

**A COMPARATIVE STUDY OF THE  
TRADITIONAL AND MODERN ELECTORAL SYSTEM IN  
NAGALAND**

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NAGALAND**



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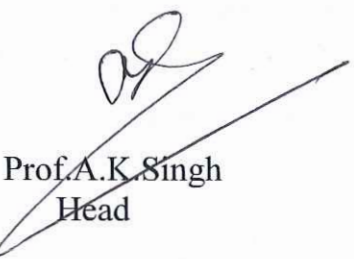
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February 21, 2011

I, B.Henshet Phom, hereby declare that the subject matter of the thesis is the record of the 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.


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B.Henshet Phom

## ABBREVIATIONS

- APO: Angami Public Organisation  
BJP: Bharatiya Janata Party  
CEC: Chief Election Commissioner  
CEO: Chief Electoral Officer  
DAN: Democratic Alliance of Nagaland  
DB: Dobashi (Interpreter)  
EPIC: Electoral Photo Identity Card  
ENPO: Eastern Nagaland People's Organisation  
ENSF: Eastern Nagaland Students' Federation  
GB: Gaonbora (Village headman)  
JD(U): Janata Dal (United)  
LADF: Local Area Development Fund  
MLA: Member of Legislative Assembly  
MP: Member of Parliament  
NBCC: Nagaland Baptist Church Council  
MCG: Matching Cash Grant  
NDA: National Democratic Alliance  
NDM: Nagaland Democratic Movement  
NEFA: North East Frontier Agency  
NGOs: Non-Governmental Organisations  
NNC: Naga National Council  
NNO: Naga National Organisation  
NPC: Naga People's Convention  
NPC: Nagaland People's Council  
NPCC: Nagaland Pradesh Congress Committee  
NHTA: Naga Hills Tuensang Area  
NHDTTC: Naga Hills District Tribal Council  
NLA: Nagaland Legislative Assembly  
NNDP: Naga National Democratic Party

NPF: Nagaland People's Front  
NPSC: Nagaland Public Service Commission  
NSCN (K): National Socialist Council of Nagaland (Khaplang)  
NSCN (I-M): National Socialist Council of Nagalim (Isak-Muivah)  
NSF: Naga Students' Federation  
PWD: Public Work Development  
TDRC: Tuensang District Regional Council  
UDF: United Democratic Front  
UFN: United Front of Nagaland  
ULP: United Legislature Party  
VDB: Village Development Board  
VEC: Village Education Committee

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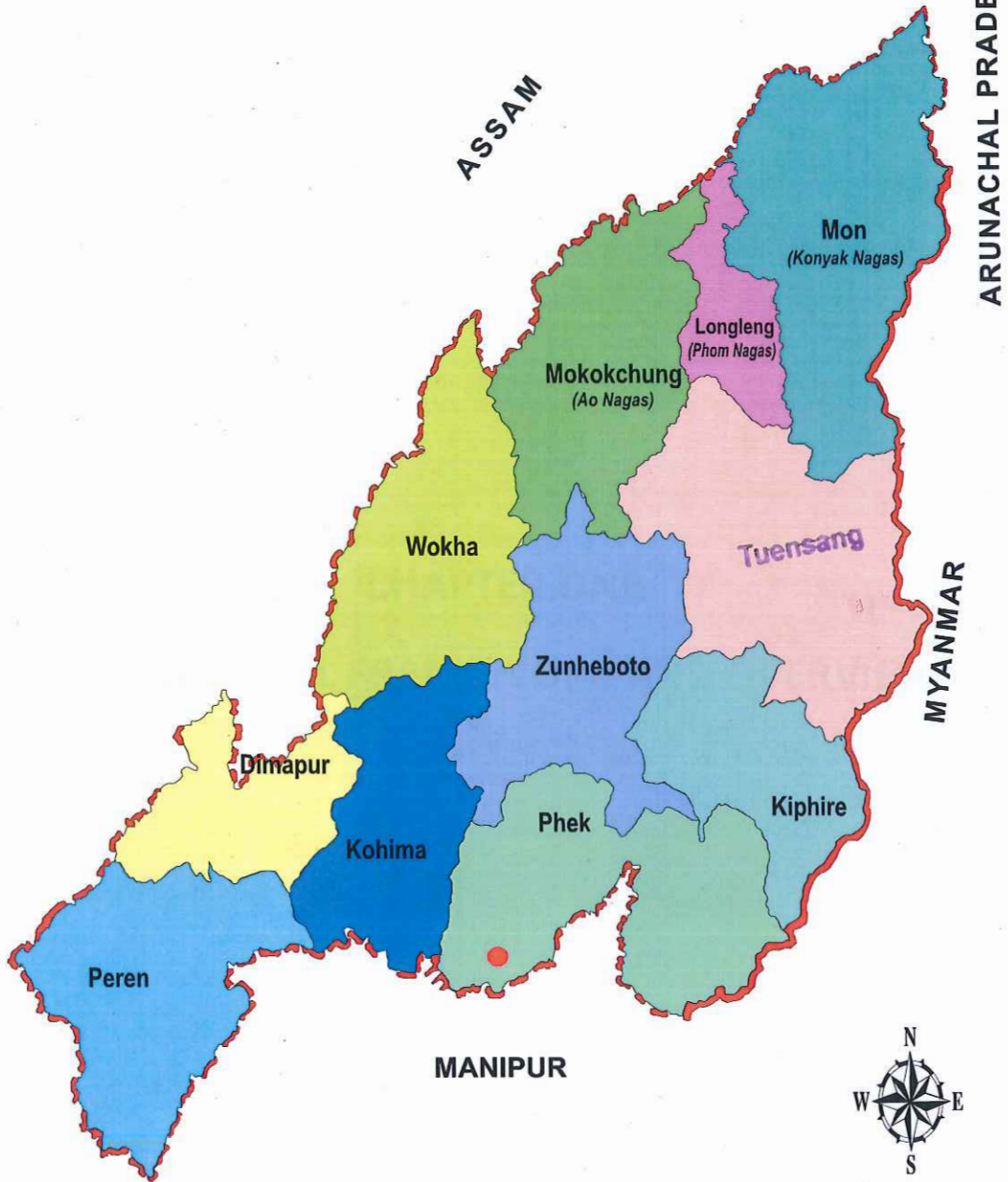
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# MAP OF NAGALAND



**CHAPTER ONE**  
**THEORETICAL FRAMEWORK AND OVERVIEW**

## CHAPTER ONE

### THEORETICAL FRAMEWORK AND INTRODUCTION

#### 1.1. Election: A General overview

Elections are essential to the functioning of large-scale democracies in which some form of representation is necessary to allow all individual citizens to participate in their society's decision making process. The study of elections is therefore an important component of political science.

An election is a method of choosing leaders or making decision by a process of voting. Ancient Athens had a system of elections in which all citizens could vote. Athenians did not settle disputes by brawling but, rather by discussion and debate.<sup>1</sup> With the birth of modern democracy, elections have become a universal way of choosing legislative representatives and government leaders and are standard practice in many public and private organizations. Elections are not confined to democracies; they have been used in other, more authoritarian kinds of government. Rulers who are not accountable to the people may be elected by the vote of an elite group such as a feudal aristocracy or party bosses.<sup>2</sup>

An election is a decision-making process by which a population chooses an individual to hold formal office. This is the usual mechanism by which modern

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<sup>1</sup> Bruder Moore, *Philosophy: the Power of Ideas*, The McGrawHill Companies, USA, 2010, p.34.

<sup>2</sup> Academic American Encyclopedia P.103



representative democracy fills offices in the legislature, sometimes in the executive and judiciary, and for regional and local government. This process is also used in many other private and business organizations, from clubs to voluntary associations and corporations.<sup>3</sup>

The universal use of elections as a tool for selecting representatives in modern democracies is in contrast with the practice in the democratic archetype, ancient Athens. Elections were considered an oligarchic institution and most political offices were filled using sortition, also known as allotment, by which officeholders were chosen by lot.<sup>4</sup>

According to Dieter Nohlen, 'Elections are the democratic method of choosing representatives of the people...Elections are a technique for forming representative bodies and/or for delegating authority...The notion of elections in its proper sense implies competitiveness as well as freedom of choice.'<sup>5</sup>

Election means recruitment of the representatives by the choice of voters. It may be done in one of the two ways. In case the voters choose a representative by their votes, it is direct election. For instance, the members of the British House of Commons, or of the American House of Representatives, or of the Indian Lok Sabha are elected directly by the voters of the country. Different from this, when the voters elect some persons and

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<sup>3</sup> Wikipedia@Wikimedia Foundation Inc, a US registered 501, March 2009

<sup>4</sup> *ibid*

<sup>5</sup> Nohlen Dieter, Election and Electoral system, Macmillan Ltd. New Delhi, 1996. p.

they elect some other person, it becomes indirect election. The intermediary body is called electoral college.<sup>6</sup>

T.R.Nanda defines election as ‘...the act of choosing a representative or the holder of a particular office, usually by ballot. Elections are of several kinds. In one the electors choose their representatives directly; in another they vote for persons who in turn choose the representatives. A general election occurs when all the representatives of a body are elected at once; a by-election is held to replace a representative who has resigned or died.’<sup>7</sup>

In most democratic political systems, there are a range of different types of election, corresponding to different layers of public governance or geographical jurisdiction. Some common types of election are: Presidential election, General Election, Primary election, By-election, Local Election and Co-option.<sup>8</sup>

A referendum (plural *referendums* or *referenda*) is a democratic tool related to elections in which the electorate votes for or against a specific proposal, law or policy, rather than for a general policy or a particular candidate or party. Referendums may be added to an election ballot or held separately and may be either binding or consultative, usually depending on the constitution. Referendums are usually called by governments

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<sup>6</sup> Johari J.C; Principles of Modern Political science, Sterling Publishers, New Delhi, 1996. P.474.

<sup>7</sup> Nanda T.R, Dictionary of political Science, Anmol Publications, New Delhi, 2000, p.179.

<sup>8</sup> Wikipedia@Wikimedia Foundation Inc, a US registered 501, March 2009.

via the legislature, however many democracies allow citizens to petition for referendums directly, called initiatives.<sup>9</sup>

Referendums are particularly prevalent and important in direct democracies, such as Switzerland. The basic Swiss system, however, still works with representatives. In the most direct form of democracy, anyone can vote about anything. This is closely related to referendums and may take the form of consensus decision-making. Reminiscent of the ancient Greek system, anyone may discuss a particular subject until a consensus is reached. The consensus requirement means that discussions can go on for a very long time. The result will be that only those who are genuinely interested will participate in the discussion...This system is however only feasible when implemented on a very small scale.<sup>10</sup>

## 1.2. Electoral System

The term electoral systems are referred to “a method which is used to translate the votes for candidates in an election into an allocation of seats or a decision as to who has won. There are three broad types of electoral system; the simple plurality system, proportional representation and majoritarian system.<sup>11</sup>

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<sup>9</sup>ibid

<sup>10</sup>ibid

<sup>11</sup> Nanda T.R, op.cit P.181

According to the Oxford Concise Dictionary of Political Science, 'electoral system means any set of rules whereby the votes of citizens determine the selection of executives and/or legislators. Electoral system may be categorized in several ways. The most useful is probably a three-way division into plurality, majoritarian, and proportional systems. For national elections, plurality systems are found only in Great Britain and some former British colonies including the United States and India. Majoritarian systems are found in France and Australia for legislative elections and in about half of the countries with directly elected chief executives. There are many proportional systems in the democratic world; they differ widely and there is no agreed criterion whereby one may be judged better than another.'<sup>12</sup>

According to Pippa Norris Electoral formulas determine how votes are counted to allocate seats. There are four main types.

- Majoritarian formulas ( including plurality, second ballot and alternative voting system);
- Semi-proportional systems (such as the single transferable vote, the cumulative vote and the limited vote);
- Proportional representations (including open and closed party list using largest remainders and highest average formula); and
- Mixed systems (such as the additional member system combining majoritarian and proportional elements).<sup>13</sup>

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<sup>12</sup> Mclean Iain and Mcmillan Alistair, Oxford Concise Dictionary of Politics, Oxford University Press, 2003. P.165

<sup>13</sup> International Political Science Review (1997) Vol.18, No.3, p.p297-312., International Pol.Science Association, Sage Publication, London, Thousand Oaks, Ca and New Delhi, 1997

There is no conclusive proof as to how and where the practice of representation really originated. But it is generally believed that it originated in the Middle Ages as a device used by certain monastic orders and was applied to bodies called by the king for consultation on questions of broad interest, especially taxation. Under various names: parliament in Britain, Estates General in France, Cortes in Spain and Diet in Germany... came into existence towards the end of the thirteenth and the beginning of the fourteenth centuries and were soon playing an important role in the affairs of their respective countries....But assemblies were in no country democratic in any sense. They only represented certain elements in the population; aristocracy, landed gentry, the rich businessmen and the higher clergy.<sup>14</sup>

With the advent of the middle Ages and with the emergence of the nation states, monarchy became more powerful and assemblies were either ignored altogether or they were reduced to mere formal bodies. This was, however, not the case with the British parliament. The struggle between Cromwell and Charles resulted in the victory of parliament. The revolution of 1688 established the sovereignty of parliament by reducing monarchy to dependence upon it, but parliament was still very far from being democratic. Before 1832....parliamentary seats were in the grip of rich men and were bought and sold like shares on the stock exchange. The first change in the system of representation, fixed in the middle ages, was made in 1832 extending to 1928, there had been successive electoral reforms and now all adults over eighteen, men and women, in the country

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<sup>14</sup> .Kapur A.C, Principles of Political Science,S.Chand and Company, New Delhi, 2005. P.510

possess the right to vote and elect their representatives to the House of commons. Parliament today is really the House of Commons.<sup>15</sup>

In this way, today democracy has become one of the most important and popular forms of government all over the world.

### 1.3. Electoral system in India

When India got freedom, she was not akin to the democratic elections. Centuries of foreign and autocratic administration of British had sapped the very life of Indian people...The first general elections to Lok Sabha were held in 1952 as a gigantic operation.<sup>16</sup>

The republic of India, in its size, population and resources is the world's biggest parliamentary democracy. In terms of its electorate it is also the world's largest participatory political system based on universal adult franchise, which is effectively exercised at regular periodic elections at all levels of governance-from grass-roots three tier Panchayat Raj and Nagarpalikas to the state assemblies and the parliament.<sup>17</sup>

In a considerable measure, all this is the fulfillment of the goals of the national movement for independence and for a vibrant democratic identity.

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<sup>15</sup> *ibid.* P.511

<sup>16</sup> Gupta Sachdeva, *Indian political system*, Ajanta Prskashan, Delhi 2002. P.P.525-29

<sup>17</sup> Khan Rasheeduddin, *Democracy in India*, NCERT, New Delhi, 1999. P.53.

In the constitution, a separate chapter (Part XV: article 324-328) has been provided on elections and electoral machinery. The original article 325, providing for adult suffrage had fixed the age of eligibility to vote for elections to the Lok Sabha and Vidhan Sabhas at the age of 21 years, but by the 61<sup>st</sup> Amendment to this clause passed in 1989, it has been reduced to 18 years. Article 325 states that there shall be single general electoral roll for every constituency for election to Lok Sabha or Vidhan Sabhas, and not separate rolls for different religious communities as during the British colonial period. For registration of a citizen as a voter no discrimination would be made on grounds of religion, race, caste or sex. Right to vote under Article 326 is denied only on the ground of non-residence, unsoundness of mind, record of crime or of corrupt and illegal practice.

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Provision is made for reservation of seats for the Scheduled castes and Scheduled tribes to overcome their accumulated backwardness, on account of the historical neglect for centuries, and to secure for them an adequate representation, in order to help them to catch up with the developmental process.

For elections to the Lok Sabha and the Vidhan Sabhas, the basic unit of voting is the single- member territorial constituency. The number of seats in the Lok Sabha and Vidhan Sabhas in proportion to the population is normally determined periodically on the basis of ten-yearly census. However, by 42<sup>nd</sup> Amendment, the parliament decided to freeze the number of seats for thirty years.<sup>19</sup>

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<sup>18</sup> Ibid . P.55.

<sup>19</sup> Ibid. P.55.

Thus, for the conduct of the elections in India, there is the Election Commission of India consisting the Chief Election Commission, and a few other Election Commissioners, whose numbers are fixed from time to time by the President of India.

For every state, there is a Chief Electoral Officer nominated by the Election Commission to supervise the preparation, revision and correction of electoral rolls and to conduct all elections in the state. Likewise, for each district there is a District Election Officer who co-ordinates and supervises all works in his district relating to elections under the direction of the Chief Electoral Officer. Usually the District Collectors or Deputy Commissioners are designated as the District election Officers. They appoint presiding and polling officers for the polling stations. The presiding officer plays an important role on the day of the election. His general duty at a polling station is to keep order there and to see that the poll is fair and free. It is the duty of the polling officers at a polling station to assist the presiding officer in the performance of his functions.<sup>20</sup>

The Election Commission, in consultation with the State Government, appoints a Returning Officer for every parliamentary and assembly constituency and for every election to fill a seat in the Rajya Sabha. The Returning Officer is authorized to do all such acts and things as may be necessary for conducting the elections according to electoral laws.<sup>21</sup>

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<sup>20</sup> Kashyap Subhash, *Our Parliament*, National Book Trust, New Delhi, 1929, pp.74-75.

<sup>21</sup> *Ibid.* p.75



## **1.4. An Overview of the Study:**

### **1.4.1. The Nagas**

Nagas are the mongoloid tribes inhabiting the hilly regions between the Brahmaputra river in India and Chindwind river in Myanmar in the states of Nagaland, Manipur, Arunachal Pradesh and Assam in India and eastern Nagaland in Myanmar between 93-27 degree North latitude, with a population of around 1.5 millions. The Nagas were head hunting tribes living in thousands of villages, many of which are buried in the deep jungles of Indo-Burma, speaking more than fifty languages and dialects, formerly notorious for head hunting and human sacrifice, which is almost the only thing most people know about them.<sup>22</sup>

### **1.4.2. Nagaland**

Nagaland is one of the seven states of the Indian union in the North eastern region. It has a total area of over 16,500 square kilometers and is a hilly country. The population of Nagaland according to 2001 census is 19, 88,636 and its over all literacy is 67.11 %. It has 11 districts. The following Naga tribes live within Nagaland- Angami, Ao, Chakhesang, Chang, Konyak, Khimniungan, Lotha, Phom, Pochury, Rengma, Sema, Sangtam, Yimchungru, and Zeliang. Apart from the above mentioned Naga tribes people from other tribes and communities live in Nagaland.

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<sup>22</sup> Thong Joseph, *Head Hunters' Culture: Historic Culture of Nagas*, Khinji Woch, Chunlikha, Tseminyu, Nagaland, 1997 P.1

After India became independent in 1947, in the fifties, the erstwhile district of Assam known as "Naga Hills" was plunged into turmoil, as some sections of the people under the leadership of Phizo, President of the Naga National Council (NNC) rose in armed rebellion (against the Indian army). At this juncture in August 1957, the Naga People's Convention representing all the Naga tribes met in Kohima under the Presidentship of Dr.Imkongliba Ao and decided to seek a peaceful solution and proposed the formation of a separate unit by merging the Division of N.E frontier Agency with the District of Naga Hills to be known as Naga Hills-Tuensang Area (NHTA). It was accepted by the Government of India. It led to the formation of the state of Nagaland on 1<sup>st</sup> December 1963, with a care-taker government in charge. The first democratically elected ministry under Sri.P.Shilu Ao came into being in 1964.<sup>23</sup>

And since the constitution of the state in 1963, the first assembly election was held in 1964. Till today 11 General elections have been held for the Nagaland Legislative Assembly.

The present research will be a comparative study of the traditional and modern electoral systems practised in Nagaland. The modern electoral system will be based on the elections held for the Nagaland Legislative Assembly up to the 11<sup>th</sup> General elections i.e., 1964-2008.

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<sup>23</sup> Thomas M.M, The Nagas Towards AD 2000, Centre for Research on New International Economic order, Madras, 1992. P.P. v-vi.

### 1.4.3. Statement of problem

Before the British rule and the introduction of the modern electoral system, each Naga village was an Independent Sovereign Republic. It was a republic akin to the ancient Greek city state".<sup>24</sup> The members of the village council are either elected or appointed. The method of election of the council differs from tribe to tribe, but all Naga tribes have some sort of a village body in which the entire village is represented, usually clan-wise.<sup>25</sup>

All the problems and needs of the village were discussed in the village assembly democratically, and were executed by their councils. It is quoted, 'The Naga ancestors practised democracy in its purest form. The Naga village council members were selected democratically, representing every clan, khel etc. All the bona fide citizens of the village were the members of their village assembly. There is no record of the conflict having faced by them in course of this selection. Their political structure seems very natural, all embracing, thus worth appreciating. Experience and wisdom were the basic tools of their governance.'<sup>26</sup>

The researcher is of the opinion that, " the present system of politics that exist in Nagaland, particularly the election system which the Naga ancestors have never heard of is doing more harm than good to the Naga society. It divides the people into water-tight

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<sup>24</sup> Phom Henshet; B, The Phom-Naga Indigenous Religion: A socio-philosophical perspective, Yingli College, Longleng, Nagaland, 2000. P.11

<sup>25</sup> Horam M, Naga Polity, Low Price publications, Delhi 1992. P.84

<sup>26</sup> Phom Henshet B, Socio-Cultural Issues in Nagaland, Yingli College, Longleng 2003. P.3.

compartment. Specially, the Naga rural folks who are in the opposition party are denied even their rightful share till the expiry of the term of their opponent ruling party. Everything, call it privilege, goes through party line.<sup>27</sup>

**Table 1: Can a voter easily meet their ministers or MLAs after the election is over?**

	No. of respondent	Percentage of respondent
Yes	12	20%
No	48	80%
Can't say	00	00%

In a reply to the questionnaire in table 1 given above, 80% of the respondents replied that after the election is over they find it difficult to meet their legislators. According to the views of the respondents; before the election the candidates would come to the voters like beggars but once they are elected, they become completely different people. They distanced themselves from the public with body guards; they will be required to take the permission from the house guards even to enter their house.<sup>28</sup> The remarks given by the under mentioned prominent political figures, statesman and scholars also justify the statement:

Malay Chaudhari and Arindam Chaudhari in their famous book, *The Great Indian Dream*, remarked at the electoral system in India as, 'The votes of uneducated people can be manipulated with the help of pop (popular) slogan, alcohol or muscle

<sup>27</sup> .ibid. P.3.

