoption means owning of a child or a person of a different family,(and not by the original parents). It may be termed as transplanting a child to a new family. Adoption is not a common practice in the Ao society unlike the western societies. However, this does not mean that adoption is totally non-existent. Adoption is specifically made to help the adoptive parents during their old age, when they become helpless. Couples who do not have any children of their own usually adopt a child to inherit their property and wealth and to maintain an heir line. The unpopularity of adoption among the Aos is that

²⁰ Tilottoma Misra, *Marriage, conjugal norms and the reformist agenda in nineteenth century Assam*. p, 95. in *Man and Society A journal of North-East studies*. Vol 1 No 1. Spring 2004. ICSSR-NERC, Shillong Meghalaya.

everyone is well off by way of dwelling, either in clans land, or even in their private land, thus making a person not too poor. In other words, every Ao is self-sufficient and therefore adoption is not out of economic inability. Another reason could be that for the Aos, to adopt and to be adopted hurts their pride and ego. Needless to mention, that adoption as a social phenomenon is more in vogue in modern society than in the past. Perhaps it is due to acculturation, and, the urge to satisfy psychological and emotional needs to enjoy the parent hood. So far as the practice of adoption among the Aos is concerned, many Aos have adopted children from out side the state mostly from the plain areas because as mentioned earlier the *Nagas* in general and the Aos in particular do not want to lease out their children for adoption at any cost. In any situation when an adoption of a child is decided, it needs to be kept in mind that the adoptive parents automatically gives the right to inherit their property after their death. This includes the ancestral property and the clans landed property so that their lineage is not discontinued.

Another way of adoption is the adoption for service, which is also practiced among the Aos. The destitute orphan boy can be brought up by a man to help him in his cultivation and domestic affairs. When the adoptee renders service faithfully to the fullest satisfaction of the adoptive father, he treats him as his own son. In such case, the father then helps the adoptee to get married, construct a house for him on his land and even allows him to cultivate a portion of his own land. He then becomes a member of the adoptive father's clan and he works and contributes for the welfare of his clansman. Such adoptee cannot inherit any other property of his adoptive father, except the property gifted to him.

The concept of guardianship has its foundation in the incapacity of the minor children and of person whose mental capacity is deficient so that they are unable to maintain their life by themselves and their property. As such, to look after the interest of such people and their welfare and to safeguard the rights of such individuals, the law of guardianship has evolved. This concept is practiced in all the human societies whether primitive or modern, in their own style, and according to the culture of that society. Because of such laws and practices, for instance, wrong does are brought to justice and the disabled are given protection and guardianship, which has led to the creation of a better place to live. Hence a guardian is always needed especially for the minor and for the mentally deficient citizen.

The maturation of a minor person or the need for protection and for the fullest development of the deficient person may vary from one society to another according to the custom and practices. The constitution of India allows its citizen to exercise his/her franchise to who have attained the age of eighteen years. The Ao customary laws and practices similarly recognized a person when he enters the *Aruju*, which is compulsory, and normally at the age of fourteen to fifteen years. The *Aruju* stage for the Aos, and the attainment of eighteen years as per the constitution shows the maturation age. Where after he becomes a full-fledged man. Without undergoing the training processes he can not be considered as a man. Thus, the Ao customs and practices pardon wrong actions done by a juvenile i.e., person who is yet to enter the *Aruju*. Guardianship is also provided to the orphan child whose parents die before their maturation. Such guardianship becomes obligatory on the next of kin. The Ao society being patrilineal the responsibility for guardianship of minors rest with the deceased brother or brothers.

Hence the patrilineal uncle acts as the guardian. If the deceased person does not have any brothers then the nearest kin of his clansman becomes the guardian. To accept someone under his guardianship, has its responsibility in the manner of bringing up the minor to maturation, to protect and preserve the property of the minor, such as homestead land or jhum land or even a house that he has inherited from the deceased father. It then becomes a moral responsibility of the person concerned or the minor to respect his guardian and to live at the fullest satisfaction of his guardian by way of helping out in the paddy field, by doing needful works at home etc.

While discussing adoption and guardianship, another social phenomenon, which comes under guardianship, needs to be mentioned here. As a customary practice, if an Ao sets out of his village and settled in another village for a temporary period of time for a certain occupation or for any other reason, he needs a guardian known as putative father. A person can act as a putative father on the request of the person concerned who is moving into that village or locality. The person concerned and to be putative father should be of same clan. In the village, the putative father provides him his homestead land for temporary construction of house and allocates a portion of his jhum land for cultivation. (It is a practised in all the Ao villages, of which Ungma village is an example). The reasons, besides occupation, for moving into a new place or village are largely due to the inter village marriage, or inter tribal marriage, which lead either of the couple to move in to another village. In fact this is more common in the modern times. The existence of the putative father, in any manner does not make him lose his natural parents or the citizenship of his original village, including the clans landed property or the rights of his inheritance from his natural father. The two parties i.e. the putative father

and the putative sons lives in good terms and understanding, and with care for each other so that even after the putative son leave the village or in other words when the job is over and he returns back to his original village, such relation between father and son exist. This in fact has brought villages into a closer relationship. This concept of putative father (and its practices) although not applied as a customary law, is very much a fundamental duty of every Ao citizen to maintain and uphold the principle. It may also be mentioned that, in modern times, among the Ao villages, an outsider, whether Ao or any tribe of *Nagas*, or for that matters even people from the plain areas, who have come for a particular purpose such as business, as a government servant posted to that village etc, requires to have a local guardian, or a putative father.

Maintenance:

Every rational being has a right to live. The right to live includes certain necessities which must be met. These necessities such as food, clothing and shelter are the basic necessities of human life. Human beings strive to survive from the limited resources available to them, and out of these limited resources, human beings have to perform so many social obligation which are unavoidable. Such unavoidable obligations include maintenance of the minors, disabled, and aged people. The responsibility of a person to maintain or look after others arises in some cases from the mere relationship between the person concerned, for instance husband and wife relation, children and parents relation, or by virtue of being in the same clan that he/she is obliged to maintain or look after other member necessities. Hence, on this basis the practice of maintenance began. No society is free from the practice of maintenance, the concept of old age home in the western societies and home for the destitute children being clear examples.

Like all other societies, the AOs too have such practices. Thus, the customary practice on maintenance arises from the relationship between the parties whose relationship is bound to last during the lifetime. An AO is under personal obligation to maintain his wife, minor children, and the aged parents. On the other hand, persons who, by customary practices are obliged to maintain others are the father, who is bound to maintain his minor sons and daughter, the husband who is bound to maintain his wife, and the matured sons whether married or unmarried is bound to maintain his aged parents who are unable to support themselves. As a usual practice for an AO head of family, the moral responsibility to look after his children and wife becomes a legal responsibility too. However in the event of the father being unable to maintain his wife and children due to ill health being unable to perform such desirable duty on the ground of health, the responsibility is shared among the rest of the family members who are matured enough to shoulder the burden. In fact, there are no hard and fast rules over the maintenance, but only as an obligation. Failures to perform such duties invite defamation in the society. Thus, the father among the AOs is obliged to build a new house for his newly married son and provide all possible support to begin a new family. So also, the father who then becomes the grandfather on begetting a child in his son's family gives a cock or a hen on the third day on which the newly born baby is given a name. The wife, who then becomes the grandmother, helps her daughter-in-law and the newly born baby in all possible activities until the daughter-in-law is capable to handle her child on her own.

A married woman, if deserted by her husband, is entitled to be maintained by her clansman. However, for all practical purposes the question of maintenance arises when she is no longer capable to support herself. If she is physically strong and is capable of

working by herself, the clansmen provide her a piece of land for jhum cultivation so that she can collect all necessary items for her household. It is therefore the duty of the wife to submit herself obediently to her husband's authority and to remain under his roof and protection. A divorced woman is not entitled to separate residence and maintenance from her husband if she is unchaste. Change of religion in any manner do not deprive them their customary rights. A widow is entitled to maintenance from her husband's estate if she remain unmarried. However, the right to maintenance from her husband's estate is lose when she remarries another man. That father-in-law has then no obligation for her maintenance.

The customary practices of Aos permit every child whether illegitimate or legitimate for maintenance by their parents especially by the father. Until her marriage, a daughter is entitled to maintenance by her father, as also for the son. After his marriage, the son gets constant support from his parents until he can stand on his own. A stepson who inherits his father's estate is also bound to maintain his stepmother out of the estate that he has inherited from his father. A father in law is under moral obligation to maintain his destitute daughter in law. In certain situations or cases, the eldest son of the family whether married or unmarried, assumes the sole responsibility for maintenance of his invalid / aged parents and his younger brothers and sisters who are unmarried. After the death of his father, he inherits all the property belonging to his deceased father, by virtue of being the eldest. However, for all practical purposes such properties are shared among the brothers with the eldest having the privilege to choose first.

Gift and Will:

The practice of gift and will was prevalent among the *Nagas* in general and the Aos in particular. Gift among the Aos is usually practiced for the faithful service rendered to some one, to promote and maintain close friendship between two friends, or made to a person for saving ones life in times of headhunting. The English term 'gift' has a wider connotation and applies to all transactions where one transfers one's property to another without any consideration. The Indian concept of gift is governed by section 122 of the Transfer of property Act, which defines gift as follows "Gift is the transfer of certain existing moveable and immoveable property made voluntarily and without consideration, by one person called the donor, to another called the donee, and accepted by or on behalf of the donee".(LRI Guwahati High court 1979). The practice of gift or will in the Ao society is seen in the form of landed property or some other property which a person acquires by his efforts. The practice of gift giving does not bar the womenfolk. women, especially rich women having no children, and whose husband have already died, can make a gift or will to either her brothers or brother's son or to anyone whom she wants to give away her wealth on her dead or even before her dead. The concept of gift or will is called as "*ningo / nungo*". Thus "a sonless testator can dispose of or make gift of his property, either self-acquired or ancestral, in favour of his only daughter or relatives for whom he has great affection. As the testator has a moral obligation to look for the interest of his heir whether the heir is near or distance, he leaves some portion of his property for his heir".(Tajen Ao 1980:77).

On the other side, a will, although having the same motive as the gift, can be said as a declaration of the intention of a person with respect to his property which he/she

desires to be carried out after his/her death. A will can than be made by a matured person who has a sound mind. By custom, a testator cannot dispose off his ancestral property in the form of will. However, he has every right to declare a will of his self-acquired property to any one. For instance, he could declare a will to give away his house to his daughter or wife after his death. Will such as landed property, jewellery, etc. declared especially to that family who does not have any son, or even for that matter childless couple made such will, that after the death of the husband the house or such property shall be handed over to the wife or daughter. Such wills are recorded in writing, or, in the presence of a witness, so as to make it valid and known to his legal successor and clansman, as well as to avoid unwanted situations in the future. A will can be of any property but normally ancestral landed property, or property which a group of people inherited from their ancestor can never be included in the items of will. A woman can also make a will of her own property or self acquired property, but with the consent of her husband. It may be noted here that Ao women inherit property or receive such willed property from their parents especially traditional attires and clothing or ornaments, which her daughters can not wear because of the simple reason that different clans have different traditional attires and clothing or ornaments, and that in a socially accepted family, mother and daughter belongs to different clans, as the child takes the title of her father. It is also because of this reason that, on the dead of a woman her traditional attires are given to her clanswomen.

Loan and Debt:

The concept and practice of loan was not so pronounced among the Aos in the past. The modern concept of money lending was not known to them, and any exchange to

be done was on barter system. However this does not mean that loan system was totally absent in the society. Local scholars and even European ethnographers have very often remarked that *Nagas* are self sufficient in their production. However, in reality, the economy of the whole society depends on the nature and season. In other words economy lies at the mercy of nature. Thus during certain years people faced natural calamities leading to destruction of the whole crop in the field, which compelled the villagers to take paddy on loan from rich people. "Among the Aos, rice was the main article for lending and borrowing with interest. Interest on paddy loan was cent percent per annum. Local year comes to end with the current harvest and loan borrowed at any time during the year ought to be repaid with cent percent interest at the end of the harvest. Interest at 100% per year was allowed to two years only, and after which no interest was allowed when the debtor did not repay the principal and interest". (Tajen Ao 1980:184). Paddy loan system is a thing of the past and has now disappeared from the Ao society. However, interest on loan is paid either in cash or kind or by personal labour according to the agreement between the parties. With the introduction of modern currency as a medium of exchange, small-scale moneylenders have emerged both in the urban centers and in rural areas. The local money lenders do not have a uniform standard rate of interest, hence the loanee or the borrower have to bargain the rate of interest. In most cases loan is given @ of 5% per month. In modern times, it is also observed that small group of people of five to ten in numbers constitute and form an endowment fund which lends money at the @ of 5% per month. Such groups maintain a good record with a signature of the loanee, so that in case of failure to repay, the group can seek justice from any competent authority they deem necessary and appropriate. Money lending business is becoming a lucrative business

among the *Naga* society, which, if used wisely and judiciously in ones own business, it profits both the parties.

A debt, whether of money or of paddy, must be repaid as per the custom. If not paid by the debtor in his life time, his sons or his inheritor will have to repay the debt. The son who is entitled to inherit his father's property is also required to pay his father's debt. As a customary practice among the Aos, a debt is declared by the lender at the (funeral) to the widow or to his sons, showing and declaring the written agreement signed between the money lender and the borrower in case if the wife has no idea about it, or a verbal declaration if there is a valid witness. Claims of debt usually brought after cremation of the dead body are not acknowledged. It has been observed that in certain occasion such debts are written off by declaring, in front of the dead body, to the deceased family showing good gesture and mercy. Mercy is considered to have two fold blessing i.e, the receiver at one end and the giver on the other. By custom daughters are not liable to pay debts of their parents. However, a woman is under obligation to pay the debts of her deceased husband if the children are minor. The liability then devolves on to the children on their maturation.

Sale, lease, mortgage:

The customary law and practice of the Aos does have the sale, leasing out of property and mortgaging of property. Sales include any items of property, be it ornament, clothing, traditional attires or even self-acquired land. Sale of land is usually done in the presence of a witness, so that the right of a person who purchased the property is defended if false claims arise in future. The Aos also practice the style of leasing out of property or land, whether to Government or a company, or to any organization and

individual, although the practice of lease and leasing are quite rare. In the event of lease of land especially for farming or for cultivation purpose, the lessee pays a rent in the form of crop, paddy, or any other item, which is agreed upon by both the parties. The original owner or lesser does not, in any way, lose the right over the ownership of land and the lessee, in any manner, does not have the right to claim ownership no matter how long he uses the land. Mortgage though not popular, is another practice engaged by the Aos which, is practiced as and when required, and when the situation so demands. At the time of borrowing money, land or any other property, whose value is equivalent or more than the borrowed amount are surrendered to the moneylender. The philosophy of mortgaging is to ensure security to those who lends money. It is however in rare situation that the Aos mortgage land and other property to meet the emergency requirement of the person concerned keeping a written agreement between the parties. Failure to repay the money may/will cause the transfer of the land or the property that is ensured in the agreement.

an exogamous marriage system (at Chonglyou) the first is the system of family, where the father is the head of the family. In the cradle of all social life. The institutions of dormitory (Le 'Arqin') and for girls, are no less important as it plays a vital role in parenting and peoples in the social spheres of life. The whole aspect of Ao social life systematically in the following manner.

¹ Chongli is a local dialect spoken by the Chongli people of the Ao community.

² Mengzou is a local dialect spoken by the Mengzou people of the Ao community.

³ Chonglyou is the first Ao village. It is so called because people in the village speak

⁴ Arqin or popularly called dormitory for boys. Arqin is not meant only for sleeping but a institution for the young boys in becoming discipline adulthood.

⁵ Dadi is a sleeping place for the young unmarried women under the guardianship of a woman house. Young women learn to sing love song and spinning and weaving in the ruki (dormitory) becoming an admirable woman.

Chapter-4

SOCIAL LIFE OF THE AOS

4.1. Introduction:

Like all other societies of the world the Aos too have a very beautiful social life defined on the basis of customary practices and tradition. The marriage system of the Aos, the traditional attire system and the polity or the village democratic governance system constitutes the whole of the Aos social life. One cannot run away from one's own culture. As discussed in the previous chapter, the Aos have a phratry system and have a clan system, which is of utmost importance in the composition of the whole Ao community. The chungli¹ speaking phratry claims to have three major clans where as the Mongsen² speaking phratry claims six major clans. The debate is an unfinished debate, which falls outside the purview or scope of our study. However, the importance about the clan system arises when we discuss the marriage system among the Aos. The Aos have an exogamous marriage system (at Chungliyimti the first Ao village) and a patriarchal system of family, where the father is the head of the family³. In fact the family is the cradle of all social life. The institutions of dormitory i.e, (*Aruju*)⁴ for boys and (*Tsuki*)⁵ for girls, are no less important as it plays a vital role in promoting and training the young peoples in the social spheres of life. The whole aspect of Ao social life may be discussed systematically in the following manner.

¹ *Chungli* is a local dialect spoken by the chungli phratry of the Ao community.

² *Mongsen* is a local dialect spoken by the mongsener of the Ao community.

³ *Chungliyimti* is the first Ao village. It is so called because people in the village speak chungli dialect.

⁴ *Aruju* or popularly called dormitory for boys. *Aruju* is not mean only for sleeping but it is a training institution for the young boys in becoming discipline adulthood.