<sup>28</sup> This passage is based on the view given by different respondents to the questionnaire.

power. There is a growing disinterest in the election process among the educated population of India.’<sup>29</sup>

V.K.Nuh, a prominent Naga church leader and scholar has also recorded; ‘Election in Nagaland had been held just eight months ago and the ruling party had spent as much as Rs.50 crores to get a majority seat in the state assembly...It is obvious that a small state like Nagaland with 90% population under poverty line can be easily drowned without reason.’<sup>30</sup>

M.M.Thomas, the former Governor of Nagaland says, ‘At some mid- point in the political process, corruption got systematized and institutionalized. Election came under money-power, defections and fear of defections by MLAs for personal gain produced constant government instability and development at grass- roots level got hindered.’<sup>31</sup>

Neiphiu Rio, the present Chief Minister of Nagaland asserts, ‘The system of electoral politics had also thoroughly divided the Nagas. The way we are going the Indian democracy has as such become mobocracy.’<sup>32</sup>

I.Imkong, the former Opposition Leader of Nagaland laments, ‘the present election system where electors were becoming commercial commodities. In order to get good and clean political leadership, the people should realize the need to change their

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<sup>29</sup> Chaudhari Malay and Arindam Chaudhari, *The Great Indian Dream, Restoring Pride to a Nation Betrayed*, Macmillan India Ltd., New Delhi, P.47.

<sup>30</sup> Nuh V.K., *My Country, My people*, Vision Press, Kohima, 1988, P.4.

<sup>31</sup> Thomas MM, op. cit. P.vii

<sup>32</sup> Nagaland Post, June 08, 2005, Wednesday issue

attitude and go for fair and honest participation in every political decision-making process.’<sup>33</sup>

The above cited statements point to the fact that there are problems with the present electoral system in Nagaland in particular, and in India as a whole. As such, there is a need to reform the system. And to find the suitable electoral system, the best option would be to compare the past and the present electoral system in Nagaland. Therefore, to find the suitable electoral system for Nagas will be the main focus of the present research.

#### **1.4.4. The traditional electoral system in Nagaland**

Democratic practices are inherent parts of the Naga polity since time immemorial. Each Naga village was a sovereign democratic republic. The villages were ruled by the Village council, the members of which were selected from each of the clan, khel and so on.

And as mentioned above, ‘The method of election of the councils differs from tribe to tribe but all Naga tribes have some sort of a village body in which the entire village is represented, usually clan wise. Even among the Konyak tribe, where there is

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<sup>33</sup> Nagaland Post , July 30, 2005, Saturday issue.

kingship as a hereditary form of government, there is a council of advisors representing each khel and clan who gives constant advice and assist the king in his administration.<sup>34</sup>

Among the Chang Nagas, the members of their village councils are divided into two categories: the senior councilors are called Khusabu, and the junior members are known as pagsabu. The age group controlling the village affairs is known as Mutten.<sup>35</sup> And there is a change of Mutten every after 11 years.<sup>36</sup> It is, thus, seen that by virtue of one's age every citizen of the village gets the privilege to become the member of the village council among the Changs.

Among the Aos, after a village is established, one of the first duty is the establishment of "Putu Menden". Its main task is to lay down laws and regulations for social and political administration of the entire village. This coveted office includes elected men belonging to the oldest age-group representing all the clans living in the village... The members of the Putu Menden vacate their office yielding place to a new body from time to time following a standardized generation of so many years. The Chungli Aos vacate the office every 30 years unlike the Mongsen Aos. But now a days, Mongsen Aos are also trying to follow the Chungli system of vacating the office every 30 years... After vacating the office the old members of the Putu Menden at once become pudir or priest.<sup>37</sup>

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<sup>34</sup> Nockthak Konyak son of Loakho village Angh interviewed by the researcher on 13.10.05

<sup>35</sup> Mutten means Village Council in Chang Naga dialect.

<sup>36</sup> Kumar B.B, Society and Culture in A corner of Nagaland, Pragati Prakashan, Meerut, 1998. P.24

<sup>37</sup> Aier L.Imti , Ao Naga Social and Customary Genealogy, Pioneer book Stall, Mokokchung, Nagaland, 1969. P.4

Among the Phom Nagas, village council is known as Ching Uoshing. The members of the village council are democratically appointed representing each clan. They are appointed by the village council. The Phom villages have five to ten clans. There is no retirement age or tenure prescribed for the members of a village council. A person can be a member of the village council till his ripe age if he is fit. For the Phom Nagas, to be a member of the village council, one must possess the following qualifications:

1. One must be a bona fide citizen of the village.
2. One must not be an illegitimate son.
3. One must not be a man known for immoral behaviour.
4. One must be an upright man <sup>38</sup>

And among the Konyak Nagas, the Anghs are the chieftains of the villages. Each village has its own Angh....However, they were not despotic in their rule, as one might assume. Rather their administration, in general was beneficial and protective of the people. The villagers were obliged to offer free service in the fields of their angh called Anghnokkah, and they were to bring the products of the field to the Angh as a kind of tribute. <sup>39</sup> It may also be noted that the Konyak tribe has two types of village administrations; one ruled by powerful and autocratic chiefs, the other more democratic. <sup>40</sup>

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<sup>38</sup> Phom Henshet B, The Phom Naga Indigenous Religion. P.P11-12

<sup>39</sup> Konyak Yanang A, From Darkness to Light. P.7

<sup>40</sup> Verrier Elwin, Nagaland, Research Department, Advisor's Secretariate, Shillong, 1961, P.5



Among the Lotha Nagas, in the days when villages were constantly at war each village was ruled by a Chief (ekyung) assisted by an informal council of elders. The chieftainship was hereditary in the family of the man who originally founded the village, but did not at all necessarily pass from father to son. The most suitable man became chief by force of character... Villages are now managed by an informal council of old men and men of influence, with headmen selected by Government through whom the village is dealt with. The old men are appropriately called Sottsoi (meat eaters), for they inflict fines of pork in petty cases and eat the fine.<sup>41</sup>

Similarly the Rengmas had a chief called Kokhugu, with whom were associated as advisors leading men from other clans called Tsononyu... The office of chief was hereditary in the clan, but not in the family. It did not pass from father to son, but to the most suitable man in the leading families of the clan. In cases of gross misrule public opinion could even deprive the whole clan of the right.<sup>42</sup>

There is no record of the conflict having faced by the Naga ancestors in course of the selection of the village council members or village chief. Their political structure seems very natural, all embracing, thus worth appreciating. Experience and wisdom were the basic tools of their governance.<sup>43</sup>

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<sup>41</sup> Mills J.P, *The Lotha Nagas*, Directorate of Art and Culture, Government of Nagaland, 1980, p.96.

<sup>42</sup> Mills J.P, *The Rengma Nagas*, Directorate of Art and Culture, Government of Nagaland, 1982, p.138.

<sup>43</sup> Phom Henshet B, *Socio-Cultural Issues in Nagaland*, Yingli College, Longleng 2003. P.3."

Interestingly, similar studies of comparative politics have been done by Aristotle. Anxious to discover the causes of revolution Aristotle got collected case histories of 158 city-state constitutions of his time.<sup>44</sup>

#### 1.4.5. The flaw in the modern electoral system in Nagaland

But today with the imposition of the modern electoral system in Nagaland, the old system of governance, which have been evolved through the age old wisdom of the Naga ancestors have been destroyed. The evils of the modern politics like corruption, defection, nepotism etc have come in the way of the new system.

**Table 2: Do you think that the present system of election is suitable to the people of Nagaland? Give reason for your answer in the space given below.**

	No. of respondent	Percentage of Respondent
Yes	12	20%
No.	48	80%
Can't say	00	00%

Here 80% of the respondents to the questionnaire were of the opinion that the present system of election is not suitable to the people of Nagaland. The respondents gave the following reasons: the system itself is good but money and muscle powers spoil

<sup>44</sup> Maheswari S.R, Comparative Government and politics, Lakshmi Narain Agarwal, Agra, 1983, p.3.

the system. One respondent stated that the system is good for the individual but it is bad for the society as a whole. Many respondents cited boot capturing, coup culture, money power and multi-party system as its demerits. According to one respondent, rightful persons are under-estimated by the money power. They stated that the root cause of corruption in Nagaland is election.<sup>45</sup>

But it will be impossible to go back to the old system of governance. Because, the traditional electoral systems of the Nagas were developed based on the need of their time. Administration during that time was limited just to their village republic. But today with the growth of Naga politics from village to state, national and international levels, to go back purely to the old system seems impracticable.

Thus, a new kind of method taking into consideration both the traditional and modern electoral systems must be evolved. Therefore, the present study will be done keeping this point into focus.

#### **1.4.6. Literature Review**

L.Imti Aier, in his book; *Ao Naga Social and Customary Genealogy*<sup>46</sup> has given a concise explanation of the origin of the Ao Naga Social and Customary Genealogy. The book traces the origin of the Ao socio-cultural and political system to Chungliyimti. It states that after a village is founded, one of the first duties is the selection and

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<sup>45</sup> This passage is based on the views expressed by the respondents to the questionnaire

<sup>46</sup> .Aier Imti L, *Ao Naga social and Customary Genealogy*, The Pioneer Book Stall Mokokchung, Nagaland, 1969.

establishment of the Putu Menden (village council). It consist the oldest age-group representing all the clans living in the village. The book has covered almost all aspects of the Ao socio-cultural and political life. And as the book has been written by an indigenous author, the book command originality

However, the book gives only the basic information of the Ao socio-cultural and political life. The book, thus, lacks exhaustive explanation and critical analysis. Moreover, there is no comparative study of other tribes.

In the book; *From Darkness to Light, A story of the Baptist Work among the Konyak Nagas*,<sup>47</sup> A.Yanang Konyak states that even though, this book is written mainly to trace the advent of Christianity and the growth of the Baptist church in Konyak land, the author has devoted 14 pages of the book to the socio-cultural and political life of the Konyak Nagas. According to the book, the Anghs are the chieftains of the Konyak villages. Each village has its own Angh. The system of Angh is as old as the tribe itself. Anghship is hereditary. In case of the death of any Angh without a successor, the ruling Angh has to nominate a successor.

The book contains the basic information about the Angh system of government of the Konyak Nagas. However, the book has no mention about the working of the council of rulers or advisors who assist the Angh in his administration. It has also not mentioned about the method of their selection

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<sup>47</sup> .Konyak Yanang A, *From darkness to Light, A story of the Baptist Work among the Konyak Nagas*,CLC, Gawhati, 1986.

M.Horam, a renowned Naga scholar, in 'Naga Polity'<sup>48</sup> has made a comprehensive study about the Naga polity. He has traced the history and politics of the Nagas from the pre-British era to the present time. He has also tried to cover almost all aspects of the socio-cultural and political life of the Nagas. In this book, the author has made a special mention about 3 major Naga tribes, namely Ao, Angami and the Tangkhul.

In this book, he deals with the Naga village administration.<sup>49</sup> According to the author, the members of the village council are either elected or appointed. The method of election of the council differs from tribe to tribe, but all Naga tribes have some sort of a village body in which the entire village is represented, usually clan wise. The book states that whereas the chief system of the Sema and Konyak is hereditary, for other Naga tribes it is otherwise.

However, the statement mentioned by the author that the term of the village council 'among the Aos...expires after three or five years'<sup>50</sup> is a wrong information. Otherwise, the book can be a rich source of information about the Naga politics and administrative system- the position, functions and the basic customary laws of the Nagas.

In the book; Electoral Politics in North East India edited by P.S.Dutta<sup>51</sup>, R.P.Singh a scholar from Manipur has devoted some pages to the Electoral politics in

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<sup>48</sup> Horam M, Naga Polity, Low Price Publication, New Delhi, 1992.

<sup>49</sup> Ibid, .p.p. 80-117

<sup>50</sup> Ibid.p.86

<sup>51</sup> Dutta P.S, (Ed), Electoral politics in North East India, Omsonpublications, New Delhi, 1986

Nagaland. The scholar has presented a very good background on the emergence of party system and electoral politics in Nagaland. He has covered the electoral politics in Nagaland from 1964 to 1982 i.e., the Elections of the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> General elections. But as this is just a chapter or portion on the book on Electoral Politics in North east India, the scholar has given only the general information. Thus, the topic needs wider study and in-depth analysis.<sup>52</sup>

However, the comment given by the scholar in certain places cannot be accepted at once. It needs thorough investigation and digestion. Nevertheless, this piece gives a bird's eye view of the electoral politics in Nagaland from 1964-82.

Mar Atsongchanger's book; *The Historical Memoranda of the Nagas and their Neighbour*<sup>53</sup> is a compilation of various historical records of the Nagas having collected from various sources It provides a handy reference of the historical records left behind by the early writers on the Nagas. For example, this book contains the remark left by A.W.Davis in census of India 1891, Assam Vol. I P.P. 241 to 245 that;

*"each amongst the Aos is small republic, and each man is as good as this neighbour, indeed, it would be hard to find anywhere else more thoroughly democratic communities. Headman (tatar) do exist, but their authority is very small."*<sup>54</sup>

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<sup>52</sup> Ibid.pp.179-191

<sup>53</sup> Atsongchanger Mar, *The Historical Memoranda of the Nagas and their Neighbour*, Tribal Communication and Research Centre, Mokokchung, Nagaland, 1995

<sup>54</sup> Ibid.p22

This book can be a good source of reference for doing any research on Naga history.

The book; Electoral Politics in North east India<sup>55</sup> deals with the electoral politics in Nagaland. The author has covered the elections in Nagaland from 1964, 1969 and 1974. In doing this, the author has dealt with the Naga political background, social basis of Naga politics, candidates, main theme (issues) of election, nature of campaign, poll record and the analysis. This book can serve as a good source for the study of electoral politics in Nagaland from 1964 to 1974. However, the book lacks an in depth analysis.

25 Years of Nagaland Legislative Assembly edited by Zhangulie & N.C.Bora<sup>56</sup> is a souvenir publication of the Nagaland Legislative Assembly Silver (NLA) Jubilee. Thus, it contains rich resources written by former Chief Ministers, Speakers and eminent personalities of Nagaland Legislative Assembly (Nagaland) during the 25 years of its existence. It has the record of the NLA up to its 7<sup>th</sup> general election. Definitely this book can be immense source of information for the present research.. However, this is only a piece meal information. It thus needs further research and analysis.

Purtongzuk Longchar's Historical development of the Ao Nagas in Nagaland<sup>57</sup> is the outcome of the author's Doctoral thesis. As such, it is written up to the academic standard. Chapter V of this book has been devoted to the Ao Naga polity. According to

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<sup>55</sup> Chaube S.K, Electoral Politics in north East India, Orient Longman Ltd., Hyderabad, 1985, pp.163-171

<sup>56</sup> Zhangulie (Ed) & N.C.Bora (Co.Ed.); 25 Years of Nagaland Legislative assembly, Silver Jubilee Publication (1964-1989), NLA Secretariate, Kohima 1989.

<sup>57</sup> Longchar Purtongzuk, Historical development of the Ao Nagas in Nagaland, Print home, Dimapur, Nagaland, 2002

the author, the structure of the Ao Naga polity is essentially simple, democratic and effective. The village council is called Putu menden and its members are called tatars. The book has elaborated on the types of Putu Menden, system of selection and their powers and functions.<sup>58</sup> This book can be of immense source of information for doing a comparative study of the traditional and modern Ao Naga polity. However, the book does not contain an in-depth study on the electoral politics of the Ao Nagas.

B.Henshet Phom's book; *The Phom Naga Indigenous Religion- A Socio-Philosophical Perspective*<sup>59</sup> is the first ever researched publication solely done on the Phom Naga tribe. There are few books written by foreign authors like J.P.Mills's *Ao Nagas*, J.Hutton's *Report on Naga Hills (1923)*, *A corner in India (1907)* written by Dr.Clark's wife M.M.Clark etc where few remarks have been made on the people of Phom Naga tribe. But not a single book have been done solely on this tribe. As such, this book can be the only book with wider coverage on the Phom Nagas. Basically it deals with the socio-cultural and political aspects of the Phom Nagas.<sup>60</sup> This book can undoubtedly be a ready reference on the Phom Naga tribe.

But this book has not dealt in detail on the political life, the functions of village council and electoral system of the Phom Nagas. Moreover, with the introduction of the modern electoral system, there has been a sea change in the political and social structure of Phom Nagas, which require thorough research and analysis.

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<sup>58</sup> Ibid.p.p.198-225

<sup>59</sup> Phom Henshet B, *The Phom Naga Indigenous Religion- A Socio-Philosophical Perspective*, Longleng, Nagaland, 2000

<sup>60</sup> Ibid, .p.p.6-24.



The book; *The Nagas Towards AD 2000*<sup>61</sup> is written by M.M.Thomas, the former Governor of Nagaland's book: *The Nagas Towards AD 2000* is a compilation of the speeches and topics delivered by the author in different occasions during his Governorship. He has touched on culture, education, politics, civil society, and religion. It is also the outcome of his interactions with village and town dwellers of Nagaland. The wise comments of the scholar-statesman on various issues pertaining to Nagaland surely has an immense value. One of his remarks is worth mentioning here;

*"Election came under money-power, defections and fear of defections by MLAs for personal gain produced constant government instability and development at grass-roots level got hindered."*<sup>62</sup>

All the books mentioned above will be useful for the present research. However, none of these books has done an intensive discussion on comparative study of traditional and modern electoral system in Nagaland. Some of the books give some description about electoral results in Nagaland, but that is not up to date. Altogether 11 legislative elections have taken place where different trends have emerged. These trends need critical and analytical study. Moreover, traditional electoral system in Nagaland has not been incorporated in the modern system. Hence the aims and objective of the study is to present a comparative study of traditional and modern electoral system in Nagaland and

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<sup>61</sup> Thomas M.M, *The Nagas Towards Ad 2000*, Centre for research on New International Economic Order, Madras, 1992.

<sup>62</sup> *ibid*.p.vii

to bring electoral reform taking into consideration both the traditional and modern electoral systems of the Nagas.

In the next chapter attempt will be made to study the traditional electoral system of the Nagas.

**CHAPTER TWO**  
**THE TRADITIONAL ELECTORAL SYSTEM OF THE NAGAS**

## CHAPTER II

### TRADITIONAL ELECTORAL SYSTEM OF THE NAGAS

#### Introduction:

In the study of Naga polity, it is found that the village rather than a group of villages or a tribe is the natural unit of organization and hence the correct basis of investigation.<sup>1</sup>

The Naga village society is classless and the socio-economic orientation is corporate. The real administrative and political unit of all Naga tribes is the village. A village is usually united for jhuming operations, war and peace treaties. The festivals, fairs and other socio-cultural functions are also organized at the village level. For most purposes, however, the social unit is the 'khel'...Almost all the Naga tribes are highly democratic in their functioning. Each village has village elders or head-men who are held in respect. There is also a village council....The village heads or the village councils have no dictatorial inclinations towards the people.<sup>2</sup>

The village council elections are highly organized. The prospective candidates have to fulfill a number of conditions. ...There is little scope of conflict over such an

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<sup>1</sup> Horam.M, Naga Polity, Low Price Publication, Delhi, 1992. P.60

<sup>2</sup> Jamir S.C in 25 Years of Nagaland legislative Assembly edited by Zhangulie, Nagaland Legislative Assembly Secretariate, Kohima 1989. Pp.17-18.

issue<sup>3</sup>. However, to make the research more specific and intensive, the present study will concentrate on the study of the electoral system of the Phom, Konyak and the Ao Naga tribes. It may also be stated that, the study of these three Naga tribes done as sample study to understand the traditional political system of the different Naga tribes. Interestingly, each of the tribe has its own unique system.

## **2.1. The Konyak Naga Polity:**

### **2.1.1. People- Origin and Migration**

The Konyak Naga tribe is one of the major Naga tribes. They are the inhabitant of the Mon district of Nagaland. The Konyaks are the most numerous of all the Naga tribes. According to 2001 census the population of Konyak Naga tribe is 259604 with 138005 males and 121599 females; the prevailing literacy rate is estimated to be 42.25%. The Konyak society has no caste system but it has two divisions namely the Angh clan and the Pen clan.<sup>4</sup>

Tradition says that the Konyaks sprang up from a stone which is known as Longphenhong. This stone cannot be traced out. Another tradition says that the Konyaks came out of a mountain called Yungnyütang. Both traditions claim that the Konyaks crossed a historic gate known as Alamkaphen. After coming out either from a stone or from a mountain, these people decided to make a permanent settlement at chinglongwangdonghong. The historic gate of Alamkaphen is interpreted in Konyak as

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<sup>3</sup> Ibid.P.18

<sup>4</sup> Walim Mankang M, History of the Konyak Baptist Church Association from 1950 to present time, Mon, 2005. P.2.

'the gate of the sun'. Alam means sun and Kaphen means gate. Therefore, it is believed that the Konyaks have come from the East.<sup>5</sup>

According to N.Saha, 'Konyak is derived from two root words (khou) head or (nyak) black. Therefore, literally Konyak means people with black head or black hair.<sup>6</sup> There is also another theory that says that during British rule, when a British officer was passing through the Upper Konyak area, asked a villager whom they are, and the villager replied that they are Kongnyak; 'Kong' means 'nose' and 'nyak' means 'black'. Therefore, Konyak can also mean people with black nose. The reason is that the people of Upper Konyak tattoo their nose by making a black line.<sup>7</sup>

The Konyak migrated to the Mon and Tuensang districts of Nagaland from Burma through the north eastern Patkoi range...The Konyaks reflect all the morphological traits of the mongoloid group.<sup>8</sup> The Konyak Nagas inhabit the country between the Brahmaputra valley on the north and the Patkoi range bordering Burma. It is the biggest Naga tribe...they are divided into two main groups called Thendu and Thenko. Men of the thendu group decorate their faces by tattooing, while members of the Thenko group tattoo only their chest and arms; men of both groups grow their hair long, but only the Thendu men tie it into a neat knot at the back of their head...The villages of the Thendu

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<sup>5</sup> Konyak Yanang A, From Darkness to light,CLC,Guwahati.P.2.

<sup>6</sup> Singh K.S (Ed), People of India: Nagaland Vol.XXXIV, Anthropological survey of India, Seagull Books, Calcutta, 1994.p.104

<sup>7</sup> Manwang Konyak in a telephonic interview to the researcher on June 20, 2010.