⁵ *Tsuki* is a sleeping place for the young unmarried women under the guardianship of a widow in her house. Young women learn to sing love song and spinning and weaving in the *tsuki* thereby becoming an admirable woman.

4.2. Marriage system among the Aos:

The history of human society is nothing but the description of the evolution and diffusion of various institutions designed towards perpetuation, maintenance and survival of society. The institution of marriage occupies a unique place in the realm of institution and it is this institution, which is instrumental in perpetuating human society through regulations of conjugal and filial ties. The institution of marriage is as old as Adam from the Biblical point of view. As far as the Aos are concerned, they are of the opinion that proper law with regards to marriage began at chungliyimti (the first Ao village) in the *Ar Salang*.⁶ The Aos' legend has it that three brothers emerged out of stone thereby forming three clans i.e, *Jamir*, *Longkumer* and *Imsong-Pongen*. This version is claimed by the chungli speaking phratry. On the other hand, the Mongsen speaking phratry claims six brothers to have emerged, adding three more to the former such as *Imchen*, *Longcha* and *Walling*. What ever is the unresolved debate, both phratries uphold the principle of exogamy, and in fact the whole social structure of Ao is centered on the exogamous marriage system.

Marriage as a social institution has taken different forms in different societies since time immemorial. The chief sources of our knowledge about the institution are through the legends of ancient societies and the various travelers' tales, which gives ample glimpses of the picture regarding progress in these aspects. We also have numerous theories about the origin and history of this important institution offered by Sociologists and Anthropologists, its various forms, modes and conditions in different epochs and societies. The family as the basis of marriage has been a self contained unit

⁶ *Ar Salang* means cane platform, it indicates strong and unshakable or unchangeable, the social contract on the origin of putu menden and marriage rule was founded here.

with a division of function on a gender basis, each partner performing his or her duties in the best interest of the family as a cooperative unit. Malinowsky has observed, "the different forms of marriage are not stages in an evolutionary series, as Bachofen, Spencer and others would make us believe, but marriage is fundamentally one and its variations are determined by the type of community, its political and economic order, and the character of its material culture".⁷ The ethical and ideological aspects of the institution of marriage have been stressed further in the following manner by Lowie- "the future of marriage will be shaped not merely by utilitarianism but largely on the basis of regnant ideologies, a reversal of the present attitude to marriage is wholly conceivable, whether or not it shall occur depends on the potency of appeals involving the older ideologies".⁸ Thus we find marriage a pivotal institution in the social functioning of all culture. As a social institution, marriage has been defined by Westermarck "as a relation of one or more men to one or more women which is recognized by custom or law and involves certain rights and duties both in the case of the parties entering the union and in the case of the children born of it".⁹ It can therefore be remarked that the intermixing of culture affects the institution of marriage and has been changing its shape in different societies in different epochs. Apart from this, the social, political, moral and economic condition of a particular social order has always affected the form of marriage in society. In modern times, the most important aspects of marriage are social, religious as well as legal. Defining the modern marriage Bertrand Russell says that "marriage differs of course from the other sex relation by the facts that it is a legal institution. It is also in most

⁷ B. Malinowsky. *Marriage*, Encyclopaedia Britannica, 1950.p940-50, Vol. 14.

⁸ Robert H. Lowie. *Marriage* Encyclopaedia of Social Science, 1951.p154. Vol. X.

⁹ Edward Westermarck. *History of Human Marriage*. 1921.p26. Macmillan and company, London. Vol 1.

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communities a religious institution but it is the legal aspects which is essential".¹⁰ The fundamental basis of marriage is therefore a personal association between a man and a woman and a biological relationship for mating and reproduction. As a social, legal and religious institution marriage has undergone several modifications and changes. Nevertheless, its basic realities remain the same.

It can therefore be understood that the main aim or objective of the institution of marriage has always been to provide for posterity and the continuance of human race. Marriage as a physical as well as moral union is recognized by society as the basis of a family. It may be a sacrament and in that way an indissoluble union for this life and hereafter, as in the case of a staunch Hindu or Roman catholic or a temporary civil contract for a fixed period as in the case of a Mutaa marriage among the Shia Muslim.¹¹ However, whether a sacrament or a civil contract, the relationship above sexual satisfaction, is to join two members of opposite sexes for the procreation of legitimate children. In the words of H.M Stone and Abraham Stone (1939) "while particular marriage may of course be entered into for any number of other reasons as family pleasure, social convenience, financial consideration and similar motive, basically the prime objects of marriage are companionship, sexual intimacy and procreation".¹² Thus for an Ao or for any other community a family consisting of husband, wife and children are a complete unit in modern society. In most societies of the world including the Aos, marriage is patrilocal, where the bride moves into the house of the husband. The family functions are based on division of labour on the basis of gender. The husband performs

¹⁰ Bertrand Russell, *Marriage and Morals* 1959.p88. Bantam Books New York.

¹¹ H.M Stone and Stone A, *Marriage Manual* 1939.p18, London.

¹² Ibid, p 18.

the entire task outside the home and fulfils his economic obligation; the wife bears children, brings them up and performs other household duties of daily routine.

In the light of the above discussion it becomes convenient to understand the system of Ao Naga marriage. As mentioned above the Aos follow exogamy where by people marries outside one's own clan. Marriage within the same clan is strictly prohibited. The defaulters are even ex-communicated from the village. Among the *Nagas* in general and the Aos in Particular, selection of mates are usually done among the young boys and girls themselves. If the girl shows a sign of willingness and accepts the proposal she is presented fish or other relevant articles to mark the sign of their relationship. Usually a proposal is sent by the boy to the girl's parents, and if the girl's parents give the consents, the boy then gives to the girls parents some sort of present in the form of *dao* or any other relevant article. After the preliminaries are over, both sets of parents including the boy and the girl fix the betrothal day/ date. It is in this betrothal occasion that both the parties agree upon to pay the other a certain number of pigs, or cattle (eg, one pig and five cattle, the number is not fixed and may vary from person to person) in the event of breach of their promise. Until recently, betel nuts, popularly called pan were served on such occasions but today such practices have become a thing of the past. Marriage is conducted after the harvest is over and when the groom with the help of his parents finishes making a new house for the new couple to move in. It is a customary practice of the Aos that parents and relatives from both the sides gather to advice the young couple about living together, about housekeeping matters and in fact about nobility of earnest and diligent toil. In the event of unfaithfulness by any of the couple, their marriage comes to an end. For instance, a man found guilty of having extra marital affairs with another

¹² *Sung-Nungap* would mean degeneration. Personal interview with Mr. Akanghah in a village in the *Angapungap* pass. Interviewed on the 23rd September 2003.

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woman, and having no interest to continue his marriage with the previous wife, shall have to, either leave his house, or make a new house to his earlier wife. Added to this, two-third of his property, exclusive of his *dao*, spear and traditional cultural attires are given to his deserted wife. Among the Aos, marriageable age for girls are twenty to twenty-five years and for boys twenty five to thirty years. However, there is no hard and fast rule concerning the marriage age. What is most important in the customary practices is that a man should not take a wife from his own clan or from a clan that is regarded as “Brother” of his clan. This is where a true practice of exogamy is seen. Marrying from the same clan *kidong* (chungli) or *pachar* (mongsen) is not only prohibited but is a taboo. Mr. Akangkokba Tatar of Ungma village has pointed out in an exclusive interview that intra-clan marriage result in *Surup-Nangrep*¹³ to that particular clan. He is of the belief that such marriage produces physically handicapped children or irresponsible citizens. This may not be hundred percent accurate but such beliefs are held in high esteem and revered in the traditional Ao social structure. The sanctity of marriage among the Aos is upheld at the highest order since the beginning when marriage law was passed at chungliyimti Ar Salang. Marriage with other language group or non Ao was rare in the past however, in case where it occurs, a man may not choose his wife from a clan regarded by local custom as “Brothers” or what is believed to be of his own clan. The moral standards of the Ao is placed in high esteem that a man would not even talk indecent conversation to a girl of his own clan as it brings shame and defamation to both.

Marriage is a very important event in the life of an Ao woman. Matrimony in course of time is followed by maternity and its recurrence makes the women periodically

¹³ *Surup-Nangrep* would mean degeneration. Personal interview with Mr. Akangkokba tatar of Ungma village in the mopungsanger putu. Interviewed on the 23th September 2003.

helpless and absolutely dependent on her husband for some time. Marriage therefore determines the fate of women to a much greater extent than it does the destiny of a man. A good marriage is a welcome protection for the woman, a bad one is worse than a painful chain. Marriage and the problem connected with it constitutes an important factor of women's personality. Thus, Ao women are very careful in accepting a marriage proposal from a man. However, it cannot be taken for granted that all women marry a protective and faithful husband. In certain cases, married men commit extra marital affairs with other women and beget children. In this case, the man is imposed fines for his extra marital affairs/ adultery (*kilamet senche*). Pregnancy before marriage is a terrible shame among the Ao community the boy has to pay certain compensation. (Veena Bhasin 2004) states that "Pregnancy before marriage is an analogous. If it happens then the matter is discussed in the village council and either the boys has to marry the girl or to pay the compensation to her family. The child is born in her natal family and it does not have an effect on her marriage prospect in any way".¹⁴ The Aos do not practice polygamy or any sort of marriage which are not acceptable to their custom. The marriage system is clearly defined and simple so that the intending candidate gets enough room to select his life partner in his own sweet will. Except in modern times, arranged marriage was even less practice by the Aos. This is due to the fact that one's life was confined only in the village and the institution of dormitory both for boys and girls have facilitated the young lovers to enable to know each other more and more. With the introduction of Christianity and modern education, certain changes in the practices of marriage have taken place without much change in the customary ethics. Such changes shall be discussed in length

¹⁴ Veena Bhasin (2004) *Ecology and Status of Women among tribal India*, p240. Journal of Human Ecology, International, Interdisciplinary journal of Man-Environment relationship. Vol. 15 No 4, April 2004. Kamla-Raj Enterprises. Delhi. India. Hereafter cited as Veena, *Ecology*.

in the concluding chapter. However, mention can be made of, the engagement system which was traditionally a two family affair, but today with the introduction of Christianity the church comes into the picture i.e., the boy and the girl are engaged in the name of God. An acculturation of European culture is the practice of giving engagement ring (the boy would give a ring to the girl as a sign of their engagement). Instead of serving betel nut as it was practiced traditionally, tea is served. Adoption of European culture by way of putting white gown on wedding has been a common practice among the Aos which was not a practice until Christianity arrived. Within a span of three months after engagement as a practice in all the Ao churches, the engaged mates exchange their marriage vows with the church certifying them as husband and wife.

4.3. Kinship system: *of Aong* occupies an important position in the

“If a kinship system were simply a development from the universal biological facts of sexual union and descent, all kinship system would be the same. The comparative analysis of kinship system, however, might well begin with a clear exposition of the biological relationships that all system builds upon in different ways”.¹⁵ A major part of Ao Naga culture and customary practices are based on the kinship system. Indeed, it is the foundation of the Ao customs and culture. Major components of Ao culture such as clan system, marriage system and the folkways, all have their roots in the kinship system. The kinship system in the Ao culture includes apart from those previously discussed but also of properly addressing a person, and proper behaviors and proper living of a person. Ao terminology, while addressing an elderly person of the same clan are *obu*, *oba tampu*, *oba*, *oba tanubo*, *odi*. (grand father, father elder than addressee’s father, father, father younger than the addressee father, brother). Addressing an elder person other than

¹⁵ Harry M. Johnson (1993) *Sociology a systematic introduction*. Allied publisher Ltd Delhi.

addressee's own clan is *oku*, (uncle). This includes addressee's mother's brother. Person of the same age group and same clan are addressed as *tino*, of a different clan as *anuk*. The concept of kinship system can be categorized in two different manners in the Ao society-the kinship relation biologically and by blood that is technically called as "consanguineal" relation, and the kinship relation through marriage who are technically called "affinal" relation. In the local dialects the former is known as *kin/ kidong (c)* or *pachar (m)* literally family tree, women using the corresponding term as *Ilangtsur (c)* and *pachalar (m)*, and the later is known as *Anukapang*. In short, Ao kinship system is all about learning etiquettes and manners.

4.4 Dormitory system:

The institution of *Aruju* occupies an important position in the social life of the Aos. *Aruju* is not a mere sleeping room for the unmarried boys, but a training institute for every young bachelor. Indeed, it is at this institute where a person learns to live in discipline. The institution of *Aruju* began since the time of chungliyimti (first Ao village). This institution was established after the first village was formed and thereafter young bachelors in the village were made to sleep there. There is a song in conformity to the establishment of the *Aruju*. (N. Talitemjen Jamir 1992)

"O *longtroko poker*,

Bochi asemsanger-ri,

Lima tasen mesemdena yur,

Chungliyimti ali tema pang nung,

Senden-riju yangerkone."¹⁶

¹⁶ The meaning of the song indicates that after the emergence at six stone, the three brothers have established a new place, on the hill top of chungliyimti, have established a *senden Ruju*.

The boys were made available to defend the village from the raids of the enemy and were always in the service of the welfare of the village. Above all the importance of the institute was to train the boys, especially by the elders, how to work in the *Putu Menden*. They also learned the legends, story and the customary practices of the village. Besides these, other activities such as making of handicraft and singing of love songs were part of the dormitory life. Boys at the age of fifteen or so enter the *Aruju* compulsorily. It has certain strata or ranks according to the seniority of their stay and age, in the manner of a military hierarchy. The ranks are *sungpor* (firewood collector) the junior category, the *mongyin* who are the middle category and the senior most rank is called the *Juzen*. Thus according to the hierarchical order of the *Aruju* the juniors were to serve the senior in all aspects, such as gathering of fire woods, fetching of water, maintenance and keeping the *Aruju* clean. *mongyin* and *Juzen* acted as the commander in the *Aruju* where by they also taught the boys the legends stories of the past, trained them how to make an active life for the welfare of the village. If there is an *Aruju* for the young bachelor, there is *Tsuki* for the young unmarried women too. A Lanunungsang Ao (2003) thus maintains, "it is as old as *Aruju* and an absolute feminist socio-cultural institution". It is this institution where young girls are trained to womanhood under one old widow called as the *Tsukiputsula*¹⁷. In a *tsuki* normally five to six girls sleep or in certain *tsuki* there may be a little more than that. However, it must be noted here that only girls of the same clan can sleep under one *tsuki*. Young boys and girls after the day's work in their respective paddy fields were over assembled at the *Tsuki*. They then sang love songs and cracked jokes but under the watchful guardianship of the *tsukiputsula*. This can also be called as the traditional style of dating among the young lovers. If the bachelors had a military-like training in the

¹⁷ An old widow who harbour the young girls to sleep at her house.

Aruju, the girls too had training of becoming responsible and honest womenhood. The institution of *Aruju* has undergone changes and modification especially after the introduction of Christianity when headhunting culture disappeared from the Ao community. Christian missionaries and the churches have initiated the introduction of dormitory system for the Christian bachelors. Since then, the *Aruju* system became steadily and gradually out dated. Such changes are critically examined and discussed in the concluding chapter, and therefore will not be discussed here.

4.5. Festivals of Aos:

Like all other tribes of the *Nagas*, the Aos too have two important cultural festivals. These two festivals are observed on different occasions. In a calendar year the first festival *Moatsu*¹⁸ is observed in the first week of May and the second, *Tsungremong*¹⁹ festival in the first week of August. All social and cultural life of the Aos is shaped by religious aspects. Thus the festival is in part cultural, as well as religious in nature. *Moatsu* festival is a festival of offering prayers and inviting blessings from God to have healthy crops in the paddy field. This festival is observed after the sowing of seeds in the fields is over. *Tsungremong* festival on the other hand is observed on the eve of harvesting. Here also, similar prayers are offered so as to have rich harvest. However, the observation of *Tsungremong* has much to do with rituals and sacrifices, therefore it is connected more to religious activity than socio-cultural activity and therefore is discussed in the religion section.

¹⁸ *Moatsu* festival is the cultural festival of the Aos. The significance of the festival is to evoke blessing from God in their jhum field so as to have rich harvest. It is observed in the first week of May every year.

¹⁹ *Tsungremong* is mainly a Sabbath day or worship day. Though it is observed in a manner of cultural festival yet the distinctive characteristic is closely attached to religious activities. It is observed on the first of August every year.

Moatsü festival: be widely prevalent during this occasion. Yet the researcher was told,

Moatsü or *Moajang* literally means bless or blessing. The Aos were animists before Christianity came to their community. The beliefs and worship on the existence of spirit has led the Aos to worship objects around him, which they thought the spirit dwell in such objects. They also have a sense of fear of a supreme being who they thought have created the earth. They also have an understanding that if they can live truthfully fearing the Supreme Being they would be blessed in their endeavor. Therefore, besides having a feeling of God-fearing they also offer sacrifice and prayer so that they would be blessed. The Aos were and are cultivators. Since they have no option to alter their profession they practice only jhum cultivation. When the jungle is cleared and burned and when they have sown the seeds (paddy) and other related activities are over in that season, they have decided to give thanks to their god for being guiding throughout the work time and also ask blessing from god to led the seeds grow well. Thus the selected days for thanks giving and asking for blessing from God came into the cultural feature as *Moatsü* festival. *Moatsü* is also a festival of happiness because by now all their works are done and it is time to take rest. It is also a time for merry making. Every family saves the best rice beer for this occasion. In all the *mepu* (sector) of the village they kill pigs and have funs. They performed cultural dances and wear the best dress they have. Women folk of the same clan and young girls composed songs of glory and sing to their men and boyfriends of social status. It is in this very occasion that the man of merits in war, rulers, rich man of socio-political status put their medals and symbols printed on their shawls and ornaments. Ordinary men and women wear only simple and plain cloths. Until the introduction of Christianity, the concept of *moatsü* celebration was a little ambiguous in that carefree sex

narrated to me in an exclusive interview with Mr. Tomjanzungba Tatar of Ungma village of Mipungzangar pats on the 7th of November 2004 at Ungma village.

was believed to be widely prevalent during this occasion. Yet the researcher was told, during his fieldwork that such acts of immorality was not liable to punishment. It is interesting to mention here that Ungma villagers pronounced the term as *Moji* meaning merry making involving immoral activities. If Christians has Christmas celebration and Hindus *Holi* and *Durga puja* then the AOs too have *Moatsü* festivals. Traditionally *moatsü* festival is celebrated for six days. It began from the first day of May which is a day for preparation of the festival where by women and children collects fire wood and make sure that enough water is fetched for their cooking. The second day is for the *Mepu* (sector wise celebrations) where dozen of families group together in the sector and organizes feast. On the following days the villagers lead by the Tatars of the *Putu Menden* fully dressed in their traditional cultural attires, organizes cultural dances in the middle of the village. Children and peer groups organizes feast. Men and women dances and enjoys a tug of war where they pull a creeper rope (sword bean-seeds rope) and sang songs of merit, war, love and happiness. Among the many one popular song sung during this occasion is,

“*O moji azung ali nei,*

O jangya jangsem agi azu,

Sang, yimlu shia waro ne.

O laza rotsu senang ni,

Shirempang-ko sungo,

Ne-rula penlia mong-a-ni”.²⁰

²⁰ The meaning of the song is, Organized a *moji/ moatsu*, looks smart in dress (attires), walking through the street, singing beautiful songs, I am coming, stay watching at me. The song and the meaning was narrated to me in an exclusive interview with Mr. Temjenzungba *Tatar* of Ungma village of *Mopungsanger putu* on the 7th of November 2004 at Ungma village.

However, what is most distinctive about the Moatsu festival is that, apart from the manifest function of organizing cultural dances and feast as a sign to evoke blessing from above. It brings the members of the community closer by sharing one same culture and creates a sense of “we feeling” or “oneness” among the Aos. The moatsu festival further maintains cultural and community identity. As for instance the Sema (Naga) community has the *Tuluni* festival in the month of July and *Sekernyi* festival for the Angami in February. Another significance of observing *Moatsü* festival symbolizes the active functioning of the political institution of *Putu Menden* as the village councilors are responsible for the village. It may further be stated that, since it is Aos’ beliefs that *Moatsü* festival is a festival which ask for blessing from God, it is the moral responsible of the village councilors to invite blessing abundantly.

4.6. Status of women in Ao society:

Women of all ages and climes have played their role in the total socio-cultural, ritual and economic life of the people of any given society depending upon the level of their technological and civilizational achievements. In the economic pursuits all hard works demanding physical labour are generally attributed to males where as persistently continuous and patience-exacting jobs or works are the exclusive affairs of women. The Ao women are no exception.

The status of women in Ao society may be assessed in terms of their descent, inheritance, succession and residence after marriage. The Aos are a strictly patrilineal people. Their line of descent passes exclusively from father to son. The daughters belong to the social group of the father, but after marriage her identity partly merges with the family and clan of her husband. The emphasis on the father’s side does not however

mean that the relatives traced through the mother are totally ignored. They, too, are well recognized in their kinship structure, on socio-ritual occasions etc.

The status of Ao women in succession and inheritance stands no-where near her male counterparts. For all practical purposes, women do not get any share as inheritance from her father's line. Except her personal possessions such as dress, ornaments received at the time of her marriage which is considered as her personal property over which she exercises full control. However, dowry is non-existent and therefore not practiced among the Aos. The status of Ao women is more stable and secured than say a Keralite women, although she does not bring any dowry. A Keralite women's share of property from her natal home is determined in relation to marriage, in a process that tends to identify women's interest with their marital family. While women's bargaining position in their marital family could vary with the property they bring as a dowry, even a large dowry is no guarantee of security.²¹ A widow in Ao society can not inherit property- both movable and immovable left by her husband. She can enjoy the benefits of her husband's estate during her life time if she does not remarry after widowhood. However should she remarry, as the customs and tradition do not stops her in Ao society, she must leave her deceased husband's property to her children and join her new husband, starting life afresh.

The Aos practice virilocal residence i.e., after marriage the girl moves to her husband's house where she is surrounded by her husband's relatives. This does not mean that she shall be ill treated by her husband or husband's kins. A married woman is always backed by her paternal relatives whenever there is any quarrel that invites intervention

²¹ Praveena Kodoth (2004) *Gender, Property rights and responsibility for farming in Kerala*.p1916. Economic and Political Weekly. May 8-14, 2004, Vol XXXIX, No. 19.

and occasionally it takes virulent form which makes a quarrelling husband's life miserable. This nature of support received from the relatives of her family of orientation is such that it makes her position in her husband's family and kin group safe. A barren woman in Ao society loses public esteem because of her failure to become a mother. Such women may also face divorce. No doubt, she draws public sympathy, but she is not relieved from the indignities of her lower social status compared to child bearing women of her age.

A woman is never treated as a slave by her husband in the Ao society. Due respect is maintained between the husband and the wife. For an Ao man, a good and patient wife is an asset to his family. She disciplines her children and provides healthy advice to her husband in all matters such as domestics and social activities. The understanding of natural inequalities between man and woman in respect of biological and physical strength has given more protection to woman against all hard manual works among the Ao society. Thus, it is a shame on the part of Ao men to assign hard manual works to woman. Husband and wife are equal partners in a family enterprise to make themselves and their children as happy and comfortable as possible. The status of women in any society depends a great deal on their contribution to the total growth and development of the society. A woman in the Ao society is valued by her ability to work and consequently a pair of muscular calves far out weight a handsome face.²² The best decorative ornaments for any Ao woman are hard working capacity and an undivided attention coupled with devotion to her family's welfare. Traditionally every Ao man valued a woman who knows how to weave cloth, does domestic works well, talk politely and give birth to baby son.

²² W C Smith (2002 Reproduced) *The Ao Naga tribe of Assam*. p58. A Mittal Publication.

In the traditional polity and administrative activities of the Ao system of *Putu Menden*, the status of women is overshadowed by their male counterparts. Women do not participate in the administration of the village whosoever she might be. They are not entitled to membership in the village council and hence have no say in the decision making process. However, as Balzac rightly said "behind every successful man there is a woman" the role of woman in motivating and shaping the personality of her husband is undeniable. Aos are straightforward and open hearted irrespective of sex. Such innate characteristic features enable women the opportunity and, also the freedom to make necessary comments and correction as and when required to her male counterpart. They also brief their husbands in any crucial decision making situation. A native woman scholar notes the status of Ao women in the traditional Ao polity system in the following words "women are denied the right to play a political role in those bodies (polity). Hence, women are reduced to the status of second-class citizens, of a lower order than men. This has implications for the roles they are permitted to play in social and religious institutions, as well as in village politics".²³ The status of women in the political arena can be understood in the words of Hammond "by definition political organization is the very essence of public domain. Its basic concern, allocation of authority, setting of a policy and decision-making are sufficiently removed from the domestic realm so that it is the aspect of traditional society in which women participate least, whatever impact women do have on the political process is indirect, through the exertion of influence on their men folk. Official positions in the formally organized governments of the world are entirely held by men. There are cases of women holding office, these are exceptional and

²³ Narola Imchen (2001) *Women in Church and Society* p90. Eastern Theological College. Jorhat, Assam. Hereafter cited as Narola, *Women*.

not invalidate the rule" (1967:26). However, in the modern times the introduction of modern education has aroused women's self-consciousness and awareness for emancipation and liberation. This led to a slow but gradual participation in the electoral politics. Naga women in general and Aos in particular have since the attainment of statehood, started to involve themselves in state politics. For instances, Rano M Shaiza became the first Naga woman to contest the General Assembly election in 1970 on a Democratic Front ticket. Later on in 1973, she was elected president of the party. Thus far, she is the only woman to have been elected from Nagaland as a member of the Lok Sabha. Decades later, another *Naga* woman, Mrs. Chubala the wife of the first chief minister of Nagaland contested the tenth Nagaland state legislative Assembly election in 2003 but unfortunately, she lost.²⁴ Women's role in politics is still at a rudimentary stage. It has been commented that the small influence of women in the state leadership is in no large measure due to women's own merits. Political equality between women and men has long been admitted theoretically, but whether/if it is done in the practical world is yet to be seen (K.Meru 1978:22)²⁵

The feast of merit popularly called the Mithun sacrifice is a traditional practice among the Aos. This was actually performed for enhancement of the social status of menfolk where songs of merit were composed and sang in their honour. However, the status of women is never undermined during such occasion. Status is always accorded with respect to diverse role. Hence, an Ao woman is not only a house wife but also a mother in her family of procreation. She is also an advisor to her husband and a hostess whenever meetings or social gatherings are held. The role of an Ao woman in the social sphere is

Ibid, p, 91.

K. Meru, (1978) *The role of Women before and now*, Highlander.p22.

highly acknowledged as she is important not only in the economic activities, but also in non-economic activities. Formation and continuity of family hearth and home is the domain of the women. Women's role especially among the tribal of India is seen as wives, mother and organizers and as basic foundation of other dimension of social life is of extreme important.²⁶

In the economic aspect, agriculture is the main stay of the Aos. Cultivation and especially jhum cultivation is a practice since time immemorial. Both man and woman participate in the jhum culture right from the time of clearance of the jungle and burning till the paddy is finally stored in the granary. There is no significant division of labour between man and woman as every one works according to his or her capacity. However, it is to be noted that, no self-respecting Ao man will ever assign hard work, such as carrying of heavy loads etc, to women. In traditional Ao society, men and women contributed towards the economy of the family. It could be said that women contributed even more because while she worked equally with the men in the field, she also had to do work at home in which the men did not help. Household duties are the responsibility of women. In addition to this, many women folk are engaged in selling the agricultural and farm products in the market such as vegetables, fruits, cottage industries products like handicrafts, shawls etc. Many women are involved in running shops. The contribution of women in the service sector i.e government service until the attainment of statehood was very negligible. However with the introduction of modern education and modern communication facilities women have access to employment opportunities and women are seen holding high ranking government offices. Educated women today are more into the profession of teaching, besides their home service. There are also qualified female

²⁶ Veena, *Ecology*, p243.

ctors, lawyers, nurses, and State and Central Administrative civil service officers. They
ve begun to realize a new identity that they can hold any position not assigned by
ditional customs, conventions nor by right, but by virtue of their own merit through
mpetitive examinations.²⁷ Women's entry into professional employment outside the
ome has opened a new chapter and therefore represents a radical change in the status of
omen among the *Naga* society in general and AOs in particular. In modern economy,
usiness venture and small scale cottage-industry productions are successfully carried out
ore by women. Women have more patience in dealing with all the minor matters
lating to business. Thus there are successful women entrepreneurs having great
nterprising skill in the handloom industry. Other sources of production where women
ke major lead are through small scale business like stitching, knitting, weaving etc.

In the contemporary world literacy is essential for personal development. The
ective principles of state policy of the constitution of India sets goal for every children
free and compulsory education upto the age of fourteen. However, formal education
as not encouraged as far as the AO women were concerned. To quote Narola Imchen "In
e beginning the parents strongly objected to the education of their daughters. They
believed that if they sent girls to school it would lead to their becoming lazy and living an
moral life. Also, if girls were sent to school who would work for the family? It was a
ealent belief that women were only fit for household works".²⁸ The first formal
hool in AO area was established as early as 1817 at Molungyimsen village by M M
ark. It was an evening school for women and children, which indicate that women were
ot debarred from education. It may therefore be argued that the AOs were simply

Position of Women in Naga Society. Unpublished articles prepared on the visit of Government of India
Committee on the Status of Women in India to Kohima, on 13th and 14th December 1973. p.3.
Narola, *Women* (2001.p82).

unknown to the new concept of education and therefore not aware of its importance and significance in the initial period. Indeed, it is unlike the tribal women of India, especially of the Bodhs of Ladakha and Bhutias, where girls have no say on the topic of education. It is entirely the parent's decision regarding their aspiration to educate their daughters.²⁹ Since the introduction of modern education many changes have taken place by way of improvement and self consciousness in the social life. More over every year in different colleges and universities in the country, hundreds of Ao women passed out with graduates and post graduates degrees in different fields.

It may be said that the educated contemporary Ao women are not lacking behind in terms of their knowledge about women's emancipation movement in the world. Ao women are increasingly becoming self-conscious about their vital roles in gender related issues in the world. Educated Ao women have not spared attempts to spread the message of liberation of women from the traditional parameters of being confined to home kitchen. In any socio-cultural revolution, it is self consciousness about one's right and privilege which could change the old system. The socio-political and religious aspects in determining the status and role of Ao women can be better understood by analyzing some of its apex organization such as the Ao Baptist Women Association and *Watsu Rogo Mungdang*³⁰. These two organizations were founded in the year 1944 and in 1982 respectively. The purpose of organizing the WRM was to establish a collective forum of the Ao women to voice their thoughts and opinion and to improve society and the status of women, by changing those systems, which has been oppressive leading to a new

²⁹ Veena, *Ecology*, p 240.

³⁰ The apex Ao women organization where every Ao women whether married or unmarried is a member.

graduation of women and society.³¹ Indeed this organization has, since inception, been vigilant in protecting the rights and the status of Ao women from all discriminations. It further encourages and educates the rural women by way of conducting seminars. The *Watsu Rogo Mongdang* is the strongest apex women organization which voice against all human acts such as rape, humiliation, assault and ill-treatment and work towards the welfare of the women in particular and society at large. The most important aim of the WRM is, to make women aware of current issues, including the need for the liberation of women. It insists that the president of the WRM be made a member of the district planning board for development of the Ao area. It further insists that at least a women representative be made as Deputy Commissioner's nominee in the town committee. The organization further seek to preserve traditional Ao culture through promoting traditional forms of dress, arts, singing and dancing etc. On the religious side, the Ao Baptist Women Association is the apex organization for women in the religious aspects. Such an organization enables women to take active role in the religious activities. It further provides women a wider spectrum of participation in the decision making process in the socio-religious activities. However, the report of Brussel's Colloquium on women in the church and society presents a sad picture vis-à-vis the status of women. It states "the mentalities which we find in society we find also in the church. In its own practice the church helps to perpetuate sexual discrimination, for all decision-making and leadership structure are controlled exclusively by male clergy. Even when women are involved in an advisory capacity on commissions and so forth, they do not participate fully in the proceedings and final decisions. A small group of male clergy regards it as their task to

Narola, *Women*, p 88.

this mentality women are perceived primarily in terms of their sexual role as mother, spouse, and virgin. Crucial moral decisions concerning women's sexuality are made for them, which they are expected to follow even when these decisions have painful and drastic repercussions on their lives. When the church devalues women in such a way, this not only affects the lives of its own members but also has a great impact on the perception and situation of women throughout society".³² Sex distinction and status deprivation is indeed a universal phenomenon. This can certainly be applied to the situation of the Ao and other Naga churches.³³

In spite of the measures adopted for emancipation of women's status in Ao society in particular and Naga society in general, women's participation in socio-economic and politico-religious activities is yet to attain a desirable position. It may be stated that the literacy rate of women aged 7 and above, in Mokokchung district was 82.20 percent compared to its male counterparts whose literacy rate was 86.14 percent according to 2001 Nagaland census report. The expert committee on unemployment is of the opinion that women formed the largest section of the unemployed in both rural and urban areas. It also felt that existing data on unemployed women was inadequate as it failed to expose what might be termed invisible unemployment.³⁴ In spite of the waves on women emancipation around the world status of women population in the rural areas among the Aos is still a sad thing. In day-to-day life women face hardship in maintaining the domestic function as a wife and as a mother when compared to men. In the day time she works in the jhum field and carries home firewood and vegetables for the family.

³² *Women in Church and Society* the document of the Brussel's Colloquium organized by the Conference of International Catholic Organization, June 9-14 (1987). Reprinted in India, WINA, Sept. (1987.p6-7)

³³ Narola, *Women* p 93.

³⁴ *Critical issues on the status of women employment, Health Education suggested priorities for action*, New Delhi: ICSSR, (1977).

Moreover, women are paid less wages in the labour market. Basically, in jhum cultivation, the nature of work between men and women is almost same. However, men are given higher wages than women. Further, even in the case of religious functions, Ao women are less privileged. In the churches, women are limited to hold the office of pastor in spite of the fact that there are more qualified and efficient Ao women who are graduates and postgraduates in theological studies. Moreover Ao women are limited to the role of deaconess in the church which is the highest decision making body in the local churches. It may therefore be concluded that the gender status of a particular cultural society is determined by the culture and traditional practices of that society. Thus, the *chasi* women of Meghalaya are accorded a higher status in society than their male counterparts in view of the fact that theirs is a matrilineal society. Similarly, the reverse is the case for Ao women, because the Ao society is a patrilineal society.