<sup>8</sup> Singh K.S, (Ed),, op.cit..p.104

group are governed by powerful chiefs, members of the ruling Ang clan, while the Thenko villages are administered by a council of village elders.<sup>9</sup>

### 2.1.2. Village set up

Village is the smallest political unit in the Konyak Naga society. Everyone in the village is closely knitted together by its social, political and religious customs. Every village has different sectors called khel or baan (dormitory) and is consisted of several clans or nokphongs. In case of a big village, it is divided into two sections called lamtok (upper) and lamphang (lower). However, the whole village is bound together under one administration.<sup>10</sup>

A.Yanang Konyak has stated, 'The Konyaks, like any other Naga tribe, choose their habitations on the mountain top for reasons of security and health....For instance, if a member of a baan finds it difficult to construct a house for himself as the konyak houses are usually large, the baan members will come to his aid and construct his house. The village as a whole is a unit and acts as such in all matters.'<sup>11</sup>

The Konyak built-and, indeed, still build their villages on ridges or spurs from which the land drops sharply into the surrounding valleys. Strategic considerations were certainly uppermost in the minds of most of the village founders, but the presence of an

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<sup>9</sup> Ganguli Milada, *A Pilgrimage to the Nagas*, Oxford & IBH, New Delhi, 1984, p.150 .

<sup>10</sup> Walim Mankang M, *Op.cit.*. p.6

<sup>11</sup> Konyak Yanang A, *Op.cit.*P.5.

adequate water supply was also considered as an important factor in determining the site of a new village. It is due to the location of springs that many villages were built on saddles or ledges situated a few hundred feet below the highest point of the ridge... The number of houses in a village varied between 50 to 250 and a description of Wakching, with 249 houses, divided into five wards will give a general idea of the typical layout of the larger villages of the Thenkoh group... At the entrance to the village a large banyan tree stretched its branches across the path, and passing under this natural porch one found oneself in a large open space... In Thendu villages the chief's house occupied a dominant position both physically and socially, and often, in its enormous size, overshadowed even the bachelor's halls.<sup>12</sup>

According to T.W.Yamyap Konyak, it has been a difficult task to form a village. A village does not form by chance. It involves certain concrete steps and has to go through various customary and religious obligations. It has to consider the land and its environment. There are some factors involved in the formation of a village.<sup>13</sup>

1. Factors: There are different reasons for the formation of a village. One reason may be fear of the enemies, village as a whole migrate to the far away safety place. Second factor is due to the increase of population which makes a housing

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<sup>12</sup> Haimendorf Furer Von Christoph, *The Konyak Nagas, An Indian Frontier Tribe*, University of Oxford, 1969. pp.21-22

<sup>13</sup> Konyak Yampyap T.W, *A Study on the transition from Morung to Church in the light of the Konyak Nagas*, unpublished B.D Thesis, ETC Jorhat, 2002. P.5



and cultivation difficult. The third reason is to occupy the land, villagers decided to form a new village by sending their representatives from every clan.<sup>14</sup>

2. Certain considerations: If a new village is established within their own village land, then the whole village will decide to allot the land, but in the case of strangers or other village community, they have to fulfill certain customary obligations with the gift of either ivory (meinyüpha) or gong (nyam) to the land owner to convince them. Then the new village will pay yearly tribute (poun) to the parent village.<sup>15</sup>
3. Religious Obligations: The service of soothsayer (phongyengpü) is needed at the time of the establishment of a new village. The soothsayer will perform the ritual which is called Aowokpü. He will make a small hole on the top of the egg and hold with thumb and pointing finger and heat it by burning charcoal. When the egg gets heated it overflows. If Aowokpü gives bad omen, then the new village may not be established or witch doctor may offer sacrifice to avert the bad omen and utter words like kahshih youngwan, kahshih means evil doer who lives above. He beseeches blessing. Another obligation is shaojong (shrine or altar). A sacred location is to be selected before the village is established and all the sacrifices performed for the village is brought to shaojong. The shaojong is always supposed to be located in front of the morung. Konyak nagas prefer to occupy and consider the top of the mountain as the best location, so that no enemy can attack them.<sup>16</sup>

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<sup>14</sup> Ibid P.5

<sup>15</sup> Ibid P.5

<sup>16</sup> bid P.6

### 2.1.3. The Village Government

Many Konyak Naga scholars have categorized the political system of the Konyak Nagas into three forms of government. J.Toantao Nekong says 'the political system of Konyaks...is categorized into three forms of governments, such as democratic, autocratic and republican form of governments'.<sup>17</sup> T.W.Yamyap Konyak also states:

*'Generally Konyak is known as the land where Anghs were considered to be the political heads. But when we study in detail, one can find three forms of governments and different classes and groups, who united and co-operatively joined to keep village in peace, harmony and prosperity.'*<sup>18</sup>

Similar views have been given by Konyak Naga scholars like M.Mankang Walim,<sup>19</sup> W.Threiwang Konyak and so on.<sup>20</sup> According to T Honlong Konyak, 'A closer study of the Angh system will reveal us the existence of autocratic, democratic and the republican system, that is the rule of eligible men of status.'<sup>21</sup> According to N.Venuh, the power and position of the chief could be categorized under three types: Democratic,

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<sup>17</sup> Konyak Joantao Nekong, Konyak Naga festivals and their significance and Christian faith, unpublished BD thesis, ETC, Jorhat Assam, 2003. P.9.

<sup>18</sup> Konyak Yamyap T.W, Op.cit.P.15.

<sup>19</sup> Walim Mankang M, Op.cit. P.6

<sup>20</sup> Konyak Threiwang W, A Comparative study of Konyak Nagas and ancient Israel, unpublished BD thesis, ETC Jorhat, 2004.P.17

<sup>21</sup> Konyak Honlong T, History of Christianity among the Konyak Nagas: A study of the encounter between Christianity and Konyak Naga culture, unpublished M.Th Thesis,ETC,Jorhat, 2001.P.31

Semi-autocratic and Autocratic.<sup>22</sup> A brief study of all the three forms of political are given below:

#### 2.1.4. Autocratic system

According to T.W.Yamyap Konyak, 'In the autocratic form of government, pongyin Angh (chief king) is the head. He was (is) coronated twice, first coronation is to declare him as Angh (king) in his territory and second coronation is to mark the glory and prosperity of his Anghship. The coronated Angh is called Pongyin Angh. He is also called Anghtak Anghyong which means supreme king or king next to God. The villagers of Thendu (tattoo faces) groups were ruled by pongyin angh. He was not only political head but his person was sacred. So he was dominant in political power to govern his kingdom and had priestly power to perform rituals.'<sup>23</sup>

To which many Konyak Naga scholars termed as the autocratic form of government, Rev.Manküp Konyak calls Direct Angh Sovereignty. Under this system, there are many villages where Angh exercises his full sovereign authority and thus keeps the subject under his direct control.<sup>24</sup> Under this system, Angh makes foreign policy for the village, Angh's house should be the largest building and Angh is paramount ruler of the village.<sup>25</sup>

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<sup>22</sup> Venuh N (Ed), Naga Society: Continuity and Change, Shirpra publications, Delhi, 2004,p.94.

<sup>23</sup> Konyak Yamyap T.W, .op.cit.P.15.

<sup>24</sup> Rev.Manküp Konyak in an interview at Tamlu village on 30.12.2007

<sup>25</sup> Jacobs Julian, Hill Peoples of North east India: The Nagas –Society, culture and the Colonial Encounter,Thames and Hudson inc., New York, 1990. P.28

According to Julian Jacobs, 'The Konyak are divided into two categories, the Thenkoh, who are relatively democratic and where power is held by a council of elders, and the Thendu, who are autocratic, and are ruled by powerful sacred chiefs(angs).

<sup>26</sup>According to Murkot Ramunny;

*'Naga tribes present a varied pattern of village administration. It ranges from near dictatorship to most liberal democracy. Semas and Changs have hereditary chiefship. Konyaks have powerful Angh. Their word at one time was law and they themselves were considered sacred...The Konyak Angh (chief), with a number of wives, has long thatched abodes with large number of rooms. The courtyard is full of pigs, dogs and chicken.'*<sup>27</sup>

The Konyak Nagas have two types of Anghs: pongyin Angh (chief Angh) and village Anghs. Pongyin Anghs such as Chui Angh, Mon Angh, tang Angh, Shang Angh etc are the chief Anghs in their respective territories. They appoint village Anghs in their subject villages.<sup>28</sup>

According to Christoph Von Fürer haimendorf, 'the bisection of the Konyak tribe into two groups distinguished by cultural and linguistic features was first recognized by J.H.Hutton and J.P.Mills. They described the two two sections of the tribe as Thenkoh and Thendu...The Thendu group greatly surpassed the Thenkoh group in size and

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<sup>26</sup> Ibid.P.28.

<sup>27</sup> Ramunny Murkot, The world of Nagas, Northern Book Centre, New Delhi,1987. P.3.

<sup>28</sup> Konyak Mannyei W, A study of the konyak Baptist Bümeinok Bangjum with special reference to mission and evangelism, unpublished B.D thesis, ETC, Jorhat, Assam, 2004.P.10

extension. Within Naga Hills district the villages of Chingphoi, Shiong, Longkhai, Lungnyu, Hungphoi, Wangla, Oting, Lunglam and Lapha belonged to this group, but their main strength lay in the unadministered tribal country to the north east. The Wanchu villages now included in the Tirap district are closely allied to the Thendu group.<sup>29</sup>

N.Venuh states, 'Among the Konyaks, the chief known as Angh was highly autocratic. The Angh is the head of the administration and of political affairs. Whatever he says is the law to his people. The Angh was assisted by his councilors, but the final decision was always taken by the Angh himself. Nobody dared to object or reject his views. He was the authority over his village or the area.'<sup>30</sup>

#### **2.1.5. Democratic system**

Besides the autocratic form of government...democratic system of government is also found in the Konyak Naga society, where vassal Anghs ruled (not pongyin angh). Under this system, all the village authority and powers are vested in each morung. There are chief or Angh...who enjoy certain privileges but they do not have absolute political dominance. The representatives of morungs formed the village council; they are generally the elders or the heads of the morungs. In this council Angh is also just a member. This council is the village executive body or decision making body and the Angh is the ex-officio member of the council. These councilors in their capacities enforce the observance of customary rites and try all disputes between individuals or clans and

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<sup>29</sup>Haimendorf Von Furer Christoph, op.cit. P.9.

<sup>30</sup>Venuh N (Ed), op.cit.,p.94

prescribe punishment for the guilty and they are responsible for other affairs...if the Angh commits crime and violate the customary rites, the people have the power to dethrone him. No doubt, people pay due respect and honour to him but he is not the only one who function in the village affairs but the village council does all the major works on behalf of the king.<sup>31</sup>

The Thenkoh section falls under this system. According to Christoph Von Furer Haimendorf 'The villages of the Thenkoh group occupy part of the outer ranges adjoining the plains of Assam and in 1937 most of them lay within the borders of the Naga Hills district. They included Wakching, Wanching, Chingtang, Kongan, Namsang, Tamlu, Kan(g)ching and Anaki, whereas the Thenkoh villages Kamahu (Yongshei), Yungya (Yongnyah) and Tangsa (Tangha) still lay in unadministered territory.'<sup>32</sup>

According to T.W.Yamyap, 'the village administration is carried by the council of village elders which is called baangshan. The council is the highest decision making body...The council is responsible for settling of inter-baan dispute and other village affairs.'<sup>33</sup>

'The first written village constitution and customary law published by the Wakching village states that two third majority of the members of the council will form

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<sup>31</sup> .Konyak Toantao Nekong, op.cit pp.10-11.

<sup>32</sup> Haimendorf Von Furer Christoph, op.cit.P.9

<sup>33</sup> Konyak Yamyap T.W, op.cit.P.17.

the quorum for making any decision. And Angh must give his assent to the decision within 10 days to make it the law of the village.<sup>34</sup>

Under this system, each morung makes foreign policy, morung should be the largest building and morung elders rule jointly with chief.<sup>35</sup> According to W.Mannyei:

*'Although Angh is the supreme authority in the village, he has elected members who represent different clans. The Angh and his elected members form the village council or Supreme Court for the entire territory. Today, apart from the Anghship, each village has a village council chairman. The council co-exist with the Anghship. The village council members are responsible for the welfare of the village. Thus, the Anghship and village council are working side by side with their respective responsibility and authority for the welfare of the community in all the Konyak areas.'*<sup>36</sup>

It is fitting to call the above cited system as the Parliamentary democratic system of the Konyak Nagas, instead of just terming it as democratic system. Because, under the parliamentary democratic political system Monarch or President enjoys just a nominal power and the real power is exercised by the council of ministers headed by the prime minister. For example in England, Monarch still exist as its ceremonial head but the real power is exercised by the council of ministers headed by the prime minister; similarly in

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<sup>34</sup> *ibid.*P.17

<sup>35</sup> Jacob .Julian, *op.cit.* P.28

<sup>36</sup> Konyak Mannyei W, *op.cit.*P.12

India President stands as the constitutional head but his power is nominal, and the real power is exercised by the council of ministers headed by the prime minister.<sup>37</sup>

#### **2.1.6. Republican system**

Many Konyak Naga scholars have termed this system as the republican. Under this system the capable person or rich people usually are chosen as a chieftain in the village. This system is practised in the southern part of the Konyak.<sup>38</sup>

Under this system, Hamba, Eanghs, Longwang and Chaenkayimbu collectively rule the village. T.W.Yamyap Konyak has given a lucid description of all the terms as follows:

1. 'Hamba (Naomei) is a warrior and leader of expedition.
2. Eanghs are religious leader initiating different religious functions and ceremonies concerning baan, log drum (khum), washing the hands of head takers etc.
3. Longwangs is the representatives from every clan for conducting social and political affairs of the village. They are considered as intellectual, mature, having wisdom and knowledge. Longwangs is also known as changchangyingka (controllers of village and khedi). These longwang get together in a council and take joint decision for the village.

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<sup>37</sup> Verma Avnindra Kumar, Political Science, V.K. Enterprises, New Delhi, 2009. p.59.

<sup>38</sup> . Konyak Threiwang W, op.cit.. P.18.



4. Chaenkayimbu or nyangyimbu who looks after the affairs of baan. They are in charge for its construction, maintenance and for proper utilization. They are also responsible to select the tree for log drum (Ghum) and they arrange festival ritual for baan. Poumai is the rich man who also plays to select his own longwangs from his clan.<sup>39</sup>

Rev. Manküp has termed it as the free Republican system. According to him 'there are Konyaks in which group, the more capable person in term of wealth and the physical activities would lead and speak on behalf of the people and hence become the leader of the time according to his power and capability.'<sup>40</sup>

According to T.Honlong, 'In some parts of Konyak society the republican system of administration was practised from time immemorial. There was no permanent or hereditary system of Anghship in the villages where Republican system was followed. The ablest and wisest rule the society and were chosen on the basis of merit such as intellect, influence and sometimes wealth....prominent figures were called loun (nobleman), who with the help of other members of baan execute justice and look after the welfare of the village.'<sup>41</sup>

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<sup>39</sup> Konyak .Yamyap T.W, .op.cit.P.17.

<sup>40</sup> Rev.Manküp in Establishment of Mon town: transition of Konyaks, Mon Town Golden jubilee 1951-2001 Souvenir.2001.P.45

<sup>41</sup> Konyak Honlong T, op.cit.P.37

The southern Konyaks are often termed as the upper Konyak because of the location of their villages in the higher altitude of their territory.<sup>42</sup> They have a closer affinity with the southern part of Phom Nagas; as such their political system also resembles more of the Phom Naga political system. Some of their powers and functions of the village council under the republican system are as follows;

*'It has the sole power and authority to make war or peace with the neighbouring villages; all disputes related to marriage, divorce, theft, murder, adoption, inheritance etc. are settled by them according to their customary laws; they fix date for community festivals, felling and burning of jhum, community road cleaning, community fishing etc and welfare of community like digging of village wells, construction of new paths and bridges across streams, rivers etc are under their care.'*<sup>43</sup>

The above stated system may be called democratic republic. It is similar to the Presidential system of democracy. Under the Presidential form of government president exercise the real power of the government. Similarly, if there arise powerful leader in Konyak villages where republican system is followed, then that person takes command of the whole village.<sup>44</sup>

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<sup>42</sup> Nyamto Wangsha in an interview to the researcher on December 18, 2009 at Dimapur.

<sup>43</sup> Konyak Honlong T, op.cit.p.37

<sup>44</sup> .Verma Avnindra Kumar, op.cit.p.58.

### 2.1.7. Theory of the origin of Angh

The term Angh for king is used in Wakching and two or three villages; but the rest of Konyak Naga villages use the term Wang for the king... The word 'wang' means 'beginning'.... The word 'Angh' means 'keeper of things.'<sup>45</sup> Thus wangpa means 'the first or with whom everything begins' and the term Anghpa can also mean 'Lord' or 'the first citizen.'

The Angh system among the Konyak Naga tribe is as old as the tribe. But because of the absence of the written history or chronicles of the Anghs, one has to seek the help of oral tradition and legends. Regarding the origin of the Angh system, two theories have been made widely popular by Rev.Chingang Konyak.<sup>46</sup>

1. Theory based on the purity of Angh: The legend of the Konyak Nagas speaks about the origin and migration of the konyak from Longphang Phinyü. It was during the period of their migration in search of better settlement, the konyaks wandered in dry places where there was scarcity of water. Many could not bear the thirst and started sucking their own blood through their wounds and cuts. But there were some who seek the providence of god and did not act like many of their tribemen. Finally the whole group of immigrant found stream and quench their thirst and sat for meal. As they began to take their meal, the few who did not suck their own blood were unwilling to eat together with the

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<sup>45</sup> Konyak Metjen L, The socio-cultural and political significance of the monarchical system of the Konyak Nagas,ISPCK,Kashmere gate, New Delhi, 2003. P.7

<sup>46</sup> Konyak Honlong T, op.cit.P.29

group who sucked their own blood. Henceforth the group who did not suck their own blood claimed themselves to be pure and clean, and considered themselves as Angh clan and the other group commoners. As they considered themselves as pure and clean, naturally the idea of their superiority over the unclean group came into existence. Thus Anghs never eat and drink in the same cup and plate with the common people and preserve their purity of blood through restricted marriage with Angh only.<sup>47</sup>

2. Theory based on possession of supernatural power: This theory speaks about a man who possesses extra ordinary talent and stood above others in everything. As the Konyaks began to cultivate land and domesticate animals, there was a man who excelled others in all that he did. His field yields the best harvest; his animals outnumbered others and was the best hunter and fisher as well. On seeing his extra ordinary talents and abundant blessing his fellowmen inquired him about the secret of his success and prosperity. In return for the revelation of the success, the man laid down several demands like offering of the first basket of crops during harvest, a leg of any animal slaughtered during festival, the head of animal killed in hunting, largest fish caught during community fishing and free service for the construction of his house. The people agreed to his demand and in the long run instilled in him the sense of superiority. Thus he claimed himself as the Angh and there was no one to oppose him as he was in possession of some extra ordinary power or gift.<sup>48</sup>

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<sup>47</sup> .Ibid.P.p.29-30.

<sup>48</sup> Ibid.P.30.

3. Theory based on Divine origin: The third theory states that in the beginning God created the universe, and all living things, the trees, the plants and so on. Finally, God created a human being, but creation laughed at the human. But hearing the insulting sound, the creator God came to them and warned that one day he will rule over them. So that is how the wang clan originated and they exist from the beginning when the universe was created.<sup>49</sup>

#### **2.1.8. Power and Functions of the Angh**

The Angh in Konyak Naga society is regarded as the supreme head of both political and religious affairs. The Angh is considered so sacred and great that nobody dare to address Angh as uncle or father but as tiger. As a mark of respect nobody give or receive anything to and from Angh with one hand, but with both hands, preferably folded. No one is allowed to walk straight in front of the Angh and he can be approached in respectful bowed posture, without looking straight in his face.<sup>50</sup>

The Anghs are the most powerful class in the Konyak Naga society. They are...regarded as second to none, except God. The Anghs are also considered as the sons of god, the representatives of the divine on earth as kahhu wangsha. The words of Angh is the law and he has the authority to pronounce even death verdict in the case of serious criminal offence. In the matter of administration and functioning of the kingdom, the angh is assisted by his councilors. Though the pongyin Angh wielded the arbitrary power

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<sup>49</sup> Konyak Metjen L, Op.cit.P.8

<sup>50</sup> Konyak Honlong T, op.cit.P.33

of a true autocrat...in certain matter...his power is restricted. However powerful an Angh may be, he cannot dispose or sell properties like ivory, gun and gong which he inherited from his ancestors...In fact some of the properties found in the Angh's house belong to the whole community, so without the knowledge of pinnyuha (commoner) the Angh cannot sell it without consulting his subjects. However, certain properties which personally belong to him do not come under this condition.<sup>51</sup>

An Angh attains his status by succession and not by election. He is thus supposed to know about his ancestors and the history, custom and tradition of his kingdom. The primary concern of the angh is to protect his kingdom from external or internal forces, which directly or indirectly poses threat to the unity, integrity and wellbeing of his kingdom. For the better administration and functioning of his kingdom, the angh appoints his assistants and Angh hapalam or smaller Anghs. Some great Anghs also appoint smaller Anghs in the subject villages, who function autonomously, except some obligations in certain areas to the great Angh. Once in a year the great Angh pay visit to his subject villages with the aim to maintain cordial relationship and to be acquainted with the affairs of the people. It is also the duty of the Angh to look after the properties of his people. In the case of family who has no kith and kin to inherit the family properties, the Angh take over such properties or assigns some care taker on his behalf. The duties of the Angh includes deciding area for yearly cultivation, declaration of war and peace, festivals, community religious observation and so on. All the duties and functions of the Angh is community centred, as he is the supreme head of the society.<sup>52</sup> The Angh also

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<sup>51</sup> Ibid.P.34

<sup>52</sup> ibid.P.35

settles both civil and criminal cases, land disputes between families or between villages; the Angh also grants asylum to the people who come to his refuge and so on.

‘Although Angh is the supreme authority in the village, he has elected members who represent different clans. The Angh and his elected members form the village council or Supreme Court for the entire territory. Today, apart from the Anghship, each village has a village council chairman. The council co-exist with the Anghship. The village council members are responsible for the welfare of the village. Thus, the Anghship and village council are working side by side with their respective responsibility and authority for the welfare of the community in all the Konyak areas.’<sup>53</sup>

#### **2.1.9. Election/Selection of rulers under Konyak Naga polity**

There is no complication with regard to the election or selection of rulers under the Konyak Naga polity. The Pongyin Angh, who are of royal blood are ordained from the day he is born.<sup>54</sup>

According to L.Metjen Konyak, “When the Pongyin wang’s son is born, performance of some traditional rites take place. The day the Pongyin wang (Angh) is born all the priests and learned men gather, then they play the log drum (khum) from the wang’s court, informing that the village has a new prince. The priest and wangshupa then go fishing in the name of the new baby and when they bring a fish, the priest and the

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<sup>53</sup> Konyak Mannyei W, op.cit. P.12

<sup>54</sup> Rev.Manküp, in an interview on Dec.,2007.

seer perform religious rites. Then they name the baby. This ceremony is called 'pratham'. To welcome the new baby, the villagers also go hunting and fishing and return with fish and meat to bless the prince. Not only the villagers, but the pongyin wang territory villagers will also do the same. When they bring the fish, first, it is given to the mother to eat and only after this the others may eat. Right from the birth.. the prince is given much respect by the people of the territory and all the villages."<sup>55</sup>

The Angh system of the Konyak Naga is hereditary. According to the traditional Konyak saying, one can get the turn of leadership, but not Anghship. An Angh can have as many wives and concubines as he wishes, but not all the sons of the Angh have the right to succeed. The Angh maintains eminent position only by preserving the purity of their noble blood. The Pongyin Angh take wife from their own pongyin Angh class and it is only the children of such a union that acquire the father's rank. As the pongyin Angh has to marry from another Pongyin Angh's class they are bound to look for a queen from another Pongyin Angh's villages. Such marriage alliance among the pongyin Anghs served political stability and friendship among various Pongyin Anghs. The first preference for succession goes to eldest son born of a Queen, but in the case of the death of the eldest son, the younger son can succeed as the Angh. However in the case of extinction of an Angh lineage, the people has to make decision, thus leading to the emergence of democratic force in the fore.<sup>56</sup>

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<sup>55</sup> Konyak Metjen L, op.cit.P.10

<sup>56</sup> .Konyak Honlong T, op cit.p.p 33-34



### 2.1.10. Selection of Angh's Deputies or Councillor

The Pongyin Angh appoints deputy or smaller anghs in each of his subject village who are accountable to him. The deputy Anghs rule their villages under the direction of the Pongyin Angh and they assist him in his administration. In the event of an Angh's death, Pongyin Angh appoints a new Angh for the village.<sup>57</sup>

Angh's court is known as Angh Gho. The Chief Angh sits separate around which his deputy Anghs and other members of the court would sit in semi-circle. The members of the court are the representatives from different clans and dormitories. The Angh's court covers both internal and external affairs of the community. The Angh has the gift of wisdom by nature and therefore, whatever he speaks out becomes a law for the entire territory. Angh also serves as a refuge for the poor and needy people in the community.<sup>58</sup>

Under the system, where the Angh acts in accordance with the decision of the village council, the members of the village council are appointed by the village council and Angh jointly. At the end of the year when their annual session is held, the village council carefully examines every aspect of the life of the person who will be elected as the new member; one must be a bona fide citizen of the village and man of high moral standing with knowledge of custom and tradition of the community. After the procedure is finalized to fill the coveted seat, the person is officially declared as the member of the council. For the traditional Konyak Nagas the membership for such a seat to the village

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<sup>57</sup> .Konyak Mannyei W, op.cit.P.11

<sup>58</sup> Ibid.p.12)

council is a permanent position. As such, the selection of the new member is done, in most cases, only on the death of the members. Thus, naturally, the son or the clan member of the deceased member would be appointment in his place.<sup>59</sup>

#### 2.1.11. Morung

The political indoctrination of a Konyak Naga man begins at Morung. Morung is called Baan in Konyak Naga parlance. Morung is called Champo by Lotha Nagas, Arijju by the Aos, Dekha Chang by the semas, Longshim by the Tangkhul, Kichuki by the Angami and so on.<sup>60</sup>

Age-set or age group system is called 'Ei' in Konyak Naga dialect. Even before entering the baan the Ei system begin among younger boys in the street. The younger boys who were yet to be inducted into the Baan popularly known in Konyak Naga terminology as Chingyang naha form their Ei system during their play.<sup>61</sup>

The new age group is inducted into the baan as a new member in the autumn of October and November. It is the time when the village fencing and the approach roads or paths leading to neighbouring village is repaired. Baan will have community feast on the first day of the work, in the evening pieces of meat are given to the newly inducted age

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<sup>59</sup> L.Nyei-e Konyak, in an interview on February 20, 2010

<sup>60</sup> Horam M, Naga polity, p.6)

<sup>61</sup> .Konyak Yamyap T.W, op.cit.p.26.

group members as a sign of baan membership. From that day onward they are no more chingyang naha. This marks the transition from childhood to adulthood.<sup>62</sup>

Even the Prince, Angh's son must go through the morung institution... When the prince is 15 years old, the priest, the council and elders will gather at the wang's court at the fixed time when the ceremony is to take place. They also select some of the rich family clans to be together with the prince to enter the baan.<sup>63</sup>

Discipline, obedience and efficiency were the hall mark of the baan youth. The youngest age group (shela ei) was trained with the strict discipline by the senior or elder age group (eitok ei). In this institution they learnt various activities like hunting tactics, religious and social activities. They learned the custom and culture of the people. They were taught to serve and help others and respect elders. Every boy of the village whether high or low, rich or poor was compelled to train himself at least three years in the Baan. There was no other way to escape unless death makes him to part... Even the sons of noble clans can be punished at failure to obedience or duties by an orphan, if happened to be from older group in the baan, and nobody can raise any question for such action.<sup>64</sup>

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<sup>62</sup> *ibid.* p.26).

<sup>63</sup> L. Metjen Konyak Metjen L, *op.cit.* P.11

<sup>64</sup> *ibid.* 28-31.

## 2.2. The Ao Naga Polity:

### 2.2.1. People and Migration

The Aos are one of the major tribes of Nagaland. The Ao call themselves Aor or those who came crossing over the Dikhu river....With definite dialectical differences, the three main sub-groups of the Ao, such as Chongli, Mongsen and changki had enjoyed distinct identities.<sup>65</sup> Aos called themselves Ao and Aorr; called Ao by Changs, Aorr by Sangtams, Cholimi by Semas; Uri or Chongli by Lothas; Paimih by Konyaks and Hatigoria and Dopdoria Nagas by the Assamese.<sup>66</sup>

The Ao Nagas are the inhabitant of the Mokokchung district of Nagaland. According to the 2001 census, the total population of the district is 227230...There are six ranges in Mokokchung district which are well inhabited by the people. The ranges are namely, Ongpangkong, Langpangkong, Asetkong, Changkikong (Japetkong), Japukong and tsurangkong.<sup>67</sup>

“Tradition says that the Aos have emerged from six stones at Chungli yimti. However, the younger generation takes this origin simply as a legend upon which stands the cultural and social structure of the Aos. This modern belief, nevertheless, is based on certain historical facts ... that it was at Chungliyimti that the Aos first attained cultural and social enlightenment and came to regard themselves as a community of people, and

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<sup>65</sup> Das NK in .Singh KS(Ed), People of India: Nagaland Vol.XXXIV, Anthropological society of India, Seagull Books, Calcutta, 1994.p.76

<sup>66</sup> Kumar B.B, An introduction to the Naga Tribes, Pragati Prakashan, Meerut, 1996.p.12.

<sup>67</sup> Jamir Toshi A.M, General knowledge: Naga Hills to Nagaland, Kohima, Nagaland.2003.pp.64&25

their innate sense of civic responsibilities, spontaneous as it was, fostered the establishment of 'Putu menden'...an institution of elder statesmen belonging to certain generation for social and political administration of the village. Every clan of the village was represented in the Putu Menden and since then the Aos came to enjoy an ordered cultural life."<sup>68</sup>

'We have no record of a pre-Chungliyimti origin to which we can trace back our cultural history. Therefore, it is generally accepted that their culture has its roots at chungliyimti. From Chungliyimti the Aos migrated to different places, more or less in a body and this has naturally paved the way for our social and cultural unity through the ages.'<sup>69</sup>

According to Tali Pongen, the Aos came down from Chungliyimti to Aonglenden and settled there for some periods of time. But in due course of time their village chief named Ngarensang was killed by a tiger. Therefore, they decided to leave Aonglenden and settled down in a place called Koridang. But after some periods of time they decided to go back to Aonglenden, the place of their previous settlement. They then gave a new name, Ungma<sup>70</sup> to the place. Later on they again gave another name, Suyim to the place.

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<sup>68</sup> Aier Imti L, Ao Naga Social and customary Genealogy, Mokokchung, Nagaland, 1969. p.p. 1-2.

<sup>69</sup> *ibid* p.2.

<sup>70</sup> Ungma means the place where the chief was lost.

It was, thus, from Suyim<sup>71</sup> that the Aos branched off to five different ranges and settled down in the villages they now inhabit.<sup>72</sup>

### **2.2.2. Village government**

Among the Aos the largest unit is the village and that is bound together by social, political and religious ties. Theoretically the village acts as a unit in all things and if anybody fails to attend a village function he is punished. Thus in these small homogeneous communities there is but little room for any individualistic tendencies...The Aos are very democratic and one man is as good as any other. There are headmen who have some influence, but practically no authority...In a Naga village the will of the majority is not binding in many things upon the minority.<sup>73</sup>

### **2.2.3. Morung**

An Ao Naga man gets his first political orientation in a Morung. Morung is called Arju in Ao Naga parlance. The name of the first morung of the Ao Nagas at Chungliyimti is called 'Senjenrujo'<sup>74</sup>

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<sup>71</sup> Suyim means the place of birth. It was named so, because on the night of their return to Aonglenden ten babies were born and all of them were found to be male. They, thus, believed that it was a good omen. Hence the place was named Suyim which means the place of birth and multiplicity.

<sup>72</sup> Tali Pongen in an interview to the researcher at Longleng on May 04, 2010. Tali Pongen works in the Department of Rural Development, Longleng.

<sup>73</sup> .Smith W.C, The Ao Naga tribe of Assam, Mittal Publications, New Delhi.p.51-52.

<sup>74</sup> .Ghosh B.B.(Ed), Nagaland District Gazetteers, Mokokchung District, Kohima, 1979.p.33.

In olden time the morung used to be a fortress of the village as well as the sleeping house of unmarried men...every boy after attaining puberty used to enter the life of morung where they learned various aspects of the life in the society. Life in the morung used to prepare him for manhood. After intensive training and discipline in the morung, they turned out to be good warriors, and to be a good warrior was the life long aspiration of every Youngman.<sup>75</sup> According to M.Horam:

*'The Aos set great store by their morungs. An Ao will not speak of himself as belonging to a particular khel of his village but to a particular morung. Ao morungs, like the Morungs of some other Naga tribes, are organized on the clan system. That is every clan has a morung of its own.'*<sup>76</sup>

A new group of boys born within the same period of three years enter the morung; the new entrants are called Sungpur. Some of the important duties of Sungpur are to collect firewood and water for the use in morung; they are to inform the morung boys whenever any meeting is to be held. The morung institution is the training ground for boys to prepare them for manhood. Every village boy whether high or low, rich or poor is compelled to spend his period of three years, disciplinary training in the morung which is more or less accepted as a way of life.<sup>77</sup>

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<sup>75</sup> Ghosh B.B.(Ed), op.cit. p.72.

<sup>76</sup> Horam M, Naga Polity, Low Price Publication, Delhi.1992.p.65

<sup>77</sup> Aier Imti L, op.cit.pp.15-16.)

‘At the end of three years, a new age group takes their place and the Sungpur blossom into Tenabang another higher stage than Sungpur. In this way there are many age groups in the village...Of these, the most important and admired age-group or zunga is Sungchilep Zunga. This Zunga is the Sungchilep Zunga. This Zunga is composed of village youth not so young and not so old. In matter of warfare they are always at the front-line banded to win and win.’<sup>78</sup>

#### 2.2.4. Putu Menden/ Village Council

While writing on the tribal constitution, A.W.Davis writes; ‘Each village amongst the Aos is a small republic, and each man is as good as his neighbour, indeed, it would be hard to find anywhere else more thoroughly democratic communities. Headmen (tatar) do exist, but their authority is very small.’<sup>79</sup>

After a village is founded, one of the first duties is the establishment of the Putu Menden. Its main task is to lay down laws and regulations for social and political administration of the entire village. This coveted office includes elected men belonging to the oldest age-group representing all the clans living in the village. Putu Menden is again split up into four sub office according to the nature of the functions they are to perform. These sub office are Tazünpur, Unger or Ungbo, Chidangodang or Senyim and Mapangsur or Pangjung.<sup>80</sup> The members of the Putu Menden vacate their office yielding place to a new body from time to time following a standardized generation of so many

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<sup>78</sup> Ibid.p.16.)

<sup>79</sup> Davis A.W, Census of India, 1891, Assam, Vol.I.pp.243 as quoted by Verrier Elwin; The Nagas in the Nineteenth Century, Bombay, 1969.p.324

<sup>80</sup> L.Imti Aier, Ao Naga Social and customary Genealogy, Mokokchung, Nagaland, 1969. p.4.



years. The Chungli Aos vacate the office every 30 years unlike the mongsen Aos. But now a days Mongsen Aos are also trying to follow the chungli system of vacating the office every 30 years.<sup>81</sup>

According to J.P.Mills, 'The most striking feature of the Chongli system is that at the end of every generation all the councilors of a khel vacate office and new body takes their place. Every Chongli village has a standardized generation of so many years usually between twenty five and thirty...The chongli recognize a cycle of five generations which are named as follows: Mechensanger (those who do not run away), Mopungsanger (wind people), Kosasanger (broken people, i.e., men of this generation die young), Riyongsanger (many people) and Metemsanger (equal people)...Dr.E.W.Clark translated the names as follows: truthful generation, bad generation, swaggering generation, warlike generation and united generation. Each generation of councilors takes the name of the cycle coming after that of its predecessors, till metemsanger is reached, when a fresh start is made at mechensanger. As the length of generation varies locally, all villages are not in the same generation at the same time.'<sup>82</sup>

According to Tali Pongen, Reyongsanger was the name of the first Ao Putu menden at Chungliyimti. It was then followed by Metemsanger, Mechensanger, Mupungsanger and Kosasanger consecutively. The first Putu menden at Chungliyimti ruled for 30 years, that is how the Putu Menden began to have 30 years as its tenure.<sup>83</sup>

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<sup>81</sup>ibid. p.4..

<sup>82</sup> Mills J.P, The Ao Nagas, Macmillan and Co, Ltd, 1926. p.182-83

<sup>83</sup> Tali Pongen in an interview to the researcher at Longleng on May 04, 2010.

The Village Council (Putu Menden) among the Chongli consists of Tazünpur, Tampur, Unger, Tonglu and Shosanglak or Chitangungdang...usually all the clans are represented in each Minden(menden), each clan having a very definite traditional right to nominate so many representatives. For instance, a clan might be entitled to one post among the Tanzünpur, one among the Tampur, one among Shosanglak and two or three among the junior Tatar...One Ungr, who is the titular head of the Menden...must belong to the Pongen or Yimsungr clan or at any rate to the Pongen phratry. If the phratry is not represented in the village, the post may be held by a man of Longkum phratry. All the meetings are held in, and all animals are killed in front of his house. He gets the head... Tonglu is the Unger's assistant.<sup>84</sup>

Among the Mongsen we do not find the same multiplicity of Menden, nor do all the councilors go out of office together, there being no cycle of generations. The councilors (tetir) of each khel form one or very rarely two bodies (minchen). The four senior members of a minchen are called Samen. These four men get meat from the haunch. ...The senior is called Chuchang. Below them come four Tokhung, of whom the senior is called Tukhung tüzembar...Corresponding to the Chongli Ungr is a Sungba, who gets the head....The Sungba's assistant is called Chongnü. Then come four men Chamitsar, followed by a number, varying from village to village, of junior Tetir.... Once elected, a man continues to hold office till he either dies, or is totally incapacitated by old

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<sup>84</sup> Mills J.P, op.cit., p183.

age or becomes a priest (patir).<sup>85</sup> The system of Mongsen in some way correlates with the Phom Naga traditional polity.

The system in vogue in Chungtia differs from that found in most Mongsen villages. There is one minchen or tetir for the whole village, which goes out of office every three years, each age-group getting its turn, as in the custom in Changki. In each successive minchen the hind legs used to go to the two men who had taken most heads, the neck to the two next most successful warriors and the rest of the meat to men in proportion to their prowess.<sup>86</sup> This system of running the village council through the age-group, in some way resembles the Chang Naga system where there is a change of *Mutten* every after 11 years.<sup>87</sup>

The traditional council of putu menden has always been an effective instrument of social control. Comprising older men of recognized status and experience, drawn from all clans, Putu Menden maintains peace and decides the ritual procedures. The Putu Menden does not hold office from any higher authority. The elders of this council are appointed through an age-set system. At present, the elders are also selected on the basis of their leadership qualities. A man of Pongen clan through out the Ao country is entitled to occupy the position of Onge or the village chief. Succession to the office of the ongre depends on the clan and not confined to any family. Even today, many rules of

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<sup>85</sup> Ibid.p.p.184.

<sup>86</sup> Ibid. p185.)

<sup>87</sup> Kumar B.B, Society and Culture in A corner of Nagaland, Pragati Prakashan, Meerut, 1998. P.24

Putumenden are strictly observed.<sup>88</sup> Writing on the Bontoc Igorot tribe of Phillipine, Jenks wrote:

*'It is a thoroughly democratic group of men, since it is composed of all the old men...no matter what the man's social standing may be. This is almost identical with the elders who control affairs in the Ao Naga villages.'*<sup>89</sup>

### 2.2.5. Putu Menden and its Subordinate Age-groups

In a village there are 11 Züngas- a body of persons belonging to the same age-group under the Putu Menden. All these 11 Züngas solemnly abide by the direction given by the Putu Menden. Of these 11 Züngas, the middle group is known as Süngchilep Zünga...they are also known as the Rekodong which means the young fence posts...The service of the Zünga are very often requisitioned by the village council in matter of emergency. One would find them in the front of the village feuds and they would be the first persons to protect the village from wild tigers and wild boars. If a report of impending attack by an unfriendly village is received, they guard the village all the time.<sup>90</sup>

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<sup>88</sup> Das N.K, in Singh K.S, (Ed); People of India: Nagaland Vol.XXXIV, Anthropological society of India, Seagull Books, Calcutta, 1994.p.p.81-82.

<sup>89</sup> Alemchiba M, A Brief historical Account of Nagaland, Naga Institute of Culture, Kohima, Nagaland, 1970.P.15.

<sup>90</sup> Aier Imti L, op.cit.. p.p.5-6.

K.S.Singh writes, 'There exists an age-set system within the village, whose main function is now restricted to selection of elders for village administration...one of the important functions of the ageset system was to recruit the youth for military purposes.'<sup>91</sup>

#### **2.2.6. Powers and Functions of the Putu Menden**

The Putu Menden is responsible for the administration of the village. Customary laws handed down from one generation to another are followed in most villages. Putu Menden...is the executive head and it discharges the functions of both legislative and judicial. In most villages laws which are mentioned below are framed by the Putu Menden and any case of violations or disputes ...are brought before the court of Putu Menden for settlement:

1. Laws regulating as to when the villagers can go to another village either on a visit or on business.
2. Laws to regulate the time as to when... to go to plain
3. ...standardized transaction relating to sale and purchase of commodities
4. Prohibition connected with the observation of public ceremonies.
5. To punish any person for going against the village constitution
6. To punish any offender who destroys tree surrounding the village
7. To punish those who causes damages to the village rest house, bridges constructed by the villagers, murderers etc

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<sup>91</sup> Das N.K in Singh K.S (Ed), op.cit., p.77

8. To punish a person who causes injuries to another fellowmen intentionally
9. To punish who is found guilty in the case of outbreak of fire in the village or forest fire and so on.<sup>92</sup>

Similar to the power of the Phom Village council, The Putu Menden has the sole power and authority to make war or peace with the neighbouring villages. They fix date for community festivals, felling and burning of jhum, community road cleaning, community fishing; Welfare of community like digging of village wells, construction of new paths and bridges across streams, rivers etc are under their care.<sup>93</sup>

There are certain cases of dispute which are first brought before the elders of one's clan for settlement before these are being brought before the Putu Menden. These are like cases on adultery, marriage and divorce, theft, cruelty to domestic animals, words unintended in unguarded moments by way of tongueslip, cases arising out of commission of error in action or in words spoken and so on in variance with tradition etc. Such cases are decided by the elders of the clan. If clan elders cannot settle the case then it is brought before the Putu Menden.<sup>94</sup>

### **2.2.7. Election of the Putu Menden/Village Council**

The organization of the Ao village is based on two main principles. First the whole village is divided into age groups...to which the various communal duties are

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<sup>92</sup> Aier Imti L, *op.cit.*p.p.8-9

<sup>93</sup> *Ibid.*pp.9-10.

<sup>94</sup> Lanunochit Pongen, Lecturer in an interview to the researcher on May 15, 2010 at Longleng.

assigned. Secondly the control of affairs lies with a council, whose method of election and tenure of office vary in the different language group.<sup>95</sup>

Usually all the clans in the village are represented in each minden, each having a very definite traditional right to nominate so many representatives. For instance, a clan might be entitled to one post among Tazünpur, one among the Tampur, one among the Shosanglak and two or three junior tatar. Should the Tazünpur member clan die, the tampur member would take his place and all would move up one, a new junior Tatar being selected from the clan.<sup>96</sup>

Among the Aos, 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 sent by the clan to be its representative in the village body.<sup>97</sup>

All the selection is by general consent. There is nothing in the way of formal voting. Towards the end of a generation a new members are hard to find, for no one wishes to hold office for a short time only. The whole body of councilors goes out of office at once, and no one can be re-elected however influential he may be or however short term of office he has enjoyed.<sup>98</sup>

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<sup>95</sup> Mills J.P, op.cit.p.177

<sup>96</sup> Ibid. p.183

<sup>97</sup> Horam M, op.cit.p.85

<sup>98</sup> Mills J.P, op.cit.pp.183-184

Succession to the office of the onger depends on the clan and not confined to any family. Even today, many rules of Putu Menden are strictly observed.<sup>99</sup>

According to Tali Pongen, when a new Putu Menden is to take over the reign, a solemn ceremony is held. A day would be fixed and an unblemished animal, most commonly an ox/oxen would be slaughtered. And a grand feast would be organised in honour of the newly inducted rulers of the village. In the evening of the same day a large portion of meat will be given to each of the new members. And the new councilors will then go to the residence of his predecessor to share the meat and also to seek his blessing. The retiring member will then bless his successor by saying:

‘Oh Oh we have played our role during our days!

We have fought and won many battles!

Now that the time is yours;

I give you my chair and my blessings!

May your reign be prosperous and peaceful!

May your mouth and tongue be sharp!