Chapter-5

RELIGION OF THE AOS

5.1. Introduction:

Every human society has a religion of its own. Religion is basically a system of beliefs and practices that covers the emotion, sentiment and above all the spiritual feeling of the community member who shares the same beliefs and practices. Religion is a universal phenomenon in that it exists at various level of abstraction in the individual minds of the people. Religion is therefore innate in human life. Religion in general, involves, usually a systematic philosophical and mythological thought and devotion aimed at specific purpose which forms a part of life. Radhakrishnan (1968:8) has pointed out "the need for religion, for a system of thought, for devotion to a cause which will give our fragile and fugitive existence, significance and value does not require much argument. It is an intrinsic element of human nature".

Religion when carefully studied, involves physical and spiritual implication. Physical implication finds its expression in religion in which man pursues a life of success, prosperity and long life by way of practicing a religion. This involves mental attitude and this attitude, in course of time, developed into deep philosophy to suit mythological satisfaction, which ultimately satisfies the spiritual self. Religion thus, regulates human behaviour while human behaviour has moral obligation and religious sanction and it aims at bringing peace and harmony among members of a community. Driberg has therefore stated that, "Religion is that binds; it knits the community together and gives it stability. It is a faith, or more correctly, a system of philosophy, which establishes mental attitude and invoking the aid of mythology and tradition, is the

* E.B. Tyler *Primitive cultures*. 1871. London: Murray.

* Robert Lowie, *Primitive religion*. 1924. (New York: Boni and live right.)

nction for conduct and ensures the correct emotional response to the community's environment.

In the words of Paul Radin, "Religion is the fusion of a particular feeling and attitude with an interconnect series of specific acts and beliefs. The feeling, the acts and beliefs are merged and interpenetration by the material and spiritual implication of the living in a clearly defined cultural framework".¹ According to the international standard bible Encyclopedia "Religion is as universal as man, and every religion involves some idea of God. Of the various philosophical ideas of God, each has its counterpart and antecedent in some actual religion".²

Early anthropologists discovered among the primitive peoples they studied, an apparently universal belief in such spirits, a phenomenon termed animism. The belief that all sorts of inanimate objects as well as living, growing things and moving creature possess a life principle or soul of some kind, rocks, trees, animals, and people having spirits in them. Where as some spirits are freewheeling and unattached to things.³ The worship of spirit also focused on those experiences that generate a sense of mystery and weirdness in people. For religion is not simply a matter of identifying spirits or distinguishing body and soul. Rather, religion only arose when people's emotion become involved and a sense of mystery pervaded people's observation of the activities that spirits engage in.⁴ The belief system / or believing in an unseen but Supreme being come to the mind of the people through many experience. A psychological explanation to beliefs system is the response of human beings to constant threats to their safety, security

E. B. Tylor, *the psychology of religion* (New York: Basic books 1941)

W. L. Waker, *God. The international standard bible encyclopaedia*, Vol II. Ed, James orr, et. Al. p.

1250.

E B, Tylor *Primitive culture*. 1871. London: Murray.

Robert Lowie, *Primitive religion* . 1924. (New York: Boni and live right.)

and future existence. In particular, people face great insecurity and anxiety related to the knowledge not only that they shall ultimately perish but that it could happen at any moment.⁵ If religion was born out of psychological threat, people have basically four wishes or drives- such as security, response, recognition and new experience and contend⁶ that these are reasonably comprehensive for understanding the psychological needs and appeal of religion. In Sigmund Freud (1928) view religion is stemming primarily from a sense of guilt derived at least partly from the Oedipus complex and the attempts by the male to reconstruct a father image after his love affairs with his mother and his ritual killing of his father.⁷ Thus for Freud, religion is a mechanism that allows people to sublimate many primitive instincts that society represses. In Marx's words, "Religion is the sigh of the oppressed creature, the sentiment of a heartless world and the soul of soulless conditions. It is the opium of the people".⁸ A better sociological explanation of religion is presented by Durkheim in that, general patterns of social interaction provide models for religion and further asserts that society's norms, role, and social relationships are so closely reflected by religion that the latter is nothing more than these characteristics expressed in somewhat different forms. The extreme of this position is Durkheim's contention that the real objects of veneration in any religion is society itself, that which is venerated may be called God but it is really society.⁹

⁵ Erwin R Goodenough, *the psychology of religion* (New York: Basic books 1965)

⁶ Walter Huston Clark, *the psychology of religion* (New York: MacMillan 1958);

⁷ Sigmund Freud *the future of an Illusion* (new York: Liveright 1928)

⁸ M.Haralambos with R.M. *Religion a marxian perspective in Sociology, themes and perspectives*.pp460. Heald.(oxford university press-Delhi 1992).

⁹ Emile Durkheim, *the elementary forms of religious life* (trans joseph wadr swain: New York: Collier, 1961)

2. Ancient religion of the Aos:

The term religion means *Yimsü* in the local dialects. *Yim* is village and *sü* is shawl. Religion is therefore like a shawl that blankets the whole village or community. The ancient *Yimsü* of animism has uniformly blanketed Aos until the advent of the foreign missionaries. The earlier blankets that covered the mind and thinking of the people were slowly and steadily removed, and today it has changed to a new *Yimsu* that is Christianity. The belief system of the Aos can be examined and understood in two parts, that is, traditional beliefs system before the coming of foreign missionaries, and the modern Christianity since the introduction of foreign missionary.

The Aos since time immemorial were animists. Life for an Ao can not be imagined without religious activities. His life is always guided by religion and, therefore, every day from morning till he goes to sleep, is in the track of religion. It is therefore not possible for an Ao to think of life without religion. All places around him is a sacred place and all objects are sacred objects. The world is filled with spirits that dwell in the objects. A lake for instance, is a dwelling place of the spirit, so also are big rocks, trees, mountain and any other awe-inspiring.

The Aos have a general idea of a good deity, but he (the deity) does not interfere in their behalf, and so they pay no attention to him. The sacrifices are made only to those who might cause harm. They also have a strong belief in fate, their destiny being assigned to each one at birth. They worship no idols or embodiments of ideas in material form. The nearest approximation to this is to be found in the belief that certain spirits take up their abode in material objects, chiefly in stones, but they worship the spirit abiding there and not the rocks. It may also be indicated here while studying the tribal religion of

the Ao Naga that "A tribal community has the village as its base, the village tribal community has many spirits to guard and protect the village from diseases, pestilence and natural devastation like failure of crops, storm and floods".¹⁰

The whole scenario of socio-cultural and political organizational set-up of the Aos is depicted in their idea of God. Despite the popular beliefs held by many sociologists, anthropologists and scholars that Ao religion is disorganized and unsystematic, a closer examination and personal interviews with the people points to the fact that the Aos as will be seen later in the following pages, had a well established and systematic form of religious beliefs and practice which can not be merely reduced to rites and ceremonials acts. Every form of action and behavior was accorded a high reverence and respect paid first to the God in different manners. For instance, in the formation of the *Putu Menden* the chosen representative pledge in the name of the God of sun, moon and stars and the creator of the universe, to be honest and loyal in the service of the people. Ao have several names of Gods according to Panger Imchen, which are given at different times and occasions, according to his action and manifestation. Further it does not suggest one God with multifaceted revelation.¹¹

Concept of God:

Like any other community in the world with their own concept of God, the Aos too have a concept of God who is the Supreme Being. Known as *Tsüngrem* in the local vernacular. The Supreme being is unseen, most fearful and most powerful. The Aos believed that this powerful being is manifested in different situations and occasions, hence attributed different names according to its manifestation. It may be mentioned that

¹⁰ M.M Thomas, & R.W. Taylor (ed) *Tribal reawakening* 1965.p125. A group study (Bangalore: Christian institute for study of religion and society.

¹¹ Panger Imchen *Ancient Ao Naga Religion and Culture*. 1993. Har-Anand publication.p32.

ke the Aos the "Anals of Manipur believed in the existence of the Supreme Being called *Asapavan*, the source of all creators. *Asapavan* stayed in the heavens and saw everything. What people could not decide or understand was considered to be in *Asapavan's* hands. His name was only occasionally mentioned eg, if someone was treated unjustly he would say that heaven judges it. *Asapavan* was supposed to hear and judge everything".¹² The objectification of the manifestation of *Tsungrem* through natural phenomena and objects by giving names to this manifestation, by the Aos, specified particular and concrete acts of *Tsungrem* in ordering the total life of the whole universe and human beings.¹³ This indicates that the various names of God are one but revealed in different situations and in different activities. It may be understood that the Ao Naga believes in one supreme God *Lichaba* the creator of the earth including man and plants.¹⁴ Belief in one God having different manifestation is clear when an Ao says that *Lichaba* is the creator of earth, *Longtitsungba* as the God of heaven and *Meyutsungba* as the God of judgement. A similar representation of God in different aspects is also seen, "among the Korwa, there is a spirit presiding over crops, one over rainfall, and one over lattles; and besides, there are several spirits which dictate the attitude of the Korwa towards their neighbours tribe. Thus, animism carries with it a belief in benevolent as well as malevolent spirits which are supposed to influence the destiny of man".¹⁵ The typological categorization of God for the Aos and the Christian concept of Trion God, that is, the father, son and holy spirit, which is one in three phase, arrives at the same conclusion. The Aos concept of different

Longtitsungba, God of heaven:

¹² Rajendra Singh, *Anals of Manipur* (Delhi: Seoul printers 1981.p75.)

¹³ O. Alem *Ao Tsungremology, Ao Naga Christian theology*. Clark theological college. Mokokchung Nagaland 1994.

¹⁴ S.N Majumdar, *Ao Naga* (Calcutta: Sailen Majumdar, 1925)

¹⁵ D.N Majumdar, and T.N Maden *Introduction to social anthropology* (New York: Asia publishing house, 1963.p165)

Gods in different activities with their own distinct jurisdiction can be understood in the following manner.

Lichaba, the creator of earth:

The Aos believed that the earth and every thing thereon, the universe was created by *Lichaba*. Vegetation, rivers, mountain and all that is under the sky is credited to his creation. Writing about the religion of the Aos, WC Smith has pointed out the quality of *Lichaba* that "he is the deity living in closest relation to men, and with him they have the most dealings. Consequently most of the offerings go to him. He has charge of the rains and storms, and consequently the food supply is in his hands; he also commands sickness and disease into what houses and villages these are to go".¹⁶ This indicates that he is the over all in-charge in the earth and the creature whether human or beasts are at *Lichaba's* mercy. The Aos have a story attributed to *Lichaba* with regard to the creation of the earth. The story has it that, *Lichaba* was in the process of creating the earth, when he had already leveled the plains of Assam in a very smooth manner and was about to start molding the Ao country a cockroach came from nowhere shouting "Enemies, enemies, hurry up! Hurry up! Enemies are coming to destroy the earth". *Lichaba*, thus, much hurry and hastily have to mould the Ao country leaving unfinished with high mountains and rugged hills and went to defend his creation against the enemies. The process of creation is understood that there was always an evil force to hinder the works of the Supreme Being.

Longtitsungba, God of heaven:

Longtitsungba is considered as the God of heaven. He is also called *Anangtsungba*, meaning Chief or Lord of heaven. All heavenly bodies such as the sun,

¹⁶ W.C. Smith, *The Ao Naga tribe of Assam* p, 78.

moon, stars and any other elements that falls in the solar system including the natural forces of thunder and lightning, air, wind, and storm, are credited to be the creation of *Longtitsungba*. This God is also called as *Lungkijingba*¹⁷ stone house deity who is the great God, the highest of the entire God, who also fixes the destiny of every individual on earth. The functioning of *Longtitsungba* is seen in a story briefly cited by Panger Imchen (1993), that the moon was at one point of time very close to the earth and so it was warmer than the sun. As the humans could not bear the heat, they complained to *Longtitsungba*, who threw cow dung at the surface of the moon so that it shines dimly at night and this cow dung is still seen on its surface. Sacrifices and ceremonies are also attributed to this God so as to have plenty of rainfall.

Meyutsungba, God of judgement:

According to the Ao beliefs, *Meyutsungba* is the God of judgment who is all truthful and righteousness. He is also called as the lord of the dead. The Aos believe that a person's deed is judged by *Meyutsungba* after one's death. Since he is all-truthful, and does not indulge in corruption he accepts no sacrifices to pardon the sin. A man after death has to pass his gate where he judges every person according to his/her performance when alive. It is such a belief that no matter how great or powerful a person, after his death he has to face the judgment in the court yard of *Meyutsungba*. Stealing, cheating, talking ill of others and any other immoral activities which hurt the sentiment of the people during one's lifetime are by itself revealed and disclosed for shame and punishment in front of this God. He does not know what forgiveness is, rather he knows only how to judge what is truth and what is wrong. *Meyutsungba* is a God who does not

¹⁷ *Lungkijingba* or *Longtitsungba* is the God of heaven who is responsible for all blessing from above and vice-versa.

compromise any wrong deeds. Therefore, a person during his lifetime would as far as possible live a pious life fearing that if he does any wrong or sinful activities he would be awarded the final judgment. The Aos believe that the soul of a dead man comes to the courtyard of *Meyutsungba*, and as the soul approaches he is given a spear to hit a post planted outside the courtyard. If a person had a pious life, his spear is sure to hit the post. If a person lived a sinful life, cheating others so that he is unpresentable before *Meyutsungba* his soul will miss the post, how much ever he tried to throw the spear accurately and straight. *Meyutsungba* allows those who does not miss the target to enter his house but the one who misses is sent off to an undesirable "wonder land" full of pain and thorns. A philosophical understanding of the final judgment after dead among the Aos has instilled a fear of living a sinful life. In other words, it can be said that final judgment has compel to live a truthful and righteous life.

No ceremonies and offerings are given to *Meyutsungba*, for there is no scope for bargaining with him for mercy by offering sacrifices, because he is the God of righteousness. Unlike the other Gods such as *Lichaba* or *Longtitsungba* who receives constant sacrifices, *Meyutsungba* receives no sacrifices hence do not give any blessing or disaster to humankind. But he does not fail to do his duties. Every person is subjected to the same measuring scale without any biasness and partiality.

Tiar, Soba Tiaba:

Another concept in the philosophy of Ao traditional religion is the concept of *Tiar* or *soba tiaba*. *Tia* means fortune or luck. *Soba tiaba*, the birth-fortune/predestiner, who predestines the fortune of a person during the time of birth. The Aos believed that, for every person there is a *tiar* who decides the fate of a person. A person is born into this

world with good luck and all the good fortune comes in his way, where as some are born with all the bad luck. Richness, high social status and good health are not enjoyed by every one. Therefore, it is the belief of the Aos that there is a pre destiny of every person in this world and accordingly in life. One may be a hard working person but he lives poor. This is to say, according to Aos beliefs, a person is predestined to live poor. So also in the case of the rich. *Tiar* is regarded as being responsible for man's earthly fortunes and life. He is the giver and also the destroyer of man's life. Therefore, constant offerings are performed in his name so that one has a good fortune. There is no fixed time or place as such for an Ao to give offering to his *Tiar*.

Besides all the major Gods discussed above, there are other minor deities such as the *Kimong Tsungrem*, *Tekong Tsungrem*, *Tsupo Tsungrem* and *Long Tsungrem*.¹⁸ (House site, Mountain or hill, bonds, and stone deities) respectively. The Aos, besides being animists, are also very superstitious in their beliefs and practices. During the selection of a new site for a house proper ceremony is performed so that the house site deities blesses the owner and protects him from all ill health. So also when a person falls sick or any injuries occurred in the ponds or jungle or any other places there by leading to serious illness, a sacrifice is offered to that deity in the form of cock, dog, or a piglet, to let the person be freed. Then the man kills the sacrifice items, spread the blood around the place, cook the meat and eat on the spot. When he returns home the sick man was found feeling better. Such deities, though not dangerous to the whole community, needs to be given constant sacrifices. These can be summarized in the following words "every misfortune is, as a rule, ascribed to the evil spirits, and as such money is spent on

¹⁸ The Aos believed that there are numerous gods or deities which dwelled in big stone, mountain, house site, trees or bonds. Constant sacrifices are given to them as they thought sickness or disaster to human being comes from them.

appeasing them, the usual way being to offer fowls of which the head, feet, and entrails are offered to the demon, with many incantations. Other parts are eaten by the sacrifice.¹⁹

Tsungrem mong festival:

The concept of *Tsungrem mong* is different from the earlier *moji* or *moatsü* festivals discussed earlier. It is known as *Among*²⁰ (literally meaning stay home or stay village), where people do no other normal life activities. It is a day of worship and sacrifices offering to *Longtitsungba* the God of heaven. Therefore, it is also known as *Longtitsungba Mong*. The Aos believed that *Longtitsungba* is the God of heaven who at his disposal has all blessings and curses as well. He has the power to give rain, sun light and even healthy crops in the paddy field as well as natural calamities, disaster, disease, sickness in the event of not giving sacrifices and there by causing disaster to their crops. Some scholars are of the opinion that *tsungremong* festival is much attached to *Lichaba* who is the creator of the earth²¹. It needs further elaboration and research. However, regarding the procedures and nature of observing the festival it is agreed upon by all that it is a Sabbath occasion.