May you excel in poetry, song and history!

May our entire neighbours be envious of your rule!

May you enjoy a colourful and perfect reign!<sup>100</sup>

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<sup>99</sup> Das N.K, op.cit.p.82

<sup>100</sup> Tali Pongen in an interview on May 04, 2010 at Longleng.



He will then take a share of the meat by saying, 'We have enjoyed enough in our days, but as you have brought the meat for me, let me take a little portion of it for your blessing.'<sup>101</sup>

In the words of Prof. Temsula Ao, 'The constitution of the village council is based on a fairly democratic principle...The basis of representation in the council is the clan; not wealth or physical prowess or any other variable factor of human existence. This being the case, the right of each clan to sit on the council is ensured for posterity and this right is inalienable and un-usurpable by any external forces or persuasion. The permanent rights of the founding clans to occupy the upper rungs of the council is also another inalienable factor within the institution...Through actual practice over centuries, this principle provided the structure on which the governance of the people rested. Centuries before the Panchayati raj concept acquired currency in the political parlance of the country, here was a tribal group who had evolved such a democratic system and was governing itself accordingly.'<sup>102</sup>

#### **2.2.8. Saro (Village Assembly)**

Similar to the Buongkup shahthai (post harvest session) of the Phom Naga village assembly, Ao Nagas also hold an annual assembly of the whole village male citizens after the harvest. This meeting is called Saro. This resembles the budget session of the modern Legislative Assembly. During the meeting the headman of each khel (morung) narrates

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<sup>101</sup> *ibid*

<sup>102</sup> Ao Temsula in Miri Sujata(Ed), *Rationality and Tribal Thought*, Mittal Publication, New Delhi, 2004. p.182

the history, custom and culture of the community by ceremoniously holding the spear. This ceremony is called 'nülaksong'. This signifies that he speaks nothing but truth. The meeting also decides which area is to be cultivated for the ensuing jhum operation. It also decides how much paddy should be collected for the forthcoming year's village needs; in other words, it finalizes the budget for the ensuing year. The village council also gives a report of their activities of the preceding year to the village assembly. Another interesting feature is that though women are not allowed to participate in the assembly, they are not prevented from witnessing the nülaksong ceremony.<sup>103</sup> Thus it may be stated that though the Putu Menden enjoy the status of being the most powerful body, the village assembly can be called the highest body in the village set-up.

#### **2.2.9. Pudir/Priest**

Similar to the Ngongba of the Phom Nagas, an Ao elderly men too after retiring from the Putu Menden at once become a Pudir. And since they occupy the position of a priest, they are exempted from all compulsory village community works. ...they are entrusted to conduct a number of ceremonies connected with water, stone, village gate and lake worship. For such extra duties they are paid in the form of a fixed quantity of paddy by the household in the village.<sup>104</sup>

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<sup>103</sup> Mr. Temjen teacher, in an interview to the researcher at Longleng on Oct.13, 2009.

<sup>104</sup> Aier Imti L, op.cit.p.5

### 2.3. The Phom Naga Polity

As there are not many written documents on the Phom Naga tribe the researcher depended mostly on the interview and oral traditions:

#### 2.3.1. People: Origin and Migration

The Phom-Naga tribe is one of the major Naga tribes. They are the inhabitants of Longleng district of Nagaland, in the north eastern part of India.<sup>105</sup> The total population of the district as per 2001 census is 121000 spread over 34 villages and 5 townships.

Like any other Naga tribe, the exact account of the origin and migration of the Phom-Nagas is still obscure. But their legend says that Phoms (human beings) were given birth by Meihongnyu in the eastern part of the world. They then came through Pongngaihong and Apaihong. From Apaihong they came to their present territory through 'Yingnyushang' and 'Longterok'. Therefore, the Phoms used the term 'Ying-hi-Long' as the base of their socio-cultural and political traditions<sup>106</sup>

For the ancient Phom-Nagas, village was the center of their socio-cultural and political activities. Each village was a sovereign democratic republic. It is claimed that

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<sup>105</sup>Phom Henshet B, The Phom Naga Customary Laws, The Longleng District Customary Court, Longleng, Nagaland 2005.

<sup>106</sup> *ibid.* P

democracy in its purest form existed among the Phoms even before the modern democratic principles and ideologies were introduced to them<sup>107</sup>

### 2.1.1. Village set up

Before the advent of the British government, each Naga village was an independent Sovereign Republic. It was a republic akin to the ancient Greek city state.<sup>108</sup> Each village had a definite boundary demarcation; sufficient land for fodder, agriculture, fuel and common village well.<sup>109</sup>

‘Each village of Nagaland is an epitome of the ancient greek city states with its own definitive population, area and administration. No wonder Nagaland is sometimes described as an conglomeration of village republic.’<sup>110</sup>

The Nagas build their villages on the top of different hills, running down from high ranges overlooking the valleys and fields...Theses villages were strongly fortified and well guarded by elaborate planned wooden gates with heavy stone-fencing for defence against the enemy attacks.<sup>111</sup>

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<sup>107</sup> .Ibid. P.

<sup>108</sup> Ao Talitemjen N, Ao-Naga cultural heritage, Arkong Mokokchung, Nagaland, 1997, P.81.

<sup>109</sup> Phom Henshet B, The Phom Naga Indigenous Religion, P.24)

<sup>110</sup> Manorama year book 2005.p.574

<sup>111</sup> Najekhu Yepthomi; ‘Early History of the Nagas’ in From Darkness to light, NBCC, Nagaland, Kohima, 1997, P.8.

The size of Phom villages range from ten to five hundred households. Each village is divided into pang (khel). Normally thirty to fifty households make one khel. Each khel builds a morung i.e., bachelors' dormitory.<sup>112</sup>

### **2.3.3. The Village Government**

When observed closely, it is found that the Phom villages had five tiers of administration. Though the organization under each of the tier functions autonomously, there is a close co-ordination and a clear-cut division of labour among them. These tiers are the Yunglem Aei (Water source path cleaning stage), Ching Näu-e/Bang (Village youth/Morung), Chingsho Shahthai (Village assembly), Ching Uoshing (village council), and Ngongba (Priests). This system of having various levels of administration helped in the smooth and efficient functioning of the village.<sup>113</sup> A brief description of each of this organ of administration is given below:

### **2.3.4. Yunglem Aei (Water source Path Cleaning Stage)<sup>114</sup>**

This stage can also be called the Kindergarten of the village administration. This stage has three age groups. They can be categorized under the approximate age grouping as mentioned below:

1. Age group between 9 to 11 is the first entrant. They are called Aeitep.

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<sup>112</sup>Phom Henshet B, The Phom Naga Indigenous Religion.P.24.

<sup>113</sup> Chingshen interviewed at Anaikhai on Dece.20, 2008.

<sup>114</sup> B.Mane Phom interviewed at Longleng on September 25. All the description under this sub-title is the view expressed during the interview.

2. Age group between 12 to 14 is the second batch. They are called Aeinyi.
3. Age group between 15 to 17 is called Aeichem. They are the commanding batch.

The boys after attaining certain age, approximately 9 years automatically becomes member of the Yunglem Aei. They clean the village well and the way to the water source twice in a year. They also fence the well so as to prevent it from being polluted. They also beautify the areas by planting trees, fencing etc. In cleaning the road boys are trained by their seniors, the art of dao handling, chopping of plants, fencing, lawn moving etc. Absentees or truants are fined. Signs are kept near the well to abstain from spoiling the well, fencing and to keep the path neat and clean. The boys keep constant vigil over the well to see that no one defy their order. If any one is found violating their order, the culprits will be heavily fined on the day of road cleaning.

Yunglem Aei also functions very much like the functioning of the Morung. Here too junior members are to serve their seniors and perform errand. Strict disciplines are maintained in their functioning. In certain situation boys who are disobedient to parents or disloyal to community can also be reprimanded by their seniors.

In this way boys from the very tender age are trained to become the worthy citizens of their village council and assembly. This also prepares the boys to easily pick up their role when they are recruited to the morung.

### 2.3.5. Bang/Morung

At the second level of the village administration stands the village youth or the Morung. All the boys after they attained certain age are recruited to become its bona fide members. The youth assist the village administration by playing the role of an army. According to Joseph S Thong:

*"Morung is a man's club house in Naga villages. It is a dormitory for young unmarried men, serving as an agency for all round development and socialisation and makes him fit to become a worthy citizen of the village state."*<sup>115</sup>

The functioning of the village youth is very systematic. It is organized in a hierarchical structure. There is no fixed age limit for the recruitment of the youth to the morung. But approximately boys between 18 to 21 years old are recruited as the first entrant. They are called Aeitep. They are the youngest batch in the morung system.

The youngest batch in the morung used to serve water, make fire, provide tea, betel leaves, lime, tobacco, bringing bamboo ropes and canes to weave baskets for elders or to senior batches etc. violation of rules were either fined or severely punished.<sup>116</sup> Sometimes bravery test of the young boys are also done. For example, in the dark of the

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<sup>115</sup> Thong Joseph S, Head Hunter's Culture. P.87.

<sup>116</sup> Phom Henshet B, op.cit.P.29

night, clothes or dress of the boys are kept in the deep forest and young boys would be asked to go alone to bring their respective dress.<sup>117</sup>

When a new age group is recruited in the morung, the batches above them are to be elevated to the higher strata of their morung hierarchy. The name of each of the batch are as follows: *Aeitep* (first batch), *Aeinyi* (second batch), *Aeichem* (third batch), *Aeiali* (fourth batch), *Ou nang* (Cock worth age group) and *Yan nang* (Sword worth batch). With every new recruit the promotion of the age grouping will go on and on, but the stages up to the sixth batch play the role of the village youth. And among them those in the fifth batch which is called *Ou nang* exercise the supreme authority in the affairs of the youth. They are in-charge of the community road cleaning, community fishing. Security of the village and so on. They can even charge the village council if they violate the village law and regulation. However, when the whole village is to go on a war, then those in the 10<sup>th</sup> batch of age-group, they are called *aeiyang an* must take the lead. And the youngest batch i.e., *aeitep* do not go to war; they are to guard the village. In this way the young men of the village play a very important role in the village administration.<sup>118</sup>

Thus the young men of the morung are the soldiers who defend the village in times of war; perform errands of emergency when needs arise, volunteer in times of natural calamities like flood, drought, famine, fire accident and so on. Morung can be compared to the working of the beehives. A young man is thus required to be alert all the

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<sup>117</sup> T. Imdong Phom in an interview on Oct. 2, 2009 at Longleng.

<sup>118</sup> Chingshen interviewed at Anaikhai on Dece.20, 2008.



time. Today the practice of sleeping in dormitory has stopped, but the role of young men in the village is still strong.<sup>119</sup> Young boys are also taught all norms, histories, folk song, folk tales, dance, legends, war technique, manners, etiquette etc<sup>120</sup>. According to T.Imdong Phom the welfare work done by the youth like construction of resting shed, raised platform to take fresh air on the way, supply of water through bamboo, making of steps on the footpath or the plantation of trees on the roadside is like the welfare activities done by Ashoka, the great ancient Indian King.<sup>121</sup>

### **2.3.6. Chingsho/Bühü Shahthai (Village/Citizens Assembly)**

All the bona fide male members of the village, who are recruited to the morung becomes the member of the village assembly. This is the highest body of the village government. The village assembly meet as and when need arises. The village council calls the meeting of the village assembly. The village youth can also summon its meeting in some cases. In the meeting every citizen of the village has equal right to share their opinion. The village assembly is the highest legislative body of the village. It has the power to impeach the members of the village council or to dissolve the village council. The village assembly also has the power to form the new council after the dissolution of the former ones. However, this happens only in a rare case. The village council is accountable to the village assembly.<sup>122</sup>

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<sup>119</sup> Phom Henshet B, op.cit.P.26.

<sup>120</sup> Ibid.P.29.

<sup>121</sup> T.Imdong Phom in an interview on Oct. 2, 2009 at Longleng

<sup>122</sup> .Longdük, interviewed on Jan.05, 2009 at Anaikhai village.

Just like the budget session of the modern parliament, the annual session of the village assembly is held after the harvest. This meeting is called Bangong or buong küp shahthai. And during which all the male members of the village are to be present. In this assembly the report of the activities of the village council of the preceding year is to be made known to the public. It covers every matter of the village including the village fund, income, expenditure, relationship with the neighbouring villages, law and order, administration etc. Every member of the village assembly take full participation in the proceeding. They have the right to question the village council or express their views on any of the village affair.<sup>123</sup>

In the annual meeting of the village assembly the functioning of the village council are scrutinized and the plans for the forth coming year are framed and resolution are passed. One would find open debate, argument and counter arguments in the proceeding of the village assembly which portray the existence of pure democracy in the Naga villages.<sup>124</sup>

### **2.3.7. Ching Uoshing/Village Council**

Ching Uoshing is the most powerful unit of the village government. It acts both as the legislative and the executive council of the village. The Phom villages are ruled by Ching Uoshing (Village Council) of the respective villages. The village council members

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<sup>123</sup>Longdük, interviewed on Jan.05, 2009 at Anaikhai village.

<sup>124</sup>Longdük, interviewed on Jan.05, 2009 at Anaikhai village.

are appointed democratically. Members of the Village council are categorized as Chong, Pangshan, Pangshan naü-e, Metbüba and Outokobü.<sup>125</sup>

1. 'Chong: In some villages Chong is also called Bangba. Chong can be compared to the Cabinet minister of the modern democratic government. One member from each major clan, preferably the eldest member becomes the Chong. It may also be stated that the kinsmen of the village founding fathers are given the priority while selecting the Chong. No major decision of the village affairs should be taken if any one of the Chong is not in the meeting. And if any of the Chong disagrees with any of the decision, the decision is declared null and void. When there arises any case with the neighbouring villages where oath is to be taken on the issue of village land and so on, then Chongs are to take oath on behalf of the village. Particularly, when bi-lateral or multi-lateral talks are to be held with the neighbouring village or villages each of the Chong's presence is a must.<sup>126</sup> In a big village bangbas or Chong are the selected elderly members from each morung(khel).<sup>127</sup>
2. Pangshan: Pangshan is like a Minister. They are the elderly representatives of every clan of the village. They participate in all the proceedings of the village council. They have every right to express their views on any issue of the village.

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<sup>125</sup> Pangchong interviewed at Tamlu on Dec.29, 2007.

<sup>126</sup> Pangchong interviewed at Tamlu on Dec.29, 2007.

<sup>127</sup> T.Imdong Phom interviewed at Longleng on Oct.02, 2009.

<sup>128</sup> Pangchong: Dec.27, 2009

3. Pangshan Näu-e: Pangshan Näu-e is compared to the Member of the legislative assembly or parliament. They are junior members of the village council. They are also the representatives of every clan of the village. They also have the right to share their views on matter pertaining to the village affairs. They also take part in all the proceedings of the village council. But being junior members, it is more of a learning period for them. They also serve as errand boys for the senior members whenever need arise.<sup>129</sup>
4. Metbüba: Metbüba is the Village chief. He is like the Chief Minister or Prime Minister. It is like a hereditary post, in a sense that the post should be hold only by a member of certain clan. Metbüba is the first citizen of the village. He stands for the right of the whole village. He thus embodies the rights, responsibility, privilege and dignity of the village. He inaugurates every important ceremony of the village. He should be the first person to touch the war weapon after the head hunting raids. He takes oath on behalf of the village in case of any dispute with the neighbouring village or villages. His word is final. He has final say on both internal and external questions relating to the village administration.<sup>130</sup>
5. Outo Kobü: Outo kobü is the Deputy Chief of the village. He assists Metbüba in all his administration. He also acts as his chief advisor.<sup>131</sup>

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<sup>129</sup> Pangchong: Dec.27, 2009

<sup>130</sup> T.Imdong Phom in an interview on Oct.02, 2009

<sup>131</sup> Pangchong in an interview

It may also be stated that the Ching Uoshing consists galaxy of members like 'Shahbüpa, Metbüpa, Bangba, Manba, Hamba and the representatives of every clan called Pangshan.<sup>132</sup>

'a. Shahbüpa literally means skillful orator. Shahbüpa is the one who knows custom, culture and history of their community, and is able to make right decision at the right time. In other words, skillful diplomats. Shahbüpa can neither be hereditary nor is he appointed by compulsion, but a gifted person fitted for this place comes naturally from generation to generation.

b. Metbüpa is the one who stands for the right of the whole village. In times of oath taking, metbüpa takes part on behalf of the whole community. His consent is very important in all the major decisions of the village council. Even in times of war he should be the first man to clean the war weapon.

c. Bangba. In the house of the pangba most of the proceedings of the village council are held.

d. Manba means wealthyman or rich man.

e. Hamba means warrior.'<sup>133</sup>

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<sup>132</sup> Phom Henshet B, op.cit.p.24

<sup>133</sup> Noklang Amop C, Phom Day, basis for peace in Nagaland, Christian Literature Centre, Guwahati, 2002.pp.23-24.

### 2.3.8. Qualification

To be a member of the village council the following qualifications are required.

- a. One must be a bona fide citizen of the village.
- b. One must not be an illegitimate son
- c. One must not be a man known for immoral behaviour
- d. One must be an upright man.<sup>134</sup>

### 2.3.9. Tenure

The village council of a Phom village is a permanent body. Thus, there is no retirement age or tenure prescribed for the member of a village council. A person can be a member of the village council till his ripe age if he is fit. A person can also tender his resignation to the council if he cannot carry on the job. He can resign even after serving just for one year. But one can be released from the council only after the post harvest village assembly session. A person can also be re-elected to the council.<sup>135</sup>

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<sup>134</sup> Phom Henshet B, op.cit. p.25

<sup>135</sup> Pangchong, interviewed on Dec.27, 2009 at Tamlu

### 2.3.10. Functions

In the past, as all Phom villages were sovereign republic, the decisions of the village councils were final and binding. All the decisions of the village council are made jointly in a democratic manner. Following are some of their important functions.<sup>136</sup>

- a. It has the sole power and authority to make war or peace with the neighbouring villages.
- b. All disputes related to marriage, divorce, theft, murder, adoption, inheritance etc. are settled by them according to their customary laws.
- c. They fix date for community festivals, felling and burning of jhum, community road cleaning, community fishing etc.
- d. Welfare of community like digging of village wells, construction of new paths and bridges across streams, rivers etc are under their care.

With the advent of the British Government and subsequently after the inclusion of Nagaland under the Indian union, this sovereign power of the village council had faded out, but most of the systems of the village administration are still followed.

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<sup>136</sup> Phom Henshet B, op.cit. p.26

### 2.3.11. Ngongba (Priesthood)

After going through all the four stages of one's political career, a Phom Naga man's last role in his village organic structure is to play the role of a Ngongba or Priesthood. It is the stage of a political retirement. He has no role in the village council. He can only give his advice when ever he is consulted. At this stage one is to devote himself to the religious activity. He performs all the religious rituals in the village like the naming ceremony of a new born baby, burial rituals of dead in the village, cleaning of skulls and war weapons after the head hunting raid, performing of rituals for the cure of the sick, festivity rituals and so on.<sup>137</sup>

This stage is similar to the 'vanaprastha and sanyasa stages of the Hindu concept of Ashrama Dharmas, where an individual after performing Brahmacharya and Grahasthya (student and house holder's role roles) of life renounce the world to devote himself to spiritual aspect of life.<sup>138</sup>

### 2.3.12. Election/Selection System of the Village Council

The election of the members to the village council among the Phom Naga tribe is done in a very simple, transparent and accountable manner. The recruitment to the first three organs of the village government i.e., Yonglem Aei, Morung and Village assembly is a natural process. Every male citizen of the village, irrespective of any distinction

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<sup>137</sup> Pangchong, interviewed on Dec.27, 2009 at Tamlu

<sup>138</sup> Tiwari Kedar Nath, Comparative Religion, Motilal Banarsidass, Delhi, 1992. P.33



compulsorily becomes the member of these organs after they attain the required age. It is their right as well as their duty.<sup>139</sup>

However, not all members get the opportunity to become the member of the village council. It is the most powerful and dignified position in the village. Thus, certain formalities and procedures are followed to select the members of the village council.<sup>140</sup>

Before the post harvest annual meeting of the village assembly is held, the village council hold a crucial meeting in the house of its treasurer, who is called Bangba. On that day social audit of the financial account of the preceding year is done and the council's activities of the preceding year are also reviewed. The meeting also discusses the issues to be put up to the post harvest annual meeting of the village assembly.<sup>141</sup>

And the members who want to resign from the village council tender their resignation verbally to the council by citing the reason as to why they want to resign from the seat. The members would then deliberate on the merit of the case and the resignation may be accepted or rejected. If the resignation is accepted and the member is to resign, then a replacement for the seat would be made from his own clan or kinsmen.<sup>142</sup>

The village council would then make scrutiny of the citizens of the clan who would fit into the post. Thus an internal scrutiny of each and every capable member of

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<sup>139</sup> Pangchong, interviewed on Dec.27, 2009 at Tamlu

<sup>140</sup> ibid

<sup>141</sup> ibid

<sup>142</sup> ibid

the clan would be made. And the person who fulfills the acceptable norms for the coveted post in the eyes of the village council is selected.<sup>143</sup>

The names of the outgoing and the new members of the village council are declared to the public on the day of the village assembly post harvest annual meeting. The village assembly would then approve it by raising their hands. And the new members would be given a pound of meat of the animal killed for the day as a sign recognize him as the new member of the village council. After his name is declared to the public in the assembly. This is how the members of the village council are directly elected by the village council and recognized by the village assembly.<sup>144</sup>

### **2.3.13. Position of Women in traditional Naga Polity**

According to M.Horam, the Naga women have a high and secure position in her society and the family centres round her.<sup>145</sup> In the words of Prof.C.V Furer Haimendorf, 'many women in more civilized parts of India may well envy the women of the Naga hills, their high status and their free and happy life; and if you measure the cultural level of a people by the social position and personal freedom of its women, you will think twice before looking down on the Nagas as "savages".'<sup>146</sup> However from the political point of view, women were accorded lower status by the traditional Naga custom and tradition. The following views given by different scholars substantiate the statement:

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<sup>143</sup> ibid

<sup>144</sup> ibid

<sup>145</sup> Horam M, op.cit.p.49.

<sup>146</sup> Haimendorf .Von Furer Christoph, op.cit.p.

In the political and religious sphere no role is played by the Ao women. The medicine women are found in the community, but their roles are of little importance.<sup>147</sup> According to R.S.Raypa, The Phom women are never looked down in society. A woman participates in several economic activities, but rarely does she acquire any position in village administration.<sup>148</sup> Abdur Rahman states that, 'The Phom village councils are dominated by men. A woman can neither be the chief nor a member of the village council. They cannot enjoy the headship right of a clan.'<sup>149</sup>

Konyak women do not inherit any property. For them, participation in religious and political affairs is not permissible under the traditional rule. They are allowed to join the traditional festivals. Their contribution towards economic activities and household management is well recognized. The status of women is not considered equal to that of the men.<sup>150</sup>

In the words of Ngunying T Wangsha, 'according to the traditional Konyak society only men folk could participate in all the political or public affairs, they were the main figures in all the activities. Whereas women were strongly restricted from participating in such affairs, they were always kept under men's domination. Only men folk planned and made decisions for the community and women were expected only to be

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<sup>147</sup> Das N.K, op.cit.p.79

<sup>148</sup> R.S.Raypa in Singh K.S (Ed), People of India: Nagaland Vol.XXXIV, Anthropological society of India, Seagull Books, Calcutta, 1994.p.121

<sup>149</sup> Rahman Abdur, Social and Political development of the the Phom tribe of Nagaland since independence, unpublished Ph.D thesis, Dept. of History, Dibrugarh University, Assam, 2008,p.98.

<sup>150</sup> N.Saha in; K.S.Singh (Ed); People of India: Nagaland Vol.XXXIV, Anthropological society of India, Seagull Books, Calcutta, 1994.p.106

observers and doers....Even the Anghyhas (queen),...were never given any political power or administration freedom....Thus in the traditional Konyak Naga society though a woman was capable to stand in public and speak some words of wisdom or showed a sign of leadership, they were never encouraged, rather they were discouraged by using traditional sayings like “the crookedness of a cow’s horn and women’s thought are same” and so on.’<sup>151</sup>

W.C.Smith has given a very demeaning remark on the status of the Ao Naga women; ‘Among all these hill tribes the position of the woman is inferior to that of the man. After marriage she becomes a mere household drudge, and quickly loses her good looks, if she ever had any. Her position is not essentially secure until she has borne a child to her husband, so, until such a time, she must be somewhat careful as to her personal appearance’.<sup>152</sup>

According to Narola Imchen, ‘In traditional Ao Naga society, the village council held the highest administrative power. In this women were given no role. This patriarchal society did not provide any place for the public exercise of leadership for women, or even membership in any decision making bodies. Important decision making was not proper role for women who in this respect were certainly regarded as inferior to men. The male dominated society thus imposed restrictions on the role that women could easily play...’<sup>153</sup>

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<sup>151</sup> Wangsha Nguying T, The impact of Christianity on the status of women in the Konyak Naga Society, ETC, Jorhat, Assam, unpublished BD Thesis, 2002, pp.13-14.

<sup>152</sup> Smith W.C, op.cit.p.58

<sup>153</sup> Imchen Narola, Women in Church and Society, ETC, Jorhat, Assam,2001,p.90.

In the traditional Naga society, men played dominant role in all its socio-political and cultural spheres. It is being inferred that, it was because of the prevalence of the head hunting culture. As men were physically strong, they took part in the headhunting raid and also in the overall village governance. However, the existence of such a social system should not be taken to mean that women were accorded inferior status during that period. Because, though women did not involve in the politics of the village, their genuine advice and views were never denied. Because men consulted their wives before taking any major decision. One would find many instances of the community being saved from crisis by adhering to the advice of certain wise women.<sup>154</sup>

One area where Naga women's participation is conspicuously missing is in the political arena. The context of the political status and role of the Naga women continues to be an open question. Relative to their share in the population, they remain outsiders in politics. Even after more than four decades of statehood, there has been no women member in the State Legislative Assembly. This reinforces the perception that electoral politics in Nagaland continue to be dominated by men.<sup>155</sup>

However, there are certain aspects where women are given a favourable treatment. For example women always have the identity of their clan, village and so on. Usually women never change the name of their clan ...And so if by chance some problems arise ...may be with husband or in-laws, her family and clan will be there to

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<sup>154</sup> Phom Henshet B, *Socio-cultural issues in Nagaland*, Longleng, Nagaland, 2003, pp.15-16.

<sup>155</sup> Amer Moamenla, *Voting Behaviour of the women voters in Nagaland*, unpublished Ph.D thesis, Nagaland University, Lumami, 2007, p.17

help her;... even Anghyas (queens) though they do not directly involve in the affairs of the administration, the Anghyas are being honoured and respected highly by the villagers or the community;...during the festivals like Aoling, the presence and service of women is regarded as very important...Aoling is also a time when the parents, brothers and relatives of the women show their love and concern to her...<sup>156</sup>

Thus after going through the above mentioned remarks given by different scholars one can surmise that women did not have a place in the traditional Naga polity. Even though women enjoyed enormous freedom and dignity in social and cultural spheres, they were restricted from participating in the politics of their village-state. One can thus conclude that the traditional Naga political institution was a patriarchal institution.

### **Conclusion**

From the above discussion it can be observed that although the Konyak, Ao and Phom Nagas have their own unique political systems, all of their systems have similar kind of democratic values. It is found that village councils of the Aos and Phoms and the council of rulers of the Konyaks are selected democratically through consensus representing every clan and khel. Even in the case of Konyak Angh, whose words are often termed as law, the Angh rules on the advice of the council of advisors who are selected representing every clan and khel. And as the process of selection of the rulers was carried out in a democratic and transparent manner there was no corruption in the system. Rulers were accountable to the people. Therefore, their governance was welfare

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<sup>156</sup> Wangsha Nguying T, op.cit.pp.17-18.

focused. As such for the traditional Nagas to be a member of the Village council was more of a responsibility than a privilege; it was more of a sacrificial than a privileged position. But one defect with the traditional Naga political system is that it was a patriarchal system. As such women did not have participation in their governance. But the most appreciable aspect of their political system is that they all have well organized indigenous political systems which are relevant to the context of the native.

## **CHAPTER THREE**

### **THE MODERN ELECTORAL SYSTEM IN NAGALAND**



## CHAPTER III

### THE MODERN ELECTORAL SYSTEM IN NAGALAND

#### **Introduction:**

Modernization came to Nagaland through various factors like the contact with the British, embrace of Christianity, introduction of modern education, the Naga independence movement and the involvement of the Nagas in the modern Indian political system. And various events of the Naga history had their influences in bringing political consciousness and in evolving a new political trend in Nagaland. Some of these events are enumerated in brief below.

#### **3.1. Treaty of Yandabo**

According to Charles Chasie, to trace Naga political history, one needs to go back to the advent of the British and their colonizing expeditions. The first British action that affected the Naga people was the Treaty of Yandabo, in 1826, which while demarcating the boundary between India and Burma, caused the vivisection of Naga country...having salvaged the Manipur Kingdom, through the Treaty of Yandabo, and having demarcated the territorial boundaries, on the map, between that kingdom and the then Nowgong district in Assam, the British felt they needed to link up the two by a land route through Angami-Naga territory. This led to the second major event and the first direct encounter of the British with the Naga people in 1832.<sup>1</sup>

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<sup>1</sup> Chasie Charles, *The Naga Imbroglia*, Standard Printers & Publisher, Kohima, 2000, p.29.

Though Assam and Manipur were brought under the suzerainty of the British India by the Treaty of Yandabo (Feb, 1826), the Naga countries were outside the British Empire. This has to become a "historical gift" for inducing consciousness of their identity and rights, leading the Nagas towards broader worldview.<sup>2</sup>

### 3.2. Advent of Christianity

The first missionary to preach the Gospel (Christianity) among the Nagas was Miles Bronson, who reached the Namsang Naga village on March 14, 1840. The Bronsons were hospitably received by the Angh/Chief of the Konyak village of Namsang. They were given a house in which they lived and taught the village children in the village school opened for them. In 1840 Mrs. Bronson wrote a First reader in the Konyak language, the first ever book written in any Naga language. The name of the book is 'Natahema Heran Kabanva Nyapran'<sup>3</sup>

However the mission had to be abandoned due to the out break of epidemic which took the life of Bronson's sister Rhoda Bronson on December 08, 1840. And sadly there was no serious plan among missionaries to re-open mission work among the Nagas until 1872.<sup>4</sup>

A new era ushered in for the Naga people in and through the joint venture of Dr. Clark, Godhula and Supongmeren, when nine Nagas were baptized on November 10,

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<sup>2</sup> Gaingam G, White paper on Naga Integration, published by the Naga Hoho, 2000, p.6.

<sup>3</sup> Konyak Yanang A, From Darkness to Light, CLC, Guwahati, 1986, p.p.27-28.

<sup>4</sup> Rev. O. Alem in Alongla P Aier, From Darkness to Light, NBCC, Kohima, 1997, p.35.

1872 and the first Naga Baptist Church was established at Mulongkimong on December 18, 1872.<sup>5</sup>

Thus the advent of Christianity brought drastic transformation in the over all socio-political structure of the Naga society. According to Hokishe Sema;

*'As far as the Christian religion is concerned, every Naga believes today that the Christian religion for him is a religion from uncertainty to certainty, from darkness to light; from death to eternal life; damnation to salvation.'*<sup>6</sup>

### 3.3. Modern Education

For the Nagas perhaps the most important aspect of progress is in the field of education, for which there is a great demand.<sup>7</sup> Missionaries were the harbingers of education in Nagaland. E.W.Clark of the American Baptist Mission was the first man who came in 1872 in Mokokchung district.<sup>8</sup>

It is interesting to know that in spite of many difficulties, Rev.Clark's primary target was to establish a school in each village wherever a church was founded so that he could gather children from different villages and impart education to them...Consequently, education substantially played a vital role in moulding the attitudes and out look of the people and as a result, fundamental changes took place within a short

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<sup>5</sup> Ibid., p.p.38-41.

<sup>6</sup> Sema Hokishe, Emergence of Nagaland, Vikas publishing House, Pvt Ltd, New Delhi, p.55.

<sup>7</sup> Elwin Verrier, Nagaland, Shillong, 1961, p.93

<sup>8</sup> K.T.Vishwanath in Zhangulie(Ed), 25 years of Nagaland legislative assembly, NLA Secretariate, Kohima, 1989, p.81

span of time. The introduction of formal education by the missionaries was also responsible for western culture and way of life to creep in.<sup>9</sup>

Commenting on the education scenario among the Chang Nagas, B.B.Kumar says, 'Most of the primary school teachers have strong political thinking...Education in Chang society has helped the individualistic trend and consumerism attitude. It has also created a sense of superiority among the educated section and partly alienated them from the rest of their society. It is also an agency of westernization among them.'<sup>10</sup>

### 3.4. World War I

During World War I in 1917 over 2000 Nagas from all tribes were deployed in the war theaters in Europe as part of the Labor Corps. Out of this total number, the Sema tribe alone constituted 1000 corps. In their voyage to France, the enemy damaged the ship and their ship was about to sink. Hundreds of other Volunteers (British, Chinese, Ceylonese etc.), were badly shattered, but the customary fortitude and the equanimity of the Naga spirit stood united in their stride and they extended their helping hands to other shattered companions. This had left a deep impression upon the Nagas and they developed an insight of nationalism that they were of one race and a sense of inner compulsion for unity for greater altruistic service was developed. Accordingly, after their return in June 1918, drawing officials, ex-army men and

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<sup>9</sup> Sema John H, Traditional and Modern Political Institutions of Sumi Naga, unpublished Ph.D Thesis, NEHU, Shillong, 2001,p.88.

<sup>10</sup> Kumar B.B, Society and Culture in a corner of Nagaland,Pragati Prakashan, Meerut,1998,p.68

members from various villages formed an association known as the "Naga Club". The Club was political in nature, social in welfare and recreational in game and sports.<sup>11</sup>

### 3.5. The Simon Commission 1929

In view of the British Home Government having set up a constitutional reform Schemes known as Simon Commission, Sir J.H.Hutton, the then Deputy Commissioner, Naga Hills District convened a meeting of the Naga leaders at Kohima to ascertain the wishes of the Nagas in the event of the British departure. The Nagas stated that they would like to be left alone as they were before the British came. Accordingly, Sir, J.H.Hutton sent his official report, and in response to the report the Simon Commission visited Kohima in January. On January 10, 1929, the Naga Club submitted a political memorandum to the Simon Commission with 20 signatories and demanded exclusion of the Nagas from the reformed scheme of India.<sup>12</sup>

The Simon Commission submitted its report as per the demand of the Naga Club which was eventually debated in the House of Commons in May 1935 resulting in the exclusion of the Naga inhabited areas. From the purview of the provisions of the Government of India Act, 1935 and made it as Excluded Area.<sup>13</sup>

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<sup>11</sup> Gaingam G, op.cit., p.23.

<sup>12</sup> Ibid., pp.23-24.

<sup>13</sup> Ibid., p.24

### 3.6. Naga Hills District Tribal Council (NHDTTC)

During 1939 to 1944, the Nagas whole heartedly stood behind the British Government at Kohima battle. C.R.Pawsey, the Deputy Commissioner of Kohima rewarded these committed gesture of the Nagas with the formation of Naga Hills District Tribal Council on April 01, 1945. Mr.Mayangnokcha was the first President. The aims and objects of the Naga Hills District Tribal Council were: To unite the Nagas; to repair the damage done during World war II; to achieve local autonomy for the Hills; to train the people for self government; to encourage the existing tribal councils of the Naga tribes; to administer their own local affairs and to consider possible reform.<sup>14</sup>

### 3.7. Naga National Council (NNC) 1946

After the formation of NHDTTC, all the tribes had full discussion on the future of the Nagas for creating greater cohesion and NNC was formed in April 1946. On June 06, 1946, NNC submitted a 4-Point Memorandum to the Constituent Reform Committee. The first point states, 'The NNC stands for the solidarity of all the Naga tribes'.<sup>15</sup>

The original aim of NNC was to foster the welfare and social aspirations of the Nagas and it received official patronage as a unifying and moderating influence. Gradually its sphere of activities extended to the field of politics and it worked for achievement of the solidarity for all the Nagas and the satisfaction of their political aspirations.<sup>16</sup>

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<sup>14</sup> Ibid., p.26.

<sup>15</sup> Ibid., p.26.

<sup>16</sup> Alemchiba M, A Brief Historical Account of Nagaland, Naga institute of culture, Kohima, 1970, p.165.

The Naga National Council was composed of 29 members, who represented the tribes on the principle of proportional representation. Among the members, office bearers were elected. Every citizen was supposed to be a member of the N.N.C. and every family contributed voluntarily towards the maintenance of the council. Contributions ranged from anything from rupee one to a hundred.<sup>17</sup>

### **3.8. Interim Government Plan for the Nagas (1947)**

On February 20, 1947, NNC sent a 4-Point Memorandum to Lord Mountbatten, the then Viceroy of India, for setting up an interim Government for a period of 10 years. Then on learning the change of Government in England from Conservative Party to Labour Party, and on hearing that Lord Clement Atlee had taken over as the prime minister, the NNC Secretary T.Sakhrrie wrote a letter to Lord Clement Atlee, the Prime Minister of England for setting up Interim Government.<sup>18</sup>

Consequently, the late Sir.Akbar Hydari, then Governor of Assam, came to Kohima and started negotiation with the Naga National council afresh in the meetings held on June27-29, 1947. As a result of prolonged discussions a Nine-point memorandum known as the 'Hydari Agreement' was drawn up. Its preamble recognized the right of the Nagas to develop themselves according to their freely expressed wishes. It went on to establish that all cases, civil or criminal, arising between Nagas within the Naga Hills should be disposed off by duly constituted Naga court according to Naga customary law.<sup>19</sup>

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<sup>17</sup> Ibid., p.165.

<sup>18</sup> Gaingam G, op.cit., p.27.

<sup>19</sup> Alemchiba M, op.cit., p.171

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 Naga national Council 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.<sup>20</sup>

However the Nine-point Agreement was, due to differences in the interpretation, was rushed through in the face of vehement opposition from one side of the Naga National Council. The intention of the article (some said) was that at the end of the ten years the Nagas would free to suggest changes in the administrative pattern to suit their special character and ensure a great measure of autonomy within India. However, some of the Nagas interpreted it to mean that they would have the right to demand complete independence.<sup>21</sup> Thus, due to these differences the Agreement could not be implemented.

### **3.9. The Naga independence Movement and the Plebiscite of 1951**

When the Indian Independence was to be declared on August 15, 1947, the Nagas declared Naga independence one day ahead of the Indian Independence Day, on August 14, 1947. Information was sent to the UNO with a copy to the Government of India.<sup>22</sup>

On January 1, 1951, Government of India was given advance information that the Nagas would be holding the Naga Voluntary Plebiscite on the issue of Naga independence. On March 30 and April 11, 1951 the Government of India was requested

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<sup>20</sup> Ibid., p.172

<sup>21</sup> Ibid., p.172

<sup>22</sup> Gaingam G, op.cit., p.28.



to send its representatives and observers to witness the holding of plebiscite. On May 16, 1951 the Naga national Council launched a voluntary plebiscite, which was inaugurated at Kohima. The result was 99.9% vote for a sovereign independent Naga state. The result was dispatched to the President as well as the Prime Minister of India, and to the Secretary General of UNO. A copy of the result was also handed over to Pandit Jawaharlal Nehru on March 11, 1952 at Silghat, Assam.<sup>23</sup> Easterine Iralu says:

*And after A.Z. Phizo was elected President of the Naga national Council, the NNC inaugurated a Plebiscite on the issue of Naga Independence at Kohima on May 16, 1951. On this day, 7000 men and women were reported to have given their thumbprints. All the villages in the Naga Hills were visited, signatures and thumbprints were taken. Oaths were administered in the traditional manner to fight for Naga Independence.<sup>24</sup>*

In the following weeks, the political situation mounted in tension all over the Naga Hills as the people showed favour for Naga Independence and resentment of Indian administration or interference in Naga affairs.<sup>25</sup> From the year 1952 onward, there was a gradual deterioration in the relations between the Nagas and the Government of India.<sup>26</sup>

### **3.10. Boycott of the first General Election 1952**

When the first General election of the Indian republic was held in 1952, 'a boycott of the General Elections of 1952 took place which was public victory for the

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<sup>23</sup> Ibid., p.30.

<sup>24</sup> Iralu Easterine Kire, A Historical and geographical Study of Nagaland Vol II, Directorate of School Education, Nagaland, Kohima, 1985-86, pp.94-95.

<sup>25</sup> Ibid., p.95.

<sup>26</sup> Ibid., p.102.

underground Nagas. No Nagas sought election to the Parliament or the Legislative Assembly in Assam and no District Council was set up. No Naga voter exercised his right to vote. The Government, however, went through the full procedure of a general Election in the Naga Hills.<sup>27</sup>

Thus the first two general elections in 1952 and 1957 were boycotted and violence rocked the hills.<sup>28</sup> According to Hokishe Sema;

*'Nagas led by Phizo began to express their dissatisfaction with the sixth schedule in very strong terms. They boycotted not only the District Council Elections in 1951, but also the subsequent General Elections in 1952. To keep the record straight it must be mentioned that not a single vote was cast.'*<sup>29</sup>

According to Chandrika Singh, 'Before the creation of Nagaland state, election was held in 1957, no doubt, but not for formation of Legislative assembly, but for choosing three Naga representatives for the Assam Legislative Assembly. At that time the reforming Committee was the only party that had installed candidates. Since there was no opposition, these candidates were elected unanimously. In 1957, the Reforming Committee converted itself into the Naga National Organisation, which preferred electioneering process while the Naga National Council under the influence of the Phizoists had no faith in democratic processes. Hence it boycotted the election of 1957.'<sup>30</sup>

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<sup>27</sup> Ibid., p102.

<sup>28</sup> Lal Shiv (Ed), International Electoral Politics and Law Asia Book I India: A History of Elections Vol1, The Election Archives, Institute for Electoral Studies, New Delhi, p.6.

<sup>29</sup> Sema Hokishe, op.cit., p.92.

<sup>30</sup> Singh Chandrika, Naga Politics: A Critical Account, A Mittal Publication, 2004, pp.117-118.

### 3.11. The Naga Federal Government Constitution

In March 1956, the NNC founded the Naga Federal Government and its flag was hoisted on 22<sup>nd</sup> March, 1956. The Council also framed a constitution of the Federal Government. It reads thus:

*“Nagaland is a people’s sovereign republic. This has been so from time immemorial. There shall be a parliament with a strength of 100 Tatars (MPs), the President will be elected by the people and his cabinet will consist of fifteen Kilonsers (Ministers).”<sup>31</sup>*

It is because of this fact that the Naga nationalists till today observe March 22 as the Naga Republic Day. An issue of the Nagaland Post carries the news report of the celebration of Naga Republic Day by the different groups of Naga underground, where the general Secretary of the National Socialist Council of Nagalim (NSCN-IM), Th. Muivah stated that, ‘Naga people have land and their rights like every nation in the world. You are lost if you don’t understand the rights given to you (by) God.’ And the General Secretary of NSCN-K, N. Kitovi Zhimomi gave the call for unity among all the Naga political groups before seeking any solution.<sup>32</sup>

### 3.12. The Naga People’s Convention (NPC)

In 1957, the Naga people convened an All Tribes Naga People’s Convention at Kohima. The aim of holding this Convention was to act as a media between the

<sup>31</sup> Iralu Easterine Kire, op.cit., p.104.

<sup>32</sup> Nagaland Post March 22, 2010.

Government of India and Naga rebels. It was held from August 22 to 26, 1957 and attended by more than 1760 delegates and over 2000 visitors from every Naga tribe. Dr.Imkongliba Ao was the President of the Convention and Mr.Jasokie, its secretary. For the first time since the hostilities began the Naga people voiced their opposition to violence. The main resolutions of the convention were to advocate settlement of the Naga issue through peaceful negotiation. It resolved that the Naga Hills district of Assam and Tuensang division of North Eastern Frontier Agency (NEFA) be constituted into a single administrative unit under the External Affairs ministry. This led to the formation of the Naga Hills Tuensang Area(NHTA).<sup>33</sup>

In May 1958 the second Naga People's Convention was held at the Ao village of Ungma in Mokokchung district. The Convention appointed a Liaison Committee to contact the Underground Nagas but there was no forthcoming response from their side. A Drafting Committee, therefore, was appointed to formulate their demands. The Committee drafted a 16 point memorandum for the constitution of a separate state, 'Nagaland' within the Indian Union. It was at the third session of the NPC held at Mokokchung from October 22 to 26, 1959 that the 16 point memorandum was passed by the convention. A full deliberation was made between the Government of India and the Naga People's Convention for which the Memorandum was passed.<sup>34</sup>

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<sup>33</sup> Iralu Easterine Kire, op.cit., p.108.