The aim is to have plenteous crops and harvest. The Sabbath is observed in great respect and honour with all restrictions from manual works. Stamping on the ground, spitting on the ground and even walking beyond a certain boundary limit is taboo. On this occasion sacrificial items such as pigs, cock, eggs are offered to god by the priest so that the village is saved from all natural calamities and for a rich harvest. More over during such occasion a strict *genna* was maintained in that no visitors, guests, were entertained

¹⁹ Elwin Verrier, *the Nagas in nineteen century* (Bombay: Oxford university press, 1969.p315)

²⁰ *Among* is the Sabbath or the holyday for the Aos. As Jews observed Sabbath from Friday evening to Saturday evening so also the Christians on Sunday. Thus once in a year *tsungremong* is observed by the Aos.

²¹ Panger Imchen, 1993.p55

any of the houses in the village. Smith (2002:76) has indicated that the religion of the Aosa is intensely practical. He performs his rites lest the mysterious power about him brings calamities to his door, he refrains from work on certain days that he may have water in the spring; and he sacrifice at the village gate lest the dread pestilence come stalking boldly in and ruthlessly claim both hoary age and stalwart youth as his victims.

In the olden days *Tsüngrem mong* was not observed simultaneously throughout the Ao territory. Normally it was the Longsa village that observed first then followed by Ungam and Mokochung village (J P Mills 1973) followed by the rest of the villages and finally ended up in the villages of the *Langpangkong* range. Today it is observed simultaneously in all the villages so as to bring uniformity. Thereafter *tsüngremong* began to be observed in the first week of August, which is 1st to 3rd August every year. The occasion was basically for performing rites and ceremonies, yet, today it is observed with much festivities such as singing and dancing.²²

Thus *tsüngremong* or the *longtitsungba-mong* was observed by every member and family in the village. During such occasion a bunch of leaves of a typical herb found in the hilly areas called *Tsungpet sungou*, was put in the front of every house hold to signify that the family is observing the Sabbath. Moreover, it is a common belief among the Aos that *Lijaba* will not bless and would disgrace the family by giving poor harvest if they fail to put that herb. Many restrictions in life activities were strictly followed which signifies their humble submission and reverence to this God, *Lijaba*.²³ A modern interpretation of

It is stated that the belief system of Aos which maintain the concept of

²² most popular song sang during the *tsüngremong* festival are, *par medemsanger-bo, O longtitsungba among tajung atongteta yuli, tsukjem renti tajung ya shilang jangma no. O ungma ki-kongi lijaba yim-ar nena shari osunger atenshinangni*. English translation: people of the medemsanger period have organized the festival, bless us with healthy crops. For this village belongs to god Lijaba.

²³ Information was obtained from Mr Temjenzung Tatar of Ungma village 'B' Khel during an interview held on the 7th of November 2004.

*trsügremon*g observation provides more of a social and cultural festival, as it is observed much in the style of *Moatsu* festival. Victory songs and dance over wars and merits in social life are performed, with ingredients of rice beer and pork making life full of merry- and amusement. However, a closer examination of the actual practices reveals the fact that it is more of a religious observation than a socio-cultural festival.

Concept of life after death:

Any religion which does not provide a proper concept of life after death is undesirable and unpromising. The ancient Ao religion has a clear concept of life after death. Such concepts and philosophy among the major religions of the world are found notably in Christianity, which teaches for an eternal life after death. A verse from the holy Bible is enough to understand this promise, "for God so loved the world that he gave his only begotten son, that whosoever believeth in him should not perish, but have everlasting life".²⁴ The philosophical concept of religion of the Ao is very clear and definite. Therefore, to be religious for an Ao is to believe in an eternal life after death. What Smith (2002:107) has said about the Aos that "concerning the future his ideas are weak, vague and shadowy," is therefore a misrepresentation of the early minds of the Aos. An understanding of the Ao concept of life after death is better explained by Horam when he said "Like all other members of the greatest human family, these wild *Nagas* believed in the existence of a better world and adored, under different names, Gods, the creators of the universe... their notions were in general simple and philosophical."²⁵ It can be stated that the belief system of Aos which maintain the concept of life after dead would be clearly understood by understanding the God of judge called *Meyutsungba*.

²⁴ St. John Chapter 3 verse 16 of the Holy Bible.

²⁵ M. Horam *Nagas: old and new trends*. Naga students federation magazine Vol 1&2 1981-83,p,11.

The concept of *Meyutsungba*, God of judgment, above all other Gods indicates a clear understanding about the philosophy of the Ao traditional religion. In a strict sense all other Gods including *Lichaba* and *Longtitsungba* can be manipulated by way of providing sacrifices for the well being of humanity. However, it is *Meyutsungba*, a descent God, who accepts no sacrifices for his blessing. Therefore, it requires no bargaining. It is a matter of beliefs that an indecent life on earth would inherit nothing but a painful life after death. Aos believed in the existence of *Asu yim* or *Diphu yim*,²⁶ that is, the village of dead. After death, the soul comes to the courtyard of *Meyutsungba* for the final judgment. The soul is then sent to the *Asu yim* for rest in peace if he had a pious life on earth. But a sinful man's soul is sent to the wandering place which is full of pain and trouble. It is interesting to note here that, the soul of a dead man goes to the village of dead towards the present day Wokha district, on its way some where the entrance of the dead village he finds the *Lazasupu*.²⁷ The soul also passes a stream called *Longritsu*²⁸ where he washes his hands and to his surprise he finds holes in his hands. There after he realizes that he is dead and enters the dead village.

²⁶ AOs believed in life after dead. The dead soul live in a village called Diphu yim. The abode of dead man.

²⁷ On the way to the abode the death soul sees drying of cloth of the women. The AOs believed that the place is located near Wokha Town. The story was narrated during the time of interview with Akangkokba of ungma village on the 23rd September 2003.

²⁸ *Longritsu* means bitter water. the dead soul on its way to abode come across a stream where he washes his face and hands and to his surprise found holes in his palms thereby realizes that he is dead and enter to the village of death. The stream is situated near Wokha Town. The story was narrated by Akangkokba of ungma village during the time of interview held on 23rd September 2003.

5.3. Introduction of Christianity and Modern Education and changes brought about thereof:

The animist concept of worldview as a place full of spirits have changed since the days of contact with the outside world. Indeed, it was an Assamese evangelist by the name of Godhula Rofus Brown who started to make contact with the hill people coming to Sibsagar for trade. Godhula could mobilize a handful of people and made a good relationship with the hills people which in fact paved the way for the American Baptist missionaries to enter the Ao Naga hills. Until the arrival of Edward Winter Clark in 1869 to Assam mission center, no work of a permanent nature began among the Aos and the Naga tribe.²⁹ Moreover, there were not much contact and cultural exploration, which could enable the outsider to step inside the Ao territory. During such a situation, by 1870 and 1871 two important factors compelled the Aos to make contact with the plains of Assam. These were the epidemic spreading throughout the Ao territory thereby killing several people, which was further followed by a severe famine. People went down to the plains of Assam for shelter and people during their stay in Sibsagar, met the missionaries and evangelists, which enable the missionaries to penetrate the Ao territory. By 1872 Clark and Godhula finally set plans to enter the hill station and it was in October 1872 that Godhula and his wife went to Molungkimong village, and ministered to the people. As a result, nine people were converted to Christianity and were even ready for baptism. Thus in the following month on the 10th of Nov 1872 the nine converts were taken to Assam and were finally Baptized by Clark (A Bendangyapang Ao 2004:72). The first mission was a great success for the missionaries. Thus Ghodula was assigned the job to

²⁹ A.Bendangyabang Ao. *History of Christianity in Nagaland, Social change 1872-1972* (2004.p67) Shalom Ministry Publication Bangalore. 560095. hereafter Bendangyabang History.

work as pastor in Mulongkimong (Dekahaimong) village, to nurture and organize these converts and also to mobilize the people with the gospel of Jesus Christ. There after, Clark visited the village and baptized 15 more members of the new converts. In this way a new and humble beginning of Christianity took place among the Aos. In the process of Christianization in Mulongkimong and nearby villages, the new converts decided to settle in a new village for reason best known to them. Thus in 1876, on the 24th of October, altogether 30 families set out to settle in a new village led by Clark himself. The village was named as Mulongyimsen. This became a Christian village where the actual establishment of organized church took place. Two years later in 1878 M M Clark, wife of Clark reached the new village to assist her husband in the mission work. There in the same year she started a school for the children and the women where she taught the basics of health care and housekeeping.³⁰ It was difficult on the part of Dr. Clark to operate his mission work successfully covering all the Ao villages and the rest of *Naga* tribe from such a remote place like Molungyimsen. Therefore Impur mission center was established in 1894 on the 1st of October, with Rev.& Mrs. S A Perrine and Rev. & Mrs. F P Haggard and Dr.& Mrs. E W Clark.³¹ Since then an establishment of churches in all the villages has taken place. Along with the establishment of the mission centre, schools were also established. Thus with the introduction of Christianity and the establishment of churches since 1872, the number of churches affiliated to the *Ao Baptist Arogo Mongdang* (ABAM) till 2004, has increased to 134. These 134 churches are mostly in Ao territory and a few are located in places like Shillong, Guwahati, Kohima, Dimapur etc.

³⁰ Tenjovanan, Janir. *A study of the educational programs at pre-primary school and the social cognitive and emotional development of children in Dimaapur district*. Submitted to NEHU department of education 1999.

³¹ Mulongyimsen Quasqui Centinial (1876-2001) Souvenir. 2001.p21.

³² Impur 100 years (1894-1994). 1994.p8, ABAM ,Impur, Mokokchung.

Mrs. Clark made a humble beginning by establishing a school in 1878. The school for both boys and girls were conducted separately, the girls' school being conducted in the evening. There were reportedly only 30 pupils in the boys' school and 12 in the girls' school. Prior to these, the only system of education among the Aos has been the practice of indigenous institution for the young boys called *Aruju*. Indeed, it was not a formal education system where boys learned the basic for the future life. It may be commented, "education was based on the social needs and directly linked with the needs of the day reflecting that there was social impact on education. A *morung /Aruju* as considered to be the most important educational, political and social institution before the Nagas came into contact with the modern education and life".³² (Temjennaro 1999). Thus introduction of formal education system among the Amos could be credited to the American missionaries for their tireless job in carrying out the mission successfully. Kiremwati, a pioneer in the field of education among the Aos thus commented "the real beginning of formal education did not occur until Rev.& Mrs Clark came to Nagaland in 1872. Mrs. Clark at Molungyimsen started the first formal school in the then *Naga* hills in 1878."³³ The establishment of school by the missionaries was not only to provide formal education to the people, but it made it easier for them in spreading the gospel. Thus Christian missionaries regarded education as one of the instruments for conversion. Where ever there was a church of Christ established, there was a primary school opened for inculcating primary education to the children of the believers. The pupils were taught in

³² Temjennaro. Jamir *A study of the educational programme at pre-primary school and their influence on the social cognitive and emotional development of children in Dimapur district.* unpublished Ph.D thesis submitted to NEHU department of education 1999.

³³ Kiremwati *Education and the Nagas* commemorating the centennial of the Clark Memorial High School Impur. (1895-1995) printed at Chitrakaru, 161/2/1. Rash Behari Avenue Calcutta, first edition 1995.

uch schools how to read and write and also rudimentary health care and Christian ethics. There has been a steady progress of education along with the growth of more churches and more membership. Till 1934, the Middle English School at *Impur* was the largest Middle English School in the Mission with an enrolment of 385 students, out of which 60 were girls. (Reports of American Baptist foreign mission society 1935: 82). By the end of 1941, the number of village schools under mission was thirty, with 1518 students.³⁴ A steady progress in the field of education was experienced year after year both in enrollment and in establishment of new schools. *Nagas* have realized the need of education and now they have more contacts and exposure with the outside world. Side by side the spirit of *Naga* nationalism began to emerge under the leadership of A. Z Phizo. The introduction of formal education to the Amos by the American missionaries was soon followed by the arrival of the Catholic mission in the early 1950s. Since then, the American Baptist mission covers the whole of Ao areas on one side and the Catholic Mission on the Lotha and Angami region. This has led to a competition between the two denominations, both in terms of area coverage and quality education production of the younger generation. However, after India's independence, the growth of *Naga* nationalism became more pronounced. The fight for a separate *Naga* homeland against the government of India on one hand and the American Baptist missionaries introducing Christianity and establishing schools thereby educating the *Naga* people on the other hand have brought the attention of the Government of India to think that the Christian missionaries were behind the growing spirit of *Naga* nationalism. Thus they were made

word 'modern' Nagas. In the world of technological advancement with

³⁴ AKM 2003 *Talansen: reflection on education among the Ao Nagas*, Souvenir of 125 years of formal education in Ao area. Mokokchung Nagaland. (2003.p55)

to withdraw from their mission activities suspecting that they might instigate and mould the spirit of *Naga* nationalism. (A.Bendangyapang Ao. 2004:435)

The history of the growth of modern education in Nagaland has undergone a drastic change since the attainment of statehood on 1st December 1963 when Nagaland became the 16th state of the Indian union. Soon after, mushrooming of schools in Nagaland followed. Not surprisingly the spread of education has been very rapid since then. The state government took over many new schools. More encouragements were given to the private schools by way of giving grand-in-aids. Today as a government policy, every private school is also given a Hindi teacher whose salary is paid by the government. By the year 1991 the state had recorded a literacy rate of 61.30%, which is higher than the national average. The 2001 census put the state literacy at 67.11% against the national average of 65.18%. It may be stated that the literacy rate of Mokokchung district is placed at 84.27 %.(Statistical Hand Book of Nagaland 2003). Social change has been so tremendous among the Aos that the Aos are not what they used to be in earlier times. Any outsider's description or comments of the hill people was nothing short of "savage" and "naked". In almost all the writings of both the British officials and the Missionaries about North-East India and *Nagas* in particular words such as head-hunters, savage, wild, primitive, naked, uncivilized, illiterate etc,³⁵ are used. The descriptions of the Ao Nagas as such are now a thing of the past. Instead of head hunting, the *Nagas* have become preachers in the churches, instead of being naked, *Nagas* have now joined the mainstream fashion world. The word 'savage' and 'wild' have been replaced by the word 'modern' *Nagas*. In the world of technological advancement where quality

³⁵ N. Toshi Ao. *Mission to the Nagas, A tryst with the Ao.* October 1995. Radha offset printers, Sivakasi. 1995.p126.

education is the most important, the AOs are not lacking behind others. It is interesting to note that the first matriculate among the AOs was late Mayangnokcha of Changki village in 1923 from Shillong who again became the first arts graduate (B.A) with honours in English from Cotton College, Gauhati in 1927. A host of his contemporaries and his students followed the pathfinder Mayangnokcha among the AOs. AOs, already had a good number of graduates when Nagaland got statehood in 1963. Today AOs have a good number of scholars in various academic disciplines and have a good number of doctors, engineers, lawyers, missionaries, bureaucrats/officers in the most sought after government services in India such as Indian administrative service, Indian police service, Indian Foreign Service etc. The AOs are indeed the torch-bearer in the field of education in Nagaland. So far as the advancement of AOs in media world and literature is concerned, it may be mentioned here that it has two local newspapers in AO dialects "*Ao Milen*" and "*Tir Yimyim*". The former is published thrice a week and the latter is a daily. Further it has two periodicals published in AO dialects, "*Lanur Teimla*" and "*Khristan Lima*" a monthly publication. The growth of educational institutions in AO areas (pre-statehood & post statehood) is shown in Appendix "B".

Because of the humble beginning made by Mrs. Clark and her school where she also taught health care and housekeeping, today the *Naga* women are no less than her counterparts anywhere else in the country. The beliefs of *Nagas*, that every object and all places are filled by the spirit which need to be constantly offered sacrifices have been withered away. Now they believed in one God and have a permanent place for worship. Such changes for good were what Dr. E. W. Clark was dreaming about. Thus, "Clark's ultimate aim for the *Nagas* was not only to Christianize them, but to make them a worthy

and great people. He knew this could be achieved only through education. So he planted church and education in the same pot" (N. Toshi Ao 1995:131). Another significant aspect of change in the social institution among the Aos since the advent of Christianity is that, *Aruju* and *Tsüki* systems which were important institutions during the head hunting time was slowly replaced by Christianized concept of dormitory for boys and girls. The introduction of dormitory system was to groom the young boys and girls in Christian discipline and ethics. This institution was directly accountable to the local churches. However, by the late twentieth century such institutions were fast disappearing. After the attainment of statehood as discussed above there was a mushrooming of schools in the state whereby students went out to stay in hostels in the urban areas, thus leading to a down fall of the institution of dormitory.

It is indeed wrong to assume that the *Nagas* and particularly the Aos had no contact with the outside world until the Christian missionaries landed over in Ao territory. History speaks much about the Nagas frequent contacts with the Ahom of the plains of Assam during the pre-British occupation of Assam.³⁶ The coming of East India Company or the colonial rule in India and Assam and ultimately the hill station of Nagaland have revolutionized the *Naga* culture. This can be marked as the genesis of socio-cultural change among the *Naga* tribes. This however, is not to undermine the works of the American Baptist Mission. It is true that cultural change takes place due to contact between two societies having different cultural patterns.³⁷ In this regard it can be pointed out that although it was the British policy not to make extensive changes in *Naga* traditional society, yet the introduction of new political machinery such as judicial and

³⁶ Bendangangshi, *Glimpses of Naga History* (1993.p40) Printed at Saraighat offset press, Industrial area, Bamunimaidan. Guwahati 781021.