<sup>34</sup> Ibid.,pp.111-112.

### 3.13. Interim Body under Indian Union and the inauguration of statehood

In pursuance to this historic Agreement, the Nagaland (Transitional Provision) regulation 1961 was promulgated in February, 1961 and Naga Hills Tuensang Area (NHTA) was christened as Nagaland.<sup>35</sup>

On February 18, 1961 an Interim Body of 42 members was constituted. This was to function as the de-facto legislature. It included a five-member Executive Council headed by a Chief Executive Councilor. This functioned as de-facto Council of Ministers. Dr. Imkongliba Ao, who was the first Chairman of the Naga People's Convention, was appointed the first Chairman of the Interim Body. Mr. P. Shilo was appointed the Chief Executive Councilor and eventually became the first Chief Minister of Nagaland.<sup>36</sup>

The Interim Body consisted of 42 members of whom two belonged to the Phom tribe, namely, Hepong and Pauting Phom. The members of the Interim Body were selected on the basis of consensus depending on their knowledge and experience and not on the basis of adult franchise. Unfortunately however, Dr. Imkongliba Ao, Chairman of the Interim Body, was shot dead by an assailant on August 22, 1961 while returning home from his pharmacy at Mokokchung. A few days later Pauting Phom, another member of the interim Body was killed (August 29, 1961) by an underground activist at

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<sup>35</sup> Ibid. p.2

<sup>36</sup> <http://nagaland.nic.in>

his residence at Longleng...Following these two assassinations Tekasosang and Anyak Phom were elected to the Interim Body.<sup>37</sup>

On August 21, 1962 the then Prime Minister Pandit Nehru introduced a Bill in the Parliament for the formation of Nagaland as a full-fledged State..<sup>38</sup> The Thirteenth Constitution Amendment Bill and the Nagaland State Bill were passed by the Parliament and the President of India assented to these bills on September 4, 1962. The tenure of the interim Body expired on November 30, 1963 whereupon a new state 'Nagaland' came into existence as the sixteenth state of the Indian Union. The new state was formally inaugurated by the President of India Dr.Radhakrishnan on December 1, 1963.<sup>39</sup> According to M.Horam;

*'Beginning with the attainment of Nagaland state, Nagaland Legislative Assembly was also created, and this was certainly a sudden jump from tribal polity to modern sophisticated political system, a new experience for the Nagas.'*<sup>40</sup>

Pending the first General Election, a Caretaker Government was formed with Mr. P. Shilo as the Chief Minister. Four other Ministers namely Mr. Hokishe Sema, Mr. Akum Imlong, Mr. R.C Chiten Jamir and Mr. J.B. Jasokie were also appointed to

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<sup>37</sup> Rahman Abdur, Social and Political Development of the Phom Naga Tribe of Nagaland since independence, unpublished Ph.D thesis, Dibrugarh University, 2008,p.154.

<sup>38</sup> <http://nagaland.nic.in>.

<sup>39</sup> Rahman Abdur, op.cit., p.154.

<sup>40</sup> Horam M, Nagas old ways and new trend, Cosmo Publication, New Delhi, 1988,p.110.

complete the cabinet.<sup>41</sup> In this way all the factors mentioned above helped in evolving a new (modern) political culture in Nagaland.

### 3.14. The onset of Modern Electoral politics in Nagaland

As cited above, 'The first two General Elections in 1952 and 1957 were boycotted and violence rocked the hills. The first ever effective General election was held in 1964 when over 76 % of the electorate cast its vote.<sup>42</sup> Thus, the first election to the Nagaland Legislative Assembly held in 1964 can be taken as the milestone to the study of the modern electoral system in Nagaland.

It may also be noted that in the second General Election of India, three Nagas Viz-Mr.Khelhoshe Sema, Mr.Chubatemsu Ao and Subedar Satsuo Angami filed nomination papers for the three Assembly seats for Naga Hills District. There was no opposition and no voting and they returned uncontested to the Assembly. Mr.Khelhoushe Sema was appointed as Deputy Minister, but after six months all of them quitted the seats when Naga Hills District was separated from Assam on 1<sup>st</sup> December, 1957.<sup>43</sup>

Today Nagaland has 60 Assembly Constituencies. And after every interval elections are held in these constituencies for the Nagaland Legislative Assembly and also for the Indian Parliament.

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<sup>41</sup> *ibid*

<sup>42</sup> Shiv Lal (Ed); International Electoral Politics and Law Asia Book I India: A History of Elections Vol1, The Election Archives, Institute for Electoral Studies, New Delhi,p.6.

<sup>43</sup> Alemchiba M, *op.cit.*, p.183.

### 3.15. Electoral System in India

India has long prided itself as the largest democracy in the world. This was a lonely choice made in the 1950s among the emerging nations of the world. Since then there have been several instances when questions have been raised whether democracy in India can endure the test of circumstances. And on each such occasion India has answered in the affirmative.<sup>44</sup>

According to Jaideep Bose, 'To the West, India's 60 year long engagement with democracy remains one of the modern political wonders of the world particularly in the way it swarms to the polls every five years.'<sup>45</sup>

In India, all matters relating to the conduct of elections fall within the purview of the Central Government. According to the Constitution, elections to Parliament, to the Legislatures of states and the offices of President and Vice President and management of the Election Commission fall within the jurisdiction of the Centre... Thus in matters like qualifications of voters or candidates, delimitation of constituencies for both Parliamentary and State Assembly segments, conduct of elections, reservation of seats for SC and ST, nomination of representatives of the Anglo-Indian community to the Lok Sabha, the State legislatures enjoy no status and cannot interfere in them.<sup>46</sup>

According to L.N.Srivastava, 'The unique feature of the election provisions under the Constitution is that the whole election machinery is in the hands of central Election Commission, which alone is entitled to issue directives to returning officer and other

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<sup>44</sup> Sharan S.B, Yojana January 2009,p.3.

<sup>45</sup> Jaideep Bose, Times Of India, New Delhi, March 3, 2009.

<sup>46</sup> Ibid, p.1.



engaged in the preparation and revision of electoral rolls so that no injustice may be done to any citizen in India who under this constitution is entitled to be brought on the electoral rolls.<sup>47</sup>

The election machinery is assisted by Regional Commissioners who are not subject to the control of State Government but work under the supervision and control of the Election Commission. The Chief Election Commissioner is absolutely independent of the executive and enjoys the same status as that of the judges of the Supreme Court so far as his remove- ability from office is concerned. Once appointed, the conditions of his service cannot be varied to his disadvantage subsequently. Likewise any other Election Commissioner, a Regional Commissioner, or Deputy Election Commissioner cannot be removed from office except on the recommendation of the Chief Election Commissioner.<sup>48</sup>

### **3.16. Elections in India**

It is generally believed that elections originated in the city states of Athens in ancient Greece and later Rome in Italy...However the recent study have shown beyond doubt that democracy came to India before it reached Athens. In the ancient Indian republics of Mallas and Licchawis in Bihar there were elected assemblies, the Sabha and the Samiti where equal rights to men and women were given, whereas in Athenian model women and slaves were not allowed to vote.<sup>49</sup>

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<sup>47</sup> Srivastava L.N, Indian Political System, SBD Publisher, Delhi, 2001, p.504.

<sup>48</sup> Ibid,p.504

<sup>49</sup> Khullar K.K, Election Dynamics, Yojana, A Development Monthly, January 2009 issue,p.59

The first election of the Independent India was held in 1952. Since then 15 Lok Sabha elections have been successfully held in India. This clearly points to the fact that electoral politics is working in India. Some one has rightly stated that 'Without the cricket and the elections, India would be a dull country.'<sup>50</sup> This is the euphoria electioneering creates in India.

Since 1952 electoral awareness has grown, interest in elections has increased, knowledge about parties, candidates and issues has expanded; loyalty to parties has been considerable; the feeling of efficacy of competitive party system and parliamentary democracy has been demonstrated by deeper involvement of the people in politics, and by a fairly high level of participation in elections-even slightly higher than in some western democracies, including USA and Great Britain...Increased participation in elections has been noticed both in urban and rural areas.<sup>51</sup>

### **3.17. Electoral System in Nagaland.**

#### **3.17.1. Electoral machinery at the State level**

Elections in Nagaland are conducted under the direction of the Chief Election Commission of India. At the state level there is a Chief Electoral Officer, Joint Chief Electoral Officer and Assistant Chief Electoral Officer to manage the over all electioneering in the state. During the election period, the Election Commission of India deputed a Secretary from the Election Commission's Secretariat to assist the election

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<sup>50</sup> Sathir Silas Bedi, KN Kumar, Election Dynamics: A monumental Exercise in Yojana January 2009,p.5.

<sup>51</sup> Khan Rasheeduddin, Democracy in India, NCERT, New Delhi, 1995,p.62.

Department.<sup>52</sup> The Chief Electoral Officer who is responsible for elections in the state. He is appointed under section 13 (a) of the Representation of People Act, 1950.<sup>53</sup>

The Chief Electoral Officer of each state supervises the preparation of electoral rolls, revises the same and conducts all elections of the state. Provision has been made for appointment of a Deputy Chief Electoral officer in every state. He is to assist the Chief Election Officer and carries on the work of the department in his absence.<sup>54</sup>

### 3.17.2. Electoral Machinery in the districts

For the actual conduct of the General Legislative Assembly Election there is a District Election Officer in each district. He is assisted by the Assistant Election Officer and other subordinate staff of the department. The Election Commission also appoints Returning Officer and Assistant Returning Officer for each district. And for each Polling station a Presiding Officer and Polling Officers are appointed.<sup>55</sup>

The general duties of the Returning Officer include the giving of notice of an intended election, receipt and security of nomination papers, publication of list showing the polling stations, appointment of presiding and polling officers, counting of votes, reporting of electoral results and receiving returns of election expenses. Thus the Returning Officer is the pivot of the wheel of the constituency.<sup>56</sup>

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<sup>52</sup> Report on the Seventh General Election to the Nagaland legislative Assembly 1988-89, Published by the Chief Electoral Officer, Nagaland, Kohima, p.22.

<sup>53</sup> Op.cit, p.244

<sup>54</sup> Srivastava L.N, op.cit.p.507.

<sup>55</sup> Ibid, pp.22-27

<sup>56</sup> Srivastava L.N, op.cit.p.507.

Moreover to see that elections are held in a free and fair manner an Election Observer is appointed by the Election Commission of India for every Assembly Constituency from among the senior officials of the state. In addition to the Observers appointed from amongst the Officials of the States, Central Observers are also appointed by the Election Commission to observe the Conduct of General Assembly Elections in Nagaland.<sup>57</sup>

### 3.17.3. Election Procedure

The electoral process begins normally every five years with the announcement by the President, in the case of elections to the parliament, and by the respective State Governors, in the case of elections to the state Legislatures, calling upon the voters to elect their representatives. The elections to the Parliament and the State legislatures can be held at the same time or at different times. The Election Commission issues a notification regarding the election programme setting dates for filling nomination papers of the candidates, scrutiny of their applications, withdrawal of candidature, publication of the final list of candidates and polling.<sup>58</sup>

Simultaneously, different parties and groups begin their own exercise of allotment of party tickets to the candidates for the various constituencies, in which they propose to contest.<sup>59</sup> Polling personnel are appointed and polling booths are set up in different localities. Each polling booth, on an average caters to about a thousand voters. The voting

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<sup>57</sup> Op.cit,p.3080.

<sup>58</sup> Khan Rasheeduddin, Democracy in India, NCERT, New Delhi, 1995,p.58.

<sup>59</sup> Ibid,p.58.

is by secret ballot. To avoid impersonation or bogus voting, indelible ink is put on the finger of the voter after he or she had exercised their vote.<sup>60</sup>

### 3.18. 1. First General Election

Real electioneering process began in Nagaland in January 1964 when the first General Election for composition of the Nagaland Legislative Assembly was held.<sup>61</sup>

The First General Election in Nagaland was held in 1964 from January 10-16. There was no awkward incident and polling was heavy. The Naga National Organization (NNO) and Democratic Party, Nagaland, had contested the election. Out of the total 46 seats, 40 were to be filled by direct election while the remaining six seats were allocated to the Tuensang District (the present Mon, Longleng and Kiphire Districts were then part of Tuensang district) to be filled up by the persons chosen by the members of its Regional Council. There were 73 candidates in the fray to contest for the 40 seats. The NNO party won 34 seats (including the six members from Tuensang) while the Democratic Party claimed 12 seats. Fourteen members returned unopposed.<sup>62</sup>

The new Ministry headed by Mr. P. Shilu Ao was sworn in on January 25, 1964, by the Governor, Mr. Vishnu Sahay at Raj Bhavan, Kohima. The new cabinet consisted of the Chief Minister, 6 Cabinet Ministers and a Deputy Minister. M. T.N. Angami. Mr. S.C. Jamir, who was nominated to the Lok Sabha by the interim body, became the first

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<sup>60</sup> Ibid,p.58.

<sup>61</sup> Singh Chandrika, op.cit.p.118

<sup>62</sup> <http://nagaland.nic.in>

member of the Parliament from Nagaland. He was eventually joined by Mr. Melhupra Vero who was elected to the Rajya Sabha by the new Government.<sup>63</sup>

On December 8, 1964 all the 12 MLAs of the Democratic Party including its leader Mr. Vizol resigned en-masse. Bye-election was held in June 1965 in which NNO party captured all the 12 seats and it became an all NNO Government without opposition.

On 11 August 1966, the first Chief Minister, Mr. P. Shilu Ao was toppled following a No-confidence motion against him by his own party men. A new Ministry headed by Mr.T.N.Angami was sworn in on August 14, 1966. Following an appointment of Mr.T.N.Angami as the Chief Minister, the incumbent Deputy Speaker Mr. K. Shikhu was elected as Speaker and Mr. Riga Thong became the New Deputy Speaker.; Meanwhile in April 1968, Mr. B.K. Nehru became the Second Governor of Nagaland.<sup>64</sup>

### **3.18.2. Second General Election**

The Second General Election was held on February 6, 1969. This time Tuensang was given 12 seats and so the strength of the Assembly was raised to 52. The ruling NNO party secured 22 seats; the United Front of Nagaland (UFN) won 10 and Independent 8. When all the 12 members from Tuensang and 8 Independents joined the NNO, its strength was raised to 42. A 17 member NNO Ministry, headed by Mr.

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<sup>63</sup> ibid

<sup>64</sup> ibid

Hokishe Sema was sworn in on February 28, 1969. There were six Cabinet Ministers, Five Ministers of State, five Deputy Ministers and one Parliamentary Secretary.<sup>65</sup>

During the 1969 elections...two women candidates also contested this election but could not succeed. There was no uncontested return this time, whereas in the 1964 elections there were as many as 14 unopposed return.<sup>66</sup>

### 3.18.3. Tuensang District Regional Council

The undivided Tuensang District was a tribal area under the government of India Act 1935. Then it was included in part B of the table annexed to Para 20 of the sixth schedule to the constitution and was part of North East Frontier Agency (NEFA). In 1957, it became part of Naga Hills-Tuensang Area (NHTA) culminating to the formation of present Nagaland state, which was inaugurated in December 1963.<sup>67</sup>

Point No. 10 of the 16 Point Agreement between the Naga People's Convention and the Government of India specifically deals with the affairs of Tuensang District. The erstwhile Tuensang district is today divided into four districts: Tuensang, Mon, Longleng and Kiphire. Some of the points mentioned under the above cited clause are quoted below;

1. *The Governor shall carry on the administration of the Tuensang District for a period of 10 years until such time when the tribes in the Tuensang District are*

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<sup>65</sup> <http://Nagaland.nic.in>

<sup>66</sup> R.P.Singh in Dutta P.S (Ed); Electoral Politics in North east India, Omson Publications, Delhi, 1986, p.186

<sup>67</sup> Longleng District Profile submitted to Sri.K.Sankaranayanan, the Governor of Nagaland by the Phom People's Council(PPC) on June 06, 2007 at Longleng, p.1.

*capable of shouldering more responsibility of the advance system of administration. The commencement of the ten year period of administration will start simultaneously with the enforcement of detailed working of the constitution in other parts of Nagaland.*

- 2. Provided further that a Regional Council shall be formed for Tuensang District by elected representatives from all the tribes in Tuensang District, and the Governor may nominate representatives to the Regional Council. The Deputy Commissioner will be the ex officio Chairman of the Council. The Regional Council will elect members of the Naga Legislative Assembly to represent Tuensang District.*
- 3. Provided further that no Act or Law passed by the Naga Legislative Assembly shall be applicable to Tuensang District unless specifically recommended by the Regional Council.*
- 4. ...And at the end of ten years, the situation will be reviewed and if the people so desired the period will be further extended.<sup>68</sup>*

Thus, based on this agreement, the Tuensang District Regional Council consisting of thirty five members representing various tribes of this district was constituted on the creation of the State of Nagaland in December 1963.<sup>69</sup> As such elections were not held under Tuensang District during the first and second elections to the Nagaland Legislative

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<sup>68</sup> Naga Reference, Department of Parliamentary Affairs, Govt. of Nagaland, Kohima, 2006.

<sup>69</sup> Rahman Abdur, op.cit.p.p.160-61.



Assembly. 6 members from Tuensang represented in the Nagaland Legislative Assembly in 1964 and 12 members represented in 1969.<sup>70</sup>

When the ten year period of the Tuensang District Regional Council came to an end in 1973, an emergency session held in March 1973 resolved to dissolve the Regional Council and placed Tuensang district at par with other districts of the state of Nagaland.<sup>71</sup> With the allocation of the full quota of 20 seats to Tuensang district, the total strength of the Assembly was raised to 60.<sup>72</sup>

The Tuensang District Regional Council was set up in consideration of the socio-economic backwardness of the tribes of the Tuensang district. It was a well planned step which benefited the people who were given an opportunity to take part in the democratic process of the government and make them fit for shouldering the responsibility in the year to come.<sup>73</sup>

Thus, the people of Tuensang district were introduced to the modern electoral politics only from 1974 during the third election to the Nagaland Legislative Assembly.

The people of the erstwhile Tuensang district now known as the Eastern Nagaland, spearheaded by its public forum known as Eastern Nagaland People's Organisation (ENPO) is demanding a separate State to be carved out of Nagaland. The

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<sup>70</sup> Ezung E.T, Government of Nagaland: road to Progress, Information and Public Relation, Nagaland, Kohima, 2002, p.p.6-7

<sup>71</sup> Rahman Abdur, op.cit.p.162

<sup>72</sup> Ezung E.T, op.cit.p.7.

<sup>73</sup> Rahman Abdur, op.cit.p.162

ENPO has already submitted memoranda to the Prime Minister and the Union Home Minister demanding that the new state proposed be named "Frontier Nagaland."<sup>74</sup>

#### **3.18.4. The Third General Election**

The Third General Election was conducted on 12th, 14th and 16th February, 1974. With the allocation of the full quota of 20 seats to Tuensang district, the total strength of the Assembly was raised to 60. The two contesting Parties in the State, the NNO and the UDF secured 23 and 25 seats respectively. As none of them secured an absolute majority, it was left to the 12 Independent members to decide the fate of the Government. Eventually the United Democratic Front (UDF) formed the Govt. with the help of the Independents. Mr. Vizol became the fourth Chief Minister of Nagaland. His Ministry of 17 members was sworn-in on February 26, 1974 by the new and third Governor of Nagaland, Mr. L. P. Singh.<sup>75</sup>

It was during this period that the Shillong Accord was signed. Another event was the merging of the Naga Nationalist Organisation with the Indian National Congress.<sup>76</sup>

However, following grave political crisis in the State. President's Rule was imposed in Nagaland on March 22, 1975, the Assembly suspended and subsequently dissolved on May 22, 1975. Just before President's Rule, a short-lived Ministry headed

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<sup>74</sup> The Hindu, Daily News Paper, New Delhi, December 2010

<sup>75</sup> <http://Nagaland.nic.in>

<sup>76</sup> Iralu Easterine Kire, op.cit.p.183.

by J.B.Jasokie was sworn in on March 10, 1975 following the fall of Vizol's Ministry. Nagaland was under President's Rule for 32 months, so far the longest in the country.<sup>77</sup>

### 3.18.5. Fourth General Election

In the fourth General Election held on November 18, 1977, the UDF again won absolute majority with 35 seats in the House of 60. Mr. Vizol was elected Chief Minister for the second time and a 12 member Ministry headed by him was sworn-in on November 28, 1977 by the Governor L.P. Singh. Mr. S.C.Jamir became the first Deputy Chief Minister of Nagaland. Mr. K. Vitsonei was elected the Speaker.<sup>78</sup>

According to Easterine Iralu, 'For the first time in Nagaland, the post of a Deputy Chief Minister was created and S.C.Jamir became the Deputy Chief Minister. K.Vitsonei Angami was unanimously elected Speaker of the Nagaland Legislative Assembly. Co-ordinated development in the field of Agriculture, Animal Husbandary and Soil Conservation were given importance. Farmers were induced to take more to terrace cultivation than jhum cultivation. Thus an over-all development of Nagaland came about with the installation of the new Government, a policy which was to be adopted by later Governments.'<sup>79</sup>

Following yet another political crisis in April 1980, Mr. Vizol was replaced as the Chief Minister by Mr. S.C. Jamir heading a ULP Ministry. In the following June, a new NNDP Ministry headed by J.B. Jasokie had replaced the ULP Ministry. The NNDP Govt. headed by Mr.Jasokie remained in power till the next General Election in 1982.

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<sup>77</sup> <http://Nagaland.nic.in>

<sup>78</sup> <http://nagalandnic.in>

<sup>79</sup> Iralu Easterine Kire, op.cit.p.183.