³⁷ Evon Z Vogt. *culture change* Britannica encyclopedia. P,554-558.

economic policies possibly lead to an extensive change.³⁸ The 'savage' culture of head hunting which was a matter of pride for Aos, for instance, was not only intervened by the missionaries but totally banned by the British government and imposed punishment for disobedience. Other possible reasons along the line of change are creation of urban centers along with the modern facilities and communications that have enabled the people to have easy access to other culture. These cities were created as the colonial administrative outposts on a subsistence tribal economic base about a hundred years back. Since then, they have grown in size and significance, but their hinterland remains at the subsistence level.³⁹

The setting up of Mokokchung town as the district headquarter and sub-station of administrative out post to various parts in the Ao territory for instance has enabled to bring all the villages under one administrative umbrella and apply the same administrative code of conduct. Urbanization has encouraged the growth of population by removing the old checks of war, epidemic and famine, which had served to keep much of the region sparsely settled. It encouraged population mobility by establishment of controls over wide territories and the provision of legal redress for wrong done to the unprotected stranger.⁴⁰ The growth of urbanization have further led to establishment of Army battalion and brigade. People from different corners of the country came for business and other various activities and thus acculturation takes place. Furthermore, the formations of urban centers have had direct impact on land relations. All cultivable land had been converted into urban residential and commercial hubs. Thus, it is observed that in Mokokchung town "out of a total area of 15.5 sq km 22 percent of the land is used by

³⁸ Bendangyabang, *History*.

³⁹ A.C Sinha, P M Chacko. I L Aier. *Hill cities of eastern Himalayas* (1993.p205) Indus publishing Co.

⁴⁰ Ibid,13.

the government. Of this only 7% of the land has been paid or compensated for to the respective Ao villages, while 15% not compensated for, furthermore, the growth of this district headquarter into an urban center has aggravated the situation of land tenure system. More and more cultivable lands have been converted into a kind of non-agricultural market economy. Due to the pressure of population arising from migration from in and around the areas, most of these lands have been developed into commercial centers or residential site on lease or even sold" (I L Aier.1987:12). It may therefore, be argued that it is not only Christianity but other factors seemed to have played in the social change of the *Naga* people. However, it is an uncompromising truth that major social changes were brought by the Christianity to the Ao community in particular and the *Nagas* in general. Notable among changes are Marriage system in the Christian style, abandoning the old practices.⁴¹ Another significant change was the discouragement of the practice of keeping slaves. People captured during the time of raiding other villages and head hunting were brought home to keep as slaves. Such slaves were mostly from other tribe or non-Aos. It may be stated here that any disobedient and not worth keeping slaves were push down to dead in a waterfall. This fall is situated in Ungma village land. Another important event in the history of Christianity was the formation of Ao Baptist Association in the year 1897 in Molungyimsen village, where four resolution were adopted for bringing significant changes; (1) refrain from tobacco (2) refrain from Alcohol (3) Encourage the youngsters for education (4) Burial of dead body.⁴² Thus in the manner of resolution as well as from the gospel of Christian ethics changes were

⁴¹ The first ever marriage in the style of Christianity among the Nagas or particularly among the Aos was in the year 1878 on the 4th of April in Molung village. A lady by name Noksangla from Mulongyimsen village was married to an Assamese one Hudhon Evans which was solemnized by Dr. EW Clark in Mulong church.

⁴² *Molungyimsen (1876-2001)*, 125 years Souvenir. Molungyimsen Baptist Church 2001. p,28-33.

initiated. After nearly a century since the resolution was adopted the whole state of Nagaland was declared as a dry state by an Act of Nagaland Legislative Assembly in the year 1989 and was named as the "Nagaland Liquor Total Prohibition Act, 1989".⁴³ The encouragement for education to the youngsters as a resolution has resulted in a positive milestone development in the field of education. (See Appendix "C"). Further, the resolution for burial of dead bodies was a great success⁴⁴.

The Christian missionaries and their gospel mission for whom they are credited have initiated many changes of good consequences. For instance, the most inhuman act of head hunting was stopped. People were also taught to live a hygienic living and to undertake education along with the gospel mission. However, Christianization has had its negative impact too on the Ao society. The teachings of the missionaries to abandon the old practices and customs have almost led to the total loss of the rich oral traditions such as folk songs, music and even traditional games. The arrivals of Christian missionaries have opened the doors to look west and to copy their life style. The traditional practice of consuming rice beverage was condemned and was considered as sin but today a more dangerous practices is sweeping the younger generation. The problem of drug abuse among the *Naga* Youths is a direct fall out of coping the west. The rich folk songs and music are nearly lost. Hardly any youngster would know any folk song and pay any interests to learn. They are now more interested in western rock and pop music. The *Aruju* system which was a learning place for the young boys and especially where they learn to respect the elders and of course learning folk songs has disappeared totally.

⁴³ Government of Nagaland. *Nagaland Liquor Total Prohibition Act 1989*. Department of Justice and Law.

⁴⁴ Historically, the first person to be cremated among the Aos who died on the fourth day after the resolution was passed was one Mr. Peter son of Mr. Aokilep the first pastor among the Nagas. He served as Pastor in Molung church. See Molungyimsen (1876-2001) 125 years Souvenir.

Moreover, the shift from the simple traditional marriage practices to western and European style involves huge expenditure, which is a blow to the Ao society. Another blow to the Ao society as a result of westernization and Christianization is the devaluation of the Ao *Naga* shawls. Aos have certain ornamental shawls that a common man can not wear. These shawls carry prestige and status for performing feast of merit and for warriors for which the Aos have had tremendous traditional values. With the coming of Christianity, the value and meaning of the shawl became less significant to such an extent that a common man or even a non Ao can wear it. Christianity alone, it must be mention here, is not responsible for bringing change to Ao society. The long stay under the British colonial administration and thereafter again inclusion under India has altogether brought a drastic change in the socio-economic life of the people. The introduction of modern market economy and the allocation of huge budget to Nagaland by the government of India have on the other side brought tremendous change. Opening of new roads and introduction of transport facilities, postal and telecommunication, radio etc, have enabled people to move and explore new culture and experience new things faster and more easily. Moreover, employment opportunity such as government jobs has led sizable sections of the Ao population to abandon the old practice of jhum culture. Thus, all these factors contribute in bringing socio-economic changes in the Ao society.

Chapter - 6

SUMMARY AND CONCLUSION

6.1. Ao Political institutions in retrospect:

The Ao political institution which is based on *Shea achiba* (meat sharing) by the clan representative was strongly maintained since the time of Chungliyimti. The Aos have been totally swept off by the wind of change as discussed earlier (ref. chapter V). Ever since the coming of the British administration and the American missionaries. Changes, in all aspects ranging from religion to education, food habits, dress and the daily life routine have taken place. For instance, from the animists practice of sacrifices and worship of the spirit to the Christian style of worship in the church, *Aruju* life to modern formal school, raw agricultural produce to machine processed food. From a state of almost bare skin, Aos have entered the fashion world that have access to the finest production of cloths. Moreover, the lives of Aos have changed from jhumming life to office going life and have access to the modern world of business, which indeed is a good sign of economic development. Modern technological advancement around the world has enabled the Aos to communicate to different parts of the world through telephone and internet. The introduction of automobile is another reason for making thing easier for transportation of goods from one place to another and it further makes traveling all the more easier. Other notable changes in the social life of the Aos that can be mentioned are burial of dead bodies which started in 1897. Marriage in Christian style in the church had its humble beginning in 1878. In spite of all the changes in the socio-religious and educational fields the political institution of *Putu Menden* remains stable and unchanged. Much has been discussed about the *Putu Menden* in the preceding chapters, (ref. chapter

II and III) and therefore shall not be discussed in detail here. It is sufficient to mention here that the *Putu Menden* remains the same as it used to be in earlier times. The winds of change have not affected the *Putu Menden*. Why is it so? What are the socio-cultural and historical forces that kept the ancient Ao institution of *Putu Menden* unchanged? Has the *Putu Menden* undergone any change in terms of its functions and powers, especially after the introduction of democratic institutions like the village councils? These are some of the core issues that the present study have attempted to address. The structure of the Ao society or better still that of the *Putu Menden* can be better understood if we look from the perspective of the clan system. The clan system is the nucleus of the Ao society where kinship, marriage and family have its foundation. The *Putu Menden* which is the apex political institution in the village is based on the clan system. The clansmen choose their leader as a representative to the *putu menden*. The tenure of Ao *Putu Menden* lasts for thirty years in respect of the chungli phratry and for life in respect of mongsen phrarty. The Ao *Putu Menden* works for the welfare of the village as a whole. It is entirely at the mercy of the clan whether or not a person stays in the *Putu Menden*. In the event of irregularities during the parliament session, or that in the opinion of the clansmen the representative is not performing his duties satisfactorily, the clansmen do not give him the annual subscription call *Saru*. This is a collection of certain amount of money from each household every year. This collection implies that the people's mandate is given to the members of the *Putu Menden*. Once the mandate is withdrawn from a representative/ leader that is, by not giving annual collection he becomes a mere public. In the Ao governing system decision is always taken on a majority basis. The working of real democracy is practiced in Ao society by way of having village annual meeting. In

is meeting the villagers pass resolutions and sanction major projects to be undertaken during the current year and the members of the *Putu Menden*/Village Council implement and monitor the resolution into action. The hierarchical structure of the *Putu Menden* and its uniqueness of democratic representation of equal representation of all the clans in the various strata of its structure is one reason why the *Putu Menden* has survived the onslaught of modern process of social change. The importance of clans system is further apparent in the land holding system. Among the AOs land belongs to the clans. This land includes all cultivable and reserved forestland. Land cannot be sold in the interest of a single person. Land especially among the Naga have been given greater protection by the Indian constitution under Article 371 (A). It can also be mentioned here that special provisions with regards to land and its resources were included in the Sixteen Point Agreement made between Government of India and the *Naga* people's convention in 1960. Thus, land is of pivotal importance in bringing clans integration and solidarity. Any AO or for that matter any *Naga* can possess both movable and immovable property. Persons who are affluent or rich can possess landed property which is but personal assets. The spirit of commonness in possession of land has always aroused the clans' consciousness thereby sharing a common sentiment and strives for the common goal of the clan. It is also the clan that keeps the *Naga* society binding as it protects the individual and thereby expects obedience and loyalty from him. The clan therefore fosters unity, discipline and group feelings.

With the coming of the British administration in Nagaland new system of administrative setup was introduced in the villages. There was this introduction of the *Gaongburas* and *Dobashi*. The purpose for introducing *Gaongbura* in the villages was to

act as a liaison between the British administration and the village *Putu Menden*. Therefore any information and /or message between the government and the villagers are passed through the *Gaongbura*. In the event of any arrest warrant to be issued to a person in the village, prior information is sent to the *Gaongbura* for witness. For example, collection of house taxes under the British administration, and Indian government as well is being carried out by such agent. It is also the duty of the *Gaongbura* to inform the village authority for any government officials making a visit to the village. The British administration also introduced the system of *Dobashi* in their administration to act as an interpreter of the local dialect as and when the British officials are on tour to the villages. However, even after the British left India and consequently Naga Hills, the system remains unchanged. The Government of free India continued to use such agents. The system was thus permanently established. The establishment of *Dobashi* court has certain impact in that it has taken away some of the traditional roles performed by the *Putu Menden*. Now in the event of any case or dispute arising in the village or between two villages grievances can also be appealed to the districts customary law court, bypassing the village authority. They did not even try to solve among themselves. This has obviously undermined the importance and significance of the *Putu Menden*. Visier Sanyu has remarked that "another drastic change that has taken place in the state is in the terms of administrative organization. Prior to this, the *Naga* Organization was governed by the village council and chief who would settle conflicts and other problems in the clan or village. The newly imposed government led to the erosion of the traditional authority of the village council. There has been a loss of autonomy even at this lowest level of functioning". (Visier Sanyu 1992:270). It is clear that the introduction of Village Council

ct has necessitated certain functional adjustments of the village governing system. That the village council was created to act as a nodal agency which would help and support the Nagaland state Government in its functioning at the grass root level, could be termed as the decentralization of power in the modern world. However, the introduction of Village Council Act does not in any manner disturb the structural organization of the traditional system of *Putu Menden*. It becomes very apparent during the field tour in the villages, that the members of the *Putu Menden* automatically become the members of the village council. It may be stated here that big villages such as Ungma having more than one khel have *Putu Menden* in each khel whereas small villages without khel system have only one *Putu Menden* in the village. However irrespective of the number of *Putu Mendens*, the state government recognizes only one village council headed by a chairman who is selected/elected amongst the members of the *Putu Menden* for a period of five years, who, after the completion of the chairmanship terms remains as a member of the village council until he retires from the *Putu Menden*. The creation of village council is indeed a convenient means for the government and other non governmental agencies to interact with the villagers, as well as for a particular village to interact with others. In most cases, those Tatars who occupy the first rank or leader amongst the members of the *Putu Menden* who are called *Samen* among the *Mongsen* Phratry and *Tazungti* among the *Chungli* Phratry become the chairman.

The shift from village to town life has also resulted in a process of alienation. The ties of clan and family, which held together the fabric of Ao social life and governed modes of conduct and interaction are to a large extent, gradually loosening if not actually severed. Accompanying this process also is a loss of one's roots and identity. The *Nagas*

have been essentially sons of the soil, working and living in rhythm with nature. Their history has been handed down from generation to generation, through oral traditions, songs, festivals and legends. Migrations to urban centers have terribly affected the sense of identity and the importance of customary practices and tradition. More and more efficient and capable people migrate to urban centers in search of jobs and business and the less efficient people remained in the village, which definitely affects the political institution during the time of selection of the representative to the village government. The establishment of urban centers has led to various nature of crime in the society. Educated *Nagas* exposed to different kinds of culture and legal knowledge are making continuous effort to analyze and examine the customary laws and practices from the legal point of view especially from the Indian Penal Code and Indian Criminal Law etc. This has brought to limelight the need for codification of the *Naga* customary laws among the educated section of the *Nagas*. Horam is of the opinion that "Naga law can be codified and Naga history rewritten by those Nagas who have the necessary academic background to execute these works". (Horam 1992:136). It is pertinent to mention here that works on the tribal customary laws and practices in north-east India have been initiated by the law Research Institute of Guwahati High court which was established on the occasion of the silver jubilee celebration of the High Court in April 1973. There-upon works pertaining to customary laws and practice in respect of the Aos of Nagaland and Apatani of Arunachal Pradesh were taken up. However, on the other side, the Tatars in the village political institution have different views and opinion with regard to codification of their oral traditions and customary practices. Customary laws, at the analytical level, are indeed vague and technically unsound. Since there are no written laws or constitution, the

iminals or defaulters are injudiciously rewarded. For instance, in certain cases criminals are fined in kinds such as cow, pigs etc. where as in other instances fines are imposed in terms of cash whose amount may be higher or lower than the cost of a cow or a pig respectively of the gravity of the crime committed. More over the law executer (*tekongpur*) in the village *Putu Menden* have the power to reduce the amount or nature of punishment to be decided by the cabinet in the parliament, provided the culprit pleads guilty and pray before the *tekongpur* to show mercy and reduce his amount of punishment. Such flexibility of law provides enough room for biasness in the decision making process as well as in the enforcement of law and order. It may be remarked that the customary laws and the nature of enforcement are very sentimental and emotional. In such instances Durkheim's analysis of primitive society identifying with that of repressive law having mechanical solidarity is relevant. The essence of Mechanical solidarity as Durkheim summarized is a form of social solidarity that is essentially pre-industrial; social organization is highly undifferentiated, characterized by similarity of function, resemblances and a common consciousness. Its morphological structure is segmental, small groups and tribes consisting of different organs co-coordinated by and subordinated to a central authority, a low level of interdependence and weak social bond, a low volume of population and material and moral density. Collective sentiments and beliefs predominate and the individual consciousness is scarcely identifiable; the social and religious are unified so that religious ideas saturate the whole society. Law is repressive, expiatory and diffuses, functioning not through specialized institution but the whole society (1961:68). In this regard the Ao society may be comparatively brought to the level of pre-industrial society where most of the population lives in the villages and

the society is undifferentiated. Furthermore, it may be noted that the custodian of the customary laws, the so called *Dobashis*, are appointed by the Government as Government servants but without any academic qualification. Most of the appointees are found wanting in legal knowledge. In this regard, it is doubtful whether customary laws shall be interpreted and implemented rationally and judiciously. It may also happen that new generation may interpret and practice the customary laws in their own interest and convenience, thereby leading to erosion of the rich cultural heritage. It is further observed that disputes arising between two parties or persons are normally settled in the Dobashi court instead of being settled in the village court. It hardly needs mentioning here that the *Putu Menden* is an institution since time immemorial whereas that of Dobashi court is of recent introduction. In this regard a uniform codified customary law is essential so as to avoid irregularities and ambiguous interpretation among the various customary law enforcing agencies. On the other side, if the customary laws are codified the law enforcing agencies need to be educated. The clan representatives in the village *Putu Menden*, who are mostly illiterate or pre-literate, would be unable to follow the codified system of law. Such difficulties have stood in the way as some kind of hindrance in furthering moves for codification of the customary laws among the Aos. Akang Ao observes that "codification of Naga customary law may be a cumbersome and conflicting approach to design and arrange the jurisdiction because of the inherent difficulties in framing concrete proposal. In tackling the areas, near uniform coherent practices may be identified with varying interpretation within the same principles. The customary practices of the Nagas which constitute social tradition in structure are based on quasi-judicial function". (Akang Ao 1999:3-4).

The contemporary *Naga* society is in a flux due to the rapid social changes taking place. Westernization has brought a drastic change in the attitude of people especially in their world view. Indeed *Nagas'* way of life is inclined much to the western culture and many of its traditional cultural practices have disappeared. For instance dormitory system, distribution of betel nuts during the time of engagement, feast of merit etc have all been lost. It has further led to a wide gap between the traditional custom and practices of the AOs and the Western culture, especially the customs and practice which are left unsubstituted by Christianity such as the feast of merit which the AOs kept at the highest honour. However, Aram has observed the change of Naga society by saying that "Indeed a social revolution is taking place in Nagaland and within a short span of time the traditional tribal society is transforming itself into a modern technologically matured agro-industrial society" (Aram 1972:126). The land use system has witnessed a tremendous change. The age-old practice of jhuming cultivation is being replaced by many other alternatives and practices though not fully successful. It may therefore be stated that "since Nagaland became a state in 1963, the changes have gained momentum. Nevertheless confronting an agro-based Naga society in transition is the need for rapid development and progress. In spite of the allocation of funds incorporated in the annual state plan in the agricultural sectors, development has not been all progressive. The indigenous farmers have yet to acquire know how about the use of modern technology. This requires time, but experience shows that the adjustments have to be made in the new technology in order to adapt it to their ethos. Although the literacy rate in Nagaland was as high as 61.30% in 1991 census, yet literacy must remain a prime factor in the programme for agricultural development. (Zimik 1992:244-45). With the introduction of

market economy and modernization in all aspects of life, there has been a sharp decline in the practice of jhum cultivation among the Aos. The practice of jhumming was insufficient to meet the diverse need of the modern society. For instance children's education becomes unaffordable for parents by practicing jhum cultivation. Moreover, production in the jhum was hardly sufficient for the survival of the family. The opening of a new era in the political history of Nagaland i.e, the attainment of statehood has ushered in employment opportunity in public sector. Since then hundreds and thousands of Aos have joined various categories of Government service. Moreover, people who do not join the Government service become contractors in the government developmental works and a few start their own business establishments. Although jhumming is a common feature for tribals of North-East India, and particularly among the Nagas, many tribal such as Apatani of Arunachal, Jaintia of Meghalaya and Konyak, Angami and Chakisang of Nagaland too have the scope for permanent terrace cultivation. Except for a few pockets in Changki valley, the scope for such permanent cultivation in Ao area is very limited. Moreover, soil erosion caused by jhumming has led to poor harvest every year even though the age-old practice of land holding system by the clan does not deprive the individual members of cultivation. However, a permanent source of survival can not be generated in a single plot of land due to the fact that land is collectively owned by the clan and therefore utilization of land is rotated. Thus, Burman has stated, "the entire population depending on shifting cultivation should be treated as landless and in accordance should be allocated funds for that purpose from National Rural Employment Programme (NREP) and Rural Landless Employment Gurantee Programme (RLEGP). This recommendation follows from the fact that in the context of the state policy, their

access to land is a matter of political right and not an economic right, which is contrary to the fusion of social, political and economic rights in the traditional system" (Burman 1984:92). Moreover, there is constitutional provision for safeguarding the land and its resources of the Nagas. However, a close examination of the issue reveals that local landlords can not exploit the natural resources that are available in his land and sell in the market so as to earn his living. In this connection, it may be stated "the constitutional safeguards and the force of customary laws are not enough to protect, preserve and promote the interest of the Naga people" (Saikia 1987). It is therefore important to point out that the land holding and tenure system in Nagaland needs a reformation to bring an all round development. This area calls for further research.

Since the attainment of statehood, Nagaland has witnessed a huge number of outsiders, which includes foreign nationals and Indian nationals, migrating to Nagaland in spite of the special provision of the Inner-Line Regulation Act of 1873. These immigrants are mostly the foreign nationals of Bangladesh, Nepal, Tibet, and of course a huge population from other parts of India too. Though there is no single and definite answer to the infiltration of foreign nationals in Nagaland, possibly immigration took place due to the creation of urban centers and modern economy. People come to settle in different parts of towns and villages in Nagaland for various purposes such as business, Government jobs, domestic servants, teachers in private schools, agricultural labourer etc. Moreover the contemporary Naga society is too dependent on the service of the others but ignorant about its consequences, thus leasing out agricultural and farm areas or even sharecropping, renting out their buildings for establishment of shops and most importantly rendering local guardianship for protection from local people disturbances. A

general observation on the general distribution of jobs or works among the immigrants population in Nagaland shows that majority of them are Nepalis engaged in rearing of cow or dairy farming, The Bangladesh (Muslim) Mias are engaged mostly on business like essential commodities and pan shop, the Marwaris on the other hand do heavy trade and business like Hardware and electrical goods, Biharis mostly on the construction works as labourer, barber, hotels etc. Thus Immigration has brought the *Nagas* in contact with various cultures, which in turn provides tremendous impacts on the culture of the native *Naga* people. The issue of immigration has further resulted in the interethnic marriages that are taking place in *Naga* society. There is two way traffic of marriage between the immigrants' population and the *Naga* population. However the most striking points is when the immigrant marries *Naga* women their children are being given the *Naga* names, land for construction of residential houses, and site for farming and establishment of business etc are allotted by their in-laws. This would further create more complex problem in the *Naga* society. Moreover, *Nagas* were not into the practice of doing various kinds of business traditionally, but today any educated unemployed youth would choose the option of business rather than adopting the traditional practices of jhum cultivation. *Nagas* were traditionally hard working people, but such culture of hard working and honest living is fast disappearing and a new culture of earning easy money and easy living is taking place, which is a by-product of immigrants' population influence over the *Naga* society. The fast growth of education and western culture on one hand and the cultural mixing and money economy on the other has brought a new concept of class system in *Naga* society. The spread of western culture has further weakened the significance and uniqueness of clan system by way of adopting intra clan marriage. The

Naga younger generations has shown less concern about the taboo that society traditionally observed. Thus, a marriage within the same clan is becoming a regular feature in Ao society. It may be cited in this context that "the contemporary *Naga* society is today passing through a critical phase where it is bearing the burden of all Bangladeshi and Nepali illegal immigrants who treat Nagaland as a labour market. There may however come a time when Nagaland can no longer bear the burden of illegal migrants/immigrants. For one thing, the illegal Bangladesh migrants have never stopped coming to Nagaland. It must be pointed out that majority of the infiltrators belongs to the fertile age group whose illegal staying in the border districts of Nagaland have virtually gone unnoticed and unchecked. For another the composite *Naga* society is now on the verge of facing the identity crisis" (A. Lanu Ao and Rajendra Kshetri 1999:17)

It is true that *Naga* society is changing towards a modernized world. However the level of change and the rate of change are not uniformed throughout the *Naga* society. Economic development and social change are taking place in a very uneven manner. Urban centers or the districts headquarters such as Mokokchung, Dimapur, and Kohima to name a few are growing faster than the rest of the towns. On the other hand the rural villagers are deprived of such developments that are enjoyed by the urban settlers. There are places in Nagaland which do not have proper roads leading to the villages thereby facing serious problems in transportation of consumable goods for the rural population. It is unfortunate that a chunk of rural masses are deprived of proper water supply, electricity supply, medical facilities and modern communication such as telephone etc which the urban dwellers enjoy. Further, in educational sectors the fate of the students is miserable in the rural areas where there are no proper class room and no proper teachers

to take classes. It is observed that in certain schools, especially in rural areas, the number of teachers in the Government lower primary schools outnumber the students' enrollment. On the contrary the children's education in the urban centers are provided with all the modern facilities to ensure that a child grows with an all round development. It may be mentioned that urban children are more exposed to other cultures more specifically to western cultures than the rural children in terms of dress, life style, food habits, music, health care and even in attitudes. There is also a wide gap in the conceptual understanding for rearing of children between the rural and the urban dwellers. Thus such factors have created the distinction in mental ability and understanding of world view between the urban children and the rural children. It may be stated that an uneven rate of social change is taking place among the Naga society and particularly among the younger generation of the Ao society. Therefore this may constitute a new area for research.

In the modern world it is observed that the Aos are spreading all over the country and even abroad. It is observed that educated Aos are migrating to cities within the country and abroad in search of jobs and business. Children whose parents migrated to such places, become adapted to the new cultural system and forget their native culture. They even cannot speak their dialects, and this led to an identity crisis in society. Moreover any Ao government official after his retirement from the service opts to settle in places like Dimapur and Kohima for the rest of his life, the former being the commercial hub of the state and the later being the state capital, thus leaving their native home village or town a deserted place. Moreover such people hardly visit his native place but tends to buy lands and establish business such as shops, schools or any other vocation that one can do so as to keep himself busy earning for his survival. It may be mentioned

ere that the most general patterns of land holding system in Dimapur is a patta system, which do not come within the purview of the customary laws. Therefore, it is different from the Aos.¹ Further such people have moral rights in the clans land in the village and therefore pay annual subscription to the village *Putu Menden* so that the rights and the identity to which village he belongs is not lost. However, the saddest part is that he is settled permanently neither in his village nor in his home town but in a stranger's land after paying a value equivalent to the land and making the strangers as his relatives and parents. No doubt migration to urban centers and commercial hubs and joining in the global family of business proves the dynamicity and capability of the Aos. Especially in a fast growing and changing world where the whole world is shrinking to a global village and all cultures of human societies are measuring in a universal scale.

A retrospective look on the culture and tradition of the Aos will help us to ascertain the cultural position in the global village. The hilly tracks of Ao territory is a beautiful land. The topography and landscape of mountains and ridges and valley itself is enough to create a tourism industry. Moreover, the land is fertile to cultivate varieties of crops in all the seasons. The thick forest is capable of harbouring wild life sanctuary, and the land is rich in flora and fauna to attract the attention of Botanists and Zoologists. The culture is rich and colourful enough to attract sociologists and anthropologists from around the world. Moreover, there is ample scope in the north and north-west of the Ao territory for various horticultural production and establishment of agro-based industries, especially in the Changki valley and Tuli areas bordering Mariani and Amguri of Assam respectively. These areas are capable of producing varieties of crops to meet the

¹ The application of patta system in Dimapur is for convenient purpose and protect the right of the individual from encroachment by others. Nagaland does not have a separate land law or any special Act for application of patta. It is therefore a private arrangement on which government gives protection.

requirements of the state population and also the neighbouring states. The soil is suitable for growing tea, rubber plants, various commercial plants, most importantly, betel leaves, betel nuts, and many more fruits items. These areas border the plains of Assam, and therefore, transportation facilities are even easier when compared to the upper ranges of the Mokokchung district. It may be mentioned that "a good dairy husbandry network is sure to change the socio-economic scenario of the country. Though opportunities are in abundance and avenues are unlimited only thing is to select the right path at the right time for the right people".⁴ However, inspite of all the attractive resources and potentialities available in the Ao territory, one of the major striking points that led many Aos to settle in Dimapur and other cities in India is because of the land tenure and the system of land ownership. By culture and tradition, land belongs to the clan for the Aos. Where as clan lands are not to be sold to any body or unless the whole clan so decides to do so. Thus, culture and traditions of the Aos provide only a political right and not an economic right in the land holding system to its individual clan members. A practical problem that every Ao encounters is that, one cannot establish a permanent or lifetime production unit to get his economic salvation in a clan's land. Moreover, it is the culture and tradition of the Aos that even for selection of short-term jhum side the elder members of the clan gets the first privilege than the juniors. In such a cultural setup, the young energetic lots who are capable to establish permanent production units are discouraged because of the cultural system that compels them to settle in such places where they can independently own a plot of land. In this regard, it may be cited that "land transaction is governed by the customary laws, it is not easily and legally available in the market to every citizen. Thus,

² S.K Bhanj and Hema Tripath *Strategic intervention through dairying for rural development*, p.83. in *Journal of Rural Development*. A quarterly of NIRD. Vol 23. No 1 Januarv- March 2004. NIRD Hyderabad.

even with the state patronage, industrialization in these states is a non-starter. Possibly the appropriate authorities are to examine how the existing laws help or prevent economic and social development in the absence of industrialization in fast changing economy of their states".³ Before the attainment of statehood there was not much of migration among the *Naga* society in general and AOs in particular. However, since 1963 after statehood, migrations to urban centers in search of Government jobs and for establishment of business have slowly but steadily started. Today, in a span of four decades or little more, a sizeable chunk of AOs have migrated to Kohima and Dimapur areas and most of them are settled permanently there. If adequate measures are not taken in the cultural system of land holding patterns, it can be observed that in another four to five decades from now half of the AO population would set out to settle permanently in different parts of the country. It may be noted that according to 2001 census the total population of Mokokchung district is 227230 person (two lakhs twenty seven thousand two hundred and thirty) out of which 196026 constitute the rural population and 31204 constitute the urban population.⁴ Besides this, thousands of AO population are scattered in various towns of Nagaland and various places all over the country and are permanently settled, and therefore they are not accounted in their home town and village census.

The *Nagas* have undergone a long process of social change right from the introduction of foreign missionaries. More changes have been initiated since the attainment of statehood. Age-old traditional practices that have survived for many centuries are almost replaced by the new ones. The tempo of change has increased manifold through the efforts of both the central and the state Governments through

³ A.C Sinha 1993 *Ethnicity, land relation and urbanization in north east India* .p16-17 in Hill cities of Eastern Himalayas (ed) A.C Sinha. P. 16-17. **IL Aier**

⁴ Government of Nagaland *Statistical handbook 2001*. Directorate of Economic and Statistic.

successive plans and other departmental programs and policies in order to bring about changes in a deliberate way in the social structure, attitudes and behaviour of the *Nagas*. Notable of such plan policies are the Rural Development Programme, Integrated Rural Development programme, Waste Land Development programme, Johar Rozgar Yojana, Prime Minister Rozgar yojana, Employment Assurance Schemes and a host of policies with an aim to eradicate poverty among the rural dwellers. Indeed, implementation of such programs has been a great success in bringing economic changes. However, in the world of fast development and modernization, *Nagas* too need to modernize both in the material and non-material culture. On the material aspects, the age-old culture of jhum cultivation should be replaced by the new and modernized methods of industrial production for which the *Nagas* have readily available natural resources as raw materials. For instance, of the multiple options, handicrafts items of bamboo and cane production, fruit juice extraction industries, horti-products cultivation, tourism industry etc can be viable. On the other hand educational institutions, research institutions, and study centers of national and international standards should be established so as to attract, people from all over the world. This might check the increasing flow of Ao migration to other places in search of better quality education, job and business opportunity.

To modernize the traditional practices and to check the AOs from migration to other places, the following points may be suggested.

1. The traditional practice of land tenure system among the AOs should be replaced and/or changed to the modern legal system of leasing out on contract for a specific term of not less than 50 years.
2. Establishment of industries and educational institutions in the Ao areas.

3. Married Ao citizens should be insisted upon by the respective village *Putu Mendens* to have a house in his native village.

4. Indigenous games and sports should be encouraged.

As mentioned earlier, the *Putu Menden* also handles the judicial aspects/matters of the village. The present study, have shown that with the introduction of Dobashi court the quantum of cases put up before it, has been decreased-though it is by no means, an indicative of its decreasing popularity/efficiency.

A significant finding of the present study is the importance that the Aos attached to their respective clans. This is the most important indicator of his identity, this "identity", being safeguarded, by virtue of his/her clan is being represented in the *Putu Menden*. It is for this main reason that has proved the continuance/success of the *Putu Menden* in the face of the onslaught of modern education, Christianity and socio-economic changes.

It has also been seen that the introduction of Village Council Act has in no way diminished the importance or limited the functioning of the *Putu Menden*. This is borne out by the fact that the *Putu Menden* is simply referred to as "Village Council" for administrative convenience with regards to dealing with the state government.

Finally, when the *Putu Menden* of the two phratries i.e. *Chungli* and *Mongsen* were compared (*Changki* being similar to *Mongsen*), it has been found out in case of the *Chungli* phratry the tenure of *Putu Menden* is 30 years. Where as in case of *Mongsen* phratry there is no specific term- a member can continue to hold office until his death/ he resign because of ill health or other pressing matters. However, in any case, only a

member of his clan can replace him. Apart from this, it has been seen that the *Putu Menden* of all Ao villages exhibit the same characteristic in composition and functioning.

This study substantiates our contention made earlier that among the Aos, the *Putu Menden* is the supreme/ultimate decision-making body. The *Putu Menden* is constituted of all the clans of the village, with clear-cut hierarchal set up and duration. The function of the *Putu Menden* encompasses all Executive, Legislative and Judicial aspects of the village.

The Ao society has been exposed to the modern world for quite sometime and that, wind of change have ushered in many changes in almost every aspect of the Ao life. Basic social institution such as dormitory system for both boys and girls have now become thing of the past. Traditional practice of weaving among the women folks is fast disappearing and a new attitude of mindset in work is developing towards modernization. All animist culture of the past has been replaced by the gospel of Christianity with new Christian ethics and values. Life styles and living standards of the peoples have changed from the poor village life without having the basic facilities such as electricity, good roads, water supply, medical facilities and good hygienic food, to a town and urban life where modern facilities are readily available. The Ao society has transformed from an illiterate society to the most advanced and literate society in Nagaland. In spite of all these changes that are taking place in socio-economic and religious aspects due to introduction of the education, Christianity and of course modernization, the traditional system of Ao political institution the *Putu Menden* has resisted and survived in the midst of all changes and remained unchanged.

6.2. The Ao Putu Menden: Some Sociological observations:

The organizational structure of *Putu Menden* on the basis of phratry system has been systematically examined/studied in the preceding chapters. We offer here some sociological observation vis-à-vis the intrinsic, implicit nature and the characteristic of the *Putu Menden*. The placement of the village councilors/members in the organizational structure of *Putu Menden* at various ranks and strata is a clear indication of the hierarchical division of labour. The village political power is not vested upon a single person. Thus, *Putu Menden* is constituted with some as the leader/chief while some are accommodated as the assistant. Even though the role of chiefs and assistants are equally important in the survival of the political institution, what needs to be pointed out is the fact that in the Ao self-governing institutions it is always the first settler who enjoys the privilege of headship or leadership. The late comers/settler are given only the post of assistants. This points leads to an equally interesting observation in that the later settlers of the village do not command much respect and therefore their words are not always binding to the people. More often than not the first settler of the village maintain superiority complex, and therefore attitude such as "this is my village and you are a guest in my village" could be discerned. Unlike the modern bureaucratic organizations, the members of the *Putu Menden* do not get pecuniary benefits. However, they get due respect and honour in the village social life. One of the most common general notions of the village community life is that all are equal. That this is not so is borne out by the hierarchical arrangement within the organizational structure of the *Putu Menden*. social inequality in terms of status and privilege, prerogatives and perquisites is very much evident among the Aos. There is always this air of "ethnocentric" feeling among the first settlers vis-à-vis the late settlers. Late settlers are constantly reminded though covertly, of

their low social status by assigning them post of assistantship. All are equal but some are more than equal than the others. That this is so is amply shown by our study of the Ao self-governing institutions.

1. Every village having a population of not less than one hundred shall have a Village Council.
2. A Village Council shall consist of members chosen by the villagers in accordance with the prevailing customary practice and usages, the same being approved by the State Government.
3. A person shall not be qualified to be chosen as a member of the Village Council unless he:-
 - (a) is a citizen of India; and
 - (b) is not less than twenty-one years of age.
4. Every Village Council shall continue for such period as the customs, practice and usage require.
5. All member shall hold office during the life of the village council.

Provided that a member chosen to fill in a casual vacancy shall hold office for the remainder of the term of office of the member who he succeeds.

6. (i) the Village Council will chose a member as Chairman of the Council.
(ii) during the absence of the Chairman from any sitting of the Village Council, a member of the Council nominated by the Chairman shall act as Chairman.

Powers and duties of the village council. The village council shall have the following powers and duties to perform, such are:

1. To formulate village development schemes, to supervise progress of such schemes, to water supply, roads, forest, sanitation, education and other welfare works of the village.
2. To help various government agencies in carrying out development works in the village.
3. To take development works on its own initiative or on behalf of the government.
4. To borrow money from the government, banks or financial institutions on application in the development and welfare works of the village, on such terms and conditions, with or without interest as the case may be.
5. To apply for grants from the government, banks or financial institutions or from any agencies.
6. To provide security for due repayment of loan received by any person or body of the village from the government, banks or financial institutions.
7. To lend money from its funds to deserving permanent residents of the village to obtain repayments thereof with or without interest.
8. To forfeit the security of the individual borrower on his default in repaying the loan advanced to him or on his commission of a breach of any agreement entered into by him with the council and to dispose of the property of the borrower by public auction or by private sale.

APPENDIX - A

VILLAGE COUNCIL ACT.

1. Every village having a population of not less than one hundred shall have a Village Council.
2. A Village Council shall consist of members chosen by the villagers in accordance with the prevailing customary practice and usages, the same being approved by the State Government.
3. A person shall not be qualified to be chosen as a member of the Village Council unless he:-
 - (a) is a citizen of India; and
 - (b) is not less than twenty-one years of age.
4. Every Village Council shall continue for such period as the customary practice and usage require.
5. All member shall hold office during the life of the village council.
 2. If Provided that a member chosen to fill in a casual vacancy shall hold office for the remainder of the term of office of the member whom he replaced.
6. (i) the Village Council will chose a member as Chairman of the Council.
(ii) during the absence of the Chairman from any sitting of the Village Council a member of the Council nominated by the Chairman shall act as Chairman.

Powers and duties of the village council. The village council Act has prescribed certain powers and duties to perform. such are;

1. To formulate village development schemes, to supervise proper maintenance of water supply, roads, forest, sanitation, education and other welfare activities.
2. To help various government agencies in carrying out development works in the village.
3. To take development works on its own initiative or on request by the government.
4. To borrow money from the government, banks of financial institution for application in the development and welfare works of the village and to repay the same with or without interest as the case may be.
5. To apply for and receive grant-in-aid, donation, subsidies from the government or any agencies.
6. To provide security for due repayment of loan received by any permanent resident of the village from the government, banks or financial institution.
7. To lend money from its funds to deserving permanent residents of the village and to obtain repayments thereof with or without interest.
8. To forfeit the security of the individual borrower on his default in repayments of loan advanced to him or on his commission of a breach of any of the terms of loan agreement entered into by him with the council and to dispose of such security by public auction or by private sale.

9. To enter into any loan agreement with the government banks and financial institution or a permanent resident of the village.
10. To release registration fees for each litigation within its jurisdiction.
11. To raise fund utility service within the village by passing a resolution subject to the approval of the state government.
Provided that all monetary transaction shall be conducted through a scheduled Bank or the Nagaland State Co-operative bank.
12. To constitute village development board.
13. Power to do certain acts in the event of an epidemic.
On the outbreak of an epidemic or infectious disease village council shall initiate all preventive measures.

Disqualification from membership to the village council.

As prescribed in the village council Act a person shall be disqualified from being selected as and for being a member of village council.

1. if he is of unsound mind and stands so declared by the competent court or such authority as may be recognized by the state government; or
2. if he is not a citizen of India or has voluntarily acquired citizenship of foreign nation or is under acknowledgement or allegiance to a foreign nation; or
3. if he has been convicted by a court in India for an offence and sentenced to imprisonment for not less than two years unless a period of five years or such period as the state government may allow in any particular case, has elapsed since his release; or
4. if having held an office under any council he has been found guilty of corruption, disloyalty or breach of such council laws, unless a period of five years or such less period as the state government may determine in any particular case has elapsed since his becoming so disqualified; or
5. if he is an undischarged insolvent; or
6. if he is a salaried government servant or employee of an Area council; or
7. if he abstain himself from the majority of the meeting in a year and is unable to explain such absence to the satisfaction of the council; or
8. if he is a member of any other village council; or
9. if he has been dismissed from the service of the government or any other local authority for misconduct unless a period of five years has elapsed from the date of dismissal.

The village administration.

- (1) The village council shall be auxiliary to the administration and shall have full powers to deal with internal administration of the village.
- (2) Maintenance of law and order.
- (3) In serious case offender may be arrested but such person should be handed over to the nearest administrative officer or police station without undue delay.
- (4) To report to the nearest administrative officer occurrence of any un-natural death or serious accident.

- (5). To inform the presence of stranger, vagabonds or suspects to nearest administrative officer or police station.
- (6) To enforce order passed by the competent authority on the village as a whole.
- (7) To report out-break of epidemics to the nearest administrative officer or medical officer.

S.No.	Name	Year	Place
1	Impur	1895	Impur
2	Impur Mission Training & Middle school	1919	Impur
3	Impur	1941	Mokokchung
4	Impur	1943	Mokokchung
5	Impur		Mokokchung
6	Impur		Mokokchung
7	First college (FAC) estd. By the Public. (now government)	1959	Mokokchung

(8) No transfer of immovable shall be affected without the consent of the village council. Written records of this shall be maintained by the village council.

A seat shall become vacant:

- (1) when a member dies; or
- (2) when a member resign his seat by writing under his hand; or
- (3) when a member is removed by the state Government on becoming disqualified.

When a seat become vacant the chairman shall:

- (1) Call upon the village concerned to choose member; or
- (2) Request the Deputy Commissioner to appoint a person in case of a gaon burrah.

No selection of a member of a village council shall be called in question in any court and no court shall grant an injunction-

- (1) to postpone the selection of a member of a village council or a village authority; or
- (2) to prohibit a person, declared to have duly selected under this Acts, from taking part in the proceedings of the village council of which he has been selected a member; or
- (3) to prohibit member nominated or selected for a village council from entering upon his duties.

If a dispute arises as to the selection of any member of a village council, the matter shall be referred to the state government whose decision shall be final.

Every village council shall be a body, corporate by the name of the village for which it constituted and shall have perpetual succession and a common seal, and shall by the said name sue and besued through its chairman, with power to acquire hold and dispose of property both movable and immovable and to contract and do all other things necessary for the purpose of this Act.

Subject to the general superintendent of the state Government/ Deputy Commissioner/ Additional Deputy Commissioner or Sub-Divisional officer (Civil in-charge of the sub-division, the Extra Assistant Commissioner or the Circle officer shall have control over all the village councils or village authorities within the local limit of his jurisdiction.

APPENDIX -B

Educational institutions in pre-statehood.

Sl/no.	Event	Year	Place
1	Mrs. Mary Clark starts first school in Naga hill.	1878	Molungyimsen village
2	Impur Mission Training school	1895	Impur
3	Impur Mission Training & Middle school	1919	Impur
4	Government Middle school	1941	Mokokchung
5	Ao public open private high school	1943	Mokokchung
6	Two national high school set by the Naga Nationalist	1953	Mokokchung
7	First college in Nagaland (FAC) estd. By the public. (now government)	1959	Mokokchung

Source: Extracted from AKM; Talensen.

Educational institutions (schools) in post-statehood

Government Aided

1. Lower primary school --- 117.
2. Upper primary school --- 37.
3. High school & Higher secondary --- 17

Non-Government/Private.

- Lower primary school – 17.
- Upper primary school –23.
- High school & higher secondary --- 26

Total No. of schools both Govt. aided & non- Govt./ Private = 298.

Source: District Education Office, Mokokchung.

Higher educational institution/ College (post-statehood)

APPENDIX - C

<u>Government aided</u>	<u>Non-Government/Private.</u>
1. Fazl Ali College- Degree in Arts and Science.	1. People's college- Degree in Arts
2. Institute of Communication & Information Technology. – Degree/ Diploma in Information technology.	2. Law college-Degree in Law.
3. (DIET) District Institute of Education Training.	3. Tuli college- Pre university.
4. First Ao Students' Conference	4. Clark Theological College- Degree/Diploma in theology.
5. The Government owns Middle School	5. Nagaland Bible College.
6. Ao Public open private High School.	Diploma in Bible studies.
7. Ao Literature Committee formed.	
8. Two National High School Set by the Nags Nationalist.	
9. First College in Nagaland Fazl Ali College, established by the public.	
10. First theological College, Clark Theological College.	
11. The North-Eastern Hill University (NEHU) Shillong, opens a campus in Nagaland.	
12. Law College.	

APPENDIX -C

14. A C Milestones in the Development of Education in Ao Area since 1878.

Sl.	Event	Year	Place
1.	Mrs. Mary Clark starts first School in the Naga Hills.	1878	Molungyimsen.
2.	The Impur Mission Training School established	1895	Impur.
3.	With up gradation to class VI, the Mission School at Impur renamed as "Impur Mission Training and middle School".	1919	Impur.
4.	First Ao Students' Conference	1929	Longkhum.
5.	The Government opens Middle School	1941	Mokokchung Wokha.
6.	Ao Public open private High School.	1943	Mokokchung.
7.	Ao Literature Committee formed.	1946	Mokokchung.
8.	Two National High School Set by the Naga Nationalist.	1953	Mokokchung Kohima.
9.	First College in Nagaland Fazl Ali College, established by the public.	1959	Mokokchung.
10.	First theological College, Clark Theological College.	1972	Impur, Now in Aolijen.
11.	The North-Eastern Hill University (NEHU) Shillong, opens a campus in Nagaland.	1974	Kohima.
12.	Law College.	1981	Mokokchung.

- ... Havangnokcha Award Trust for Academic Excellence. 1993 Mokokchung.
14. A Central University. Nagaland University. 1994 Lumami, Kohima, Mezephema.
15. Forum for Development of Education in Mokokchung District. 1998 Mokokchung.
16. Implementation of the Communitization of Education. 2002 Mokokchung.
17. First Information Technology Institute opens with World Bank assistance. 2003 Mokokchung.

Source: AKM. Talensen. Reflection on education among the Ao Nagas. 2003.

4. In commemoration of 125 years of formal education in Ao Area.

Temjenmongba tatar interrogated both the parties.

5. After a thorough interrogation of both the parties the chairman asked both parties to leave the court, so as to cross examined the version of both the parties without any biasness.

6. The court verdict was declared in favour of Mr. Chungpungmongba at 4:00 PM in the evening.

7. The court imposed a fine of Rs. 500/- to the defendant.

8. All meeting/case proceeding was recorded by Mr. Imsu, Tatar who is the village council secretary.

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1. BOOKS:

The actual working of the democratic political institution of Putu *Menden* at Ungma village "B" khel on the 6th September 2003 at 10:00 A.M. At the Council Hall (Tatar Salang). The meeting of the village councilor was called for hearing of a case appealed by one Mr. Chungpongningshi with regard to a jhum land dispute among his brothers.

1. The meeting was chaired by Mr. Temjenzungba tatar. He well come the members of the house and highlighted the about the case.
2. The appellant was given time to express his grievances.
3. The chairman open time to the house for interrogation.
4. Mr. Imkongakum tatar, Mr. Sanglimong G.B, Mr. Chungpongwati tatar, and Mr. Temjenmongba tatar interrogated both the parties.
5. After a thorough interrogation of both the parties the chairman asked both the parties to leave the court, so as to cross examined the version of both the parties without any biasness.
6. The court verdict was declared in favour of Mr. Chungpongningshi the appellant at 4:00 PM in the evening.
7. The court imposed a fine of Rs. 500/- to the defendant.
8. All meeting/case proceeding was recorded by Mr. Imsu. Tatar who is also the village council secretary.

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3. Person (s) Interviewed:

1. Given below are the person (s) interviewed during the field data collection in Waromong Village on the 7th of January 2002. the investigator had a group discussion and personal interviews.

(a) J. Akum Ozukum village council Chairman, Waromong.

(b) S. Imti Longkumer Village council Secretary, Waromong.

(c) MaongchibaG B. retired school teacher and Tatar during the time of Mejen Sultan 1934

(d) Kiremtemjen Samen. recipient of Governor's awards on the 14th August 2003 in Kutar

(e) BendangtoshiSamen. Music, Dance, Folk and Literature. Interviewed on 10th May 2003

(f) Rongsenliba Samen. Director of NEZCC (Dimapur). Interviewed on 10th May 2003

(g) N. Supong Lemtur VDB Secretary. Interviewed on 10th May 2003

(h) L. Imti Longchar Ex- Council Chairman. Interviewed on 10th May 2003

(i) Mr. R. Longrimjen Jamit, Mokok-bang. Interviewed on 10th May 2003

2. Given below are the person (s) interviewed during the field data collection in Mopungchuket village on the 2nd December 2002. The investigator had group discussion and personal interview.

Anungsang Mepu (sector)

(a) Nungshimeren. Interviewed at Ungma village court dated 5th September 2003

(b) Tsukjemsashi. Interviewed at Ungma village court dated 6th September 2003

(c) Takosutsung.

(d) Mapunungsang.

Pongen Mepu (sector)

(a) Marsoba.

(b) Arlemba.

(c) Temsuneken.

(d) Repjenlemba.

Mongsen Mepu (sector)

(a) Nungsangwati.

(b) Imtiyongdang.

(c) Imkongangshi.

(d) Tentiyoungdang.

3. The following are the person (s) interviewed from Ungma village on various dates.

- (a) Akangkokba Tatar Ungma village interviewed on 23rd September 2003.
- (b) Sanglimong Head GB Ungma village interviewed on 25th September 2003.
- (c) Temjenzungba Tatar Ungma village interviewed on 7th November 2003.
- (d) Meyutiba Longkumer VDB Secretary Ungma village interviewed on 10th may 2003.
- (e) Satemomeren Longkumer a retired school teacher and Tatar during the time of Mejensanger putu in Ungma village and also a recipient of Governor's awards on the 15th August 2003 in Kohima for his contribution in the field of Art, Music, Dance, Folk and Literature. Interviewed on 30th August 2003.
- (f) Mr. I. Kina Jamir. Retd. Director of NEZCC (Dimapur). Interviewed on 20th December 2002.
- (g) Mr. Imkongakum DB of Ungma village. Interviewed on 7th November 2003.
- (h) Mr. L. Sentonglemba of Ungma village. Interviewed on 20th July 2003.
- (i) Mr. R. Longritemjen Jamir. Mokokchung. Interviewed on 10th January 2004.
- (j) Mr. Sutsungmongba Tatar of Ungma village. Interviewed on 20th January 2004.

Documents from the field:

- (1) Case proceeding at Ungma village court dated 5th february 1993.
- (2) Case proceeding at Ungma village court dated 6th September 2003.