### **3.18.6. Fifth General Election.**

Nagaland went to polls on November 10, 1982 to elect its Fifth Legislative Assembly. The ruling NNDP and Congress (I) both staked their claims for all seats. Besides there were 125 independent candidates in the fray contesting in 52 constituencies. The NNDP fought the election on the plank of peace, prosperity and 'Naga identity' while the Congress (I) thrust was to bring the people of this distributed state into the national mainstream. The NNDP and the congress (I) secured 24 each, and the independents rested with 12 seats.<sup>80</sup>

After the fifth General Election held on November 10, 1982, new Congress Govt. headed by Mr. S.C.Jamir was sworn in on November 17, 1982 by the new Governor Mr.S.M.H. Burney. However, Mr. Jamir had to step down from the Chief Ministership in favour of Mr. Hokishe Sema whose ministry was sworn in on October 29, 1986 by the Governor, Gen. K.V. Krishna Rao (retd).<sup>81</sup>

### **3.18.7. Sixth General Election.**

The Congress (I) had won absolute majority in the sixth General election held on November 18, 1987 with 34 seats in the 60 member house. The twenty-two member ministry headed by Mr. Hokishe Sema took office on November 22, 1987.<sup>82</sup>

The Hokishe Sema ministry was overtaken by a serious political crisis when 13 members from the ruling Cong (I) party left the party and formed a new party called

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<sup>80</sup> R.P.Singh in Dutta R.P (Ed); Electoral Politics in North east India, Omson Publications, Delhi, 1986, p.186

<sup>81</sup> <http://Nagaland.nic.in>

<sup>82</sup> <http://Nagaland.nic.in>

Congress (Regional) Nagaland. In a swift development, four independent MLAs out of 7, who earlier extended their support to the ministry, withdrew it reducing the Sema Ministry into a minority. The Speaker Mr.C.Chongshen, on strict compliance of the provision of the Anti-Defection Act decreed on 30<sup>th</sup> July that the break in the Congress (I) party constituted a "SPLIT" making the break-away members immune to the penal provision of the Anti-Defection Act. This ruling of the Speaker raised a stormy debate in both state and national level. There has been a very intense deliberation through the press on the issue and most of the political analysts, legal luminaries and constitutional experts concurred with this remarkable decision of the Speaker on the said "SPLIT". Yet in another swift sequence of events, the opposition NNDP joined the new Congress (Regional) Nagaland and with the four independent members together formed a new political party called the Nagaland People's Council (NPC). This development ultimately led to the dissolution of the House, and imposition of President's Rule in the state on 7<sup>th</sup> August, 1988. Thus the 6<sup>th</sup> Nagaland Legislative Assembly died a premature death.<sup>83</sup>

### **3.18.8. Seventh General Election.**

In the 7<sup>th</sup> general Election to the Nagaland Assembly, the Nagaland People's Party (NPP) filed only 12 candidates. There were only 12 independent candidates. The Indian National Congress and the Nagaland People's Council (NPC) contested all the 60 seats...Electioneering and elections were therefore very actively canvassed and keenly contested between the Nagaland People's Council and the Indian National Congress.<sup>84</sup>

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<sup>83</sup> Zhangulie(Ed); 25 years of Nagaland Legislative Assembly, Nagaland Legislative Assembly Secretariat, Kohima, 1989, pp.7-8.

<sup>84</sup> Report on the Seventh General Election to the Nagaland legislative Assembly 1988-89, published by the

It was held in January, 1989. The Congress (I) party was voted to power again with 36 members winning the election on Congress (I) ticket. A 16 member Council of Ministers under the leadership of Shri.S.C.Jamir assumed the office on 25<sup>th</sup> January 1989.<sup>85</sup> He was given an oath of office by the Governor, Gen. K.V. Krishna Rao (Retd).<sup>86</sup>

In May 1990 with the fall of S.C. Jamir's ministry Mr. K.L. Chishi was installed as the new Chief Minister on 16<sup>th</sup> May 1990. However, the ULF ministry led by Mr. K.L. Chishi was short lived as it fell after a little over a month in the middle of June, 1990, to usher in the Joint Legislature Party (JLP) ministry with Mr. Vamuzo as Chief Minister of Nagaland. It virtually left no opposition in the Assembly, as JLP was coalition of both Congress and NPC. Mr. Vamuzo was sworn in as Chief Minister on 19<sup>th</sup> June 1990, by the new Governor, Dr. M. M. Thomas.<sup>87</sup>

The JLP ministry, however, came to an end when all the Congress (I) minister resigned on 4<sup>th</sup> December, 1990. Mr. Vamuzo could form another ministry with the induction of twelve more Minister on 6<sup>th</sup> December, 1990. But on 27<sup>th</sup> March, 1992, the state Governor, Dr.M.M. Thomas, dissolved the state legislative Assembly on the recommendation of the Chief Minister, Mr. Vamuzo. On 2<sup>nd</sup> April 1992, President's rule was imposed in Nagaland.<sup>88</sup>

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Chief Electoral Officer, Nagaland, Kohima, p.7.

<sup>85</sup> Zhangulic(Ed), op.cit.p.8.

<sup>86</sup> <http://nagaland.nic.in>

<sup>87</sup> Ibid

<sup>88</sup> Op.cit

### 3.18.9. The Eight General Election

The Eight General election was conducted on 15<sup>th</sup> February 1993. The new Congress Government headed by Mr.S.C. Jamir assumed the reign of administration in the state on 22<sup>nd</sup>, 1993. It had an absolute majority of 35 seats in the house of 60 members.<sup>89</sup> However this election is not free from criticism. One critic pointed out that from 1993 election onward a new system of selecting 'village candidate' came into the scene of Naga electoral politics.<sup>90</sup> In other words, from that election onward each village started nominating a candidate from their village.

The present system of election does not permit a free and fair election in the state. The candidates' ulterior motive to rule the state in order to pursue their economic interests drives them to use any available force in contesting the election. They do not consider the mandate of the people...Some of them even hire a faction of Naga nationalists to threaten the opposition party candidate and prevent the supporter from exercising their franchise... who opened fire in the morning threatening the electorate. As a result his party workers captured the booth and voted for him.<sup>91</sup> C.P.Bhambri also supplements the above statement when he says:

*A deep crisis is confronting our democratic system as things have come to such a pass that we cannot hold elections without involving the paramilitary forces of the central and state government. The mid February 1993 assembly elections in*

<sup>89</sup> Ezung E.T, Government of Nagaland: Road to Progress, Information and Public Relation, Nagaland, Kohima, 2002, p.10

<sup>90</sup> Longkumer Lima, A Social and theological analysis of power conflict between traditional and new form of politics in Nagaland, with reference to alternative political model, unpublished BD thesis, ETC, Jorhat, Assam, 1995, P.32

<sup>91</sup> Wezah Yiepetso, Prospects of Decentralized Government in Nagaland, ISPCK, Delhi, 2004, p.94.

*Tripura, Meghalaya and Nagaland were accompanied by violence, compelling the central Election Commission to strengthen the police forces.*<sup>92</sup>

However, inspite of criticism S.C.Jamir's ministry succeeded in providing a stable government, for it lasted its full term.

### **3.18.10. Ninth General Election.**

In fact the ninth General election in Nagaland was not a smooth sail. It was the period after the signing of the Ceasefire between the Government of India and the National Socialist Council of Nagalim (NSCN-IM) on July 31, 1997. Naga people were more desirous of the settlement of the Naga problems than the holding of election. The people of Nagaland thus came out with the slogan '*We want Solution not Election*'. And so the Naga Hoho Summit in its meeting held on December 18, 1997 passed the resolutions to urge the Government of India not to hold the forth coming election in the Naga areas and also to call upon all the Naga citizens not to participate in that election. Some of their resolutions are quoted below:

1. Resolved to urge the Government of India not to hold election in all the Naga inhabited areas and further resolved to refrain from participation even if elections are called for.
2. Resolved that on the announcement of the Government of India for withholding election in all the Naga areas even if election is called for, all the Naga MLAs and MPs in all the Naga areas.<sup>93</sup>

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<sup>92</sup> Bhambhri C.P, Politics in India 1992-93, Shiprs Publications, Delhi, 1993,p.29.



The Non Governmental Organisations from all over Naga inhabited areas further resolved in their subsequent meeting that those who participate in the said election would be declared Anti-Naga and that no political parties would be allowed to open their office or display their election flags, banners, posters etc. The Nagaland People's Council (NPC), National Democratic Movement (NDM) adhered to the resolution of the Naga Hoho Summit. However in spite of the boycott call given by the Naga people the election for the Ninth Nagaland Legislative Assembly was fixed to be held on February 23, 1998.<sup>94</sup> The Congress parties and few independent candidates defied the resolutions of the Naga Hoho Summit. Election was, therefore, held as scheduled.

Once again the Congress Ministry was installed on 5<sup>th</sup>, March 1998, after winning absolute majority in the Ninth General Election. 43 Congress members returned unopposed while in 17 Assembly constituencies where election was conducted the congress won 10 seats and independent candidates won the remaining seats. The other political parties boycotted the General Election.<sup>95</sup>

As the Congress government came to power without opposition, it was often termed as a dictatorial government by many critics. And as there was no opposition in the government it carried out many of its plans and programmes without much opposition. However, on certain issues particularly to those issues pertaining to the Naga cause Naga Hoho and Naga Students' Federation gave stiff confrontation to the government. One notable example is against the publication of the Nagaland Pradesh

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<sup>93</sup> Why Nagas Want Solution Not Election, published by Naga Hoho Summit & NGOs, Naga Club Kohima, 1998, p.1.

<sup>94</sup> Ibid.p.2

<sup>95</sup> <http://Nagaland.nic.in>

Congress Committee(NPCC)'s booklet, 'Bedrock of Naga Society'. That particular booklet justified the controversial 16 Point Agreement which led to the formation of Nagaland state. It also repudiated the Naga concept of sovereignty<sup>96</sup>. The Naga Students' Federation (NSF) published the booklet, 'The Naga Foundation' to counter the booklet of the NPCC and also to justify the cause of the Nagas<sup>97</sup>.

According to the party Manifesto published by the Nagaland People's Front published for the 2003 election, 'Congress gained abnormal power in the 9<sup>th</sup> NLA while other political parties had abstained from contesting the election under the slogan of solution not election. The un-mandated power was used to dictate terms against the aspiration of Nagas.'<sup>98</sup>

### **3.18.11. Tenth General Election.**

The Tenth General Elections in Nagaland for the composition of the Nagaland Legislative Assembly which were held on 26<sup>th</sup> February, 2003 when peace talks between the leaders of the NSCN (IM) and the Government of India was in the peace process at New Delhi. Muivah and Isak had already declared that their group would not interfere in the election schedule. It was expected that the elections would be peaceful, free and fair in the absence of the interference of the undergrounds. But the picture, which emerged during the election period, tells different story. Several cases of violence were reported from different polling stations. Cases of capturing, polling booth and destroying the

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<sup>96</sup> Bedrock of Naga Society, published by SC Jamir President, Nagaland Pradesh Congress Committee, 2000.

<sup>97</sup> The Naga Foundation: Towards fulfillment of a people's unwavering aspiration, Naga Students' Federation, Oking, 2002.

<sup>98</sup> Election Manifesto of Nagaland People's Front, 2003,p.1.

electronic voting machines, which were first used in the state, The use of money and muscle power has highly influenced the voting. The number of political parties, which took part in the election, has increased with the appearance of several national political parties, like the Bharatiya Janata Party (BJP), Janata Dal (U) (JD), Samata Party etc.<sup>99</sup>

The opposition attacked the preceding Congress government particularly for the publication of the booklet, 'Bedrock of Naga Society'<sup>100</sup>. It states that 'NPF along with other Nagas condemn the political stand ostensibly conveyed in the NPCC booklet-Bedrock of Naga Society... The NPF stands in this election to reject the NPCC booklet-Bedrock of Naga Society. The booklet being authored by a political party, it can be rejected through people's mandate to set record straight for the present and future reference.'<sup>101</sup> It is true that Congress party dug its own grave by the publication of the booklet.

The notable feature of the Tenth General Elections of the state is that the decade-rule of the Congress came to an end paving the way for the opposition parties to come in power. The NPF, though lacked the clear majority, it reached to the crown by formulating coalition with other like-minded political parties and independent

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<sup>99</sup> Singh Chandrika, op.cit.p.200.

<sup>100</sup> The book, 'Bedrock of Naga Society' was published by the Nagaland Pradesh Congress in 2000. It was alleged that the book repudiated the Naga concept of sovereignty and glorified the 16 point agreement signed between the Government of India and the Naga People's Convention that gave birth to the present state of Nagaland as the 16<sup>th</sup> state under the Indian union. It book states that 'Nagas can do without that bloody sovereignty if it means pulling the society back by hundred, if not thousands of years in terms of social evolution.'

<sup>101</sup> Election Manifesto of Nagaland People's Front, 2003,p.2.

candidates.<sup>102</sup> Of course the coalition was a pre-poll alliance with a clear Common Minimum Programme that says:

*What has necessitated the creation of this Democratic Alliance of Nagaland (DAN)? The reason for the formation of the alliance is to secure solution to the Naga political problem and to bring a Change in the state by removing the Congress Government which has become stumbling block. The autocratic and family misrule of the last two decades has only encouraged division and disharmony among the people. Rampant corruption in the government has brought developmental activities to a halt. Today the wealth is concentrated in the hands of few individuals at the cost of common people. The forth coming Assembly election finally gives long-awaited opportunity to put an end to an era of political negativism, uncertainty and arbitrary rule in the state.*<sup>103</sup>

Thus the 28 Member Democratic Alliance of Nagaland (DAN) ministry headed by Neiphiu Rio, leader of the NPF was sworn in at Raj Bhavan on 6<sup>th</sup> March 2003 bringing to an end the decade old Congress regime in Nagaland. Governor Shymal Dutta administered the oath of office and secrecy to Rio and other ministers at a simple function. The ministry which has the support of 38 members in the 60 member-House, comprised of all the DAN constituents-NPF,BJP,NDM,JD(U) and the Samata Party including four independent members. The ministry of Rio comprises of 22 ministers of

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<sup>102</sup> Singh Chandrika, op.cit.p.205

<sup>103</sup> General Election Common Programme of the Democratic Alliance of Nagaland (DAN) 2003,p.1.

cabinet rank and 6 ministers of state. Of the cabinet ministers 10 are from NPF, 3 from BJP, 2 each from JD (U) and NDM and four independents.<sup>104</sup>

However, the DAN government could not complete its full term. Just two months before the completion of its term President's rule was imposed in the state on January 03, 2008 as some members from the ministry defected to the Congress.<sup>105</sup> The centre finally took this decision after prolong political crisis. Nevertheless both the centre and the Congress party of Nagaland have been severely criticized for bringing instability and ultimately the President's rule in the state. According to its Election Manifesto, the Nagaland People's Front (NPF) sought the mandate of the people to help them to solve the 73 years old aspiration and fifty years struggle of the Naga people, but inspite of the mandate given to them by the people, the NPF could not bring any solution and the Naga political problem still persists.<sup>106</sup>

### **3.18.12. Eleventh General Election.**

The eleventh General election to the Nagaland Legislative Assembly was held in the month of March 2008. The Democratic Alliance of Nagaland (DAN), a pre-poll alliance of regional and national political parties came into power for the second time in succession in March 2008. According to the booklet released by the Department of Information and Public Relation, the electoral victory is an endorsement by the people of

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<sup>104</sup> Singh Chandrika, op.cit.pp.205-06

<sup>105</sup> Nagaland Post Jan.04, 2008.

<sup>106</sup> Election manifesto of Nagaland People's Front 2003, p.9.

Nagaland for the policies and programmes, as well as the performance of DAN during their first tenure.<sup>107</sup>

One of the salient features of the 11<sup>th</sup> Nagaland Legislative Assembly was the launch of paper wars by the political parties. Some political parties charged their opponent for the use of bureaucrats and state police force;<sup>108</sup> Some individuals attack the village councils of Nagaland for selecting and supporting a particular candidate;<sup>109</sup> Some writers brought the issue of Nagaland political solution and integration of Naga areas.<sup>110</sup>

Patricia Mukhim commented on the election in Nagaland that, 'There are several instances where the village council arbitrarily decides which candidate to vote for'<sup>111</sup>. The editorial column of the Nagaland Post on October 27, 2007 gave a critical remark on the involvement of armed elements during election.<sup>112</sup>

Another feature of the 2008 election was the introduction of many political parties from India. The editorial of the Nagaland Post gave a critical account on the trend of bringing different political parties which do not have any relevance in the context of Nagaland. It summed up:

*'There is freedom of choice but it would have been wise to check the nature and ideologies of the parties so as to maintain some balance between opportunism and idealism.'*

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<sup>107</sup> 1 Year of DAN's 2<sup>nd</sup> Ministry, A record of Achievements, published by the directorate of Information and public relation, Govt. of Nagaland, Kohima, 2009.I

<sup>108</sup> Nagaland Post Oct.31, 2007

<sup>109</sup> Nagaland Post January 01, 2008

<sup>110</sup> Nagaland Post September 22, 2007.

<sup>111</sup> Nagaland Post November 13, 2007. Patricia Mukhim is a renown journalist in North East India

<sup>112</sup> Nagaland Post October 27, 2007.

The Nagaland Baptist Church Council also through a press release called for the conduct of free, fair, just and accountable election in Nagaland.<sup>113</sup>

The DAN government of the 11<sup>th</sup> Nagaland Legislative Assembly has 11 Ministers and 13 Parliamentary Secretaries headed by Neiphiu Rio as the chief minister. The government held its Thanks giving function for the completion of 2<sup>nd</sup> year of rule on March 11, 2010 where the Chief Minister Neiphiu Rio termed the occasion as;

*'Moment for self retrospection with a view to correct our mistakes and to rededicate ourselves in the service of the people.'*<sup>114</sup>

### **3.19. Trend of Electoral politics in Nagaland:**

Democracy is not a mere ritual. It symbolizes the freedom of the citizens of a country to choose, without fear, the representatives in whose hands they are willing to entrust governance as well as administration. The freedom of expression and of participation is not symbolic. They are real. Consequently, democratic stability hinges on the faith and trust of the people and the popular governments they put into a position of power are representatives of that faith<sup>115</sup>

In a Parliamentary Democracy, the study of election is very important. Election study in a broader context provides an opportunity to observe the behaviour of political actors and functioning of party organizations and to examine their influence on ordinary citizens. At one level, politicians are engaged in continuous struggle for electoral support

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<sup>113</sup> Nagaland Post January 15, 2008.

<sup>114</sup> Nagaland Post March 12, 2010

<sup>115</sup> Jeevan Nair, U.C.Jain; Electoral System in India, Pointer Publishers, Jaipur, 2000, p.73

while at the extreme end each citizen possesses a vote to give or withhold as one chooses.<sup>116</sup>

The analysis of electoral behaviour began in France in 1913 in the United States in the inter-War period and in the post war period in Britain. The series of electoral studies have made valuable contribution to our knowledge on the institution of election.<sup>117</sup>

According to Jeevan Nair, U.C.Jain, a question may be raised as to what is a General election in Great Britain. One answer commonly given is that "it is a plebiscite of the whole nation to decide which of the two shall be Prime minister and which of the two parties shall hold office for the next five years."<sup>118</sup>

According to Avnindra Kumar Verma, Democracy means rule of representatives. In a democracy, the ruling authority is not inherited. It is a system of government in which people elect their representatives through voting.<sup>119</sup> According to S.K.Chaube, 'electoral politics is the politics of bargain and compromise.'<sup>120</sup> Elections are the foundation-stone of any democracy... The ex-President APJ Abdul Kalam in fact called 'voting' a 'Sacred Mission.'<sup>121</sup>

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<sup>116</sup> Sema John H, Traditional and Modern political Institutions of Sumi Naga, unpublished Ph.D Thesis, NEHU, Shillong, 2001, p.108.

<sup>117</sup> Nair Jeevan, U.C.Jain, Electoral System in India, Pointer Publishers, Jaipur, 2000, p.75

<sup>118</sup> Ibid. p.77

<sup>119</sup> Verma Avnindra Kumar, Political Science, VK India Enterprises, Delhi, 2009, p.37

<sup>120</sup> Chaube S.K, Electoral Politics in Nirth east India, University Press, Delhi, 1985, cover page.

<sup>121</sup> Editorial Column, Yojana, January 2009, p.3.



As a generally concept, politics is defined as 'the art or science of directing and administrating states or other political units.... Modern mainstream view might be: politics applies only to human beings, or at least to those beings which can communicate symbolically and thus make statements, invoke principles, argue, and disagree about the distribution of reasons and have at least some procedures for the resolution of such disagreements.<sup>122</sup> The Oxford Dictionary defines election as 'choice, selection, voting, ballot, plebiscite, poll, referendum and vote.'<sup>123</sup> Thus based on these definitions and in the context of Nagaland, one can define electoral politics as the system, method, practices or tactics involved in electing the members to the Parliament or the State Legislatures.

It is said that even Jawaharlal Nehru doubted if the system of election could be applied to the Nagas.<sup>124</sup> According to R.P.Singh, 'In Nagaland regular elections have been held since 1964 on the pattern followed in the rest of the country. The first three General elections of 1952, 1957 and 1962 could not be organized in the state due to insurgency and violence. But once the people participated in the elections in 1964, an era of electoral politics dawned over the state.'<sup>125</sup>

During 1964 election people's participation was very poor and did not pay much interest in party politics. People were ignorant; as such the candidates also did not face much problem and did not spend money for the voter. There were free and fair elections

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<sup>122</sup> Mclean Iain and Alistair Mcmillan, Oxford concise Dictionary of Politics, Oxford press, 2003, p.p.422-423.

<sup>123</sup> Julia Elliott, Oxford Dictionary & Thesaurus, Oxford University Press,, New York, 2001.P.239

<sup>124</sup> Kongkumer Lima, op.cit.,p.31.

<sup>125</sup> R.P Singh in Dutta P.S Electoral Politics in North east India, Omson Publications, New Delhi, 1986,179.

all over Nagaland.<sup>126</sup> Lima Longkumer also affirms the statement when he says, '1964, the first election was a true process...where almost all the citizens took part with a desire to create a better Nagaland.'<sup>127</sup>

Then in 1969, during the second General election the atmosphere was changed. Though the voters did not take any money, the candidates and the party workers deeply involved in door to door canvassing. They published their manifestoes and made empty promises to win over the voters. Of course, voters also gave more attention to party politics than before. However, there was not much corruption at this stage.<sup>128</sup> In 1969 different party system emerged and instituted party camp.<sup>129</sup>

It was in the third election in 1974 the real corruption started. All the candidates started to distribute money, wine and clothes. When the candidate and agents introduced such evil practices among the people, even the innocent people became corrupted. In this way the Nagas began to sell their integrity.<sup>130</sup>

The 1977 election introduced the element of violence and 'coup culture' in Nagaland. The level of corruption also increased. They began to coup the polling booths of the village and violence erupted in many constituencies. As the evil practices increased the expenditure of election also multiplied. The free and fair election was wiped out from the face of Nagaland.<sup>131</sup>

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<sup>126</sup> Tsuktimeren, An Analysis of 1987 Nagaland State General election in the light of Jesus' view on politics, unpublished BD Thesis, ETC, Jorhat, 1989,p.43

<sup>127</sup> Longkumer Lima, op.cit.p.32.

<sup>128</sup> Tsuktimeren, op.cit.p.43

<sup>129</sup> Longkumer Lima, op.cit.p.32.

<sup>130</sup> Tsuktimeren, op.cit.p.43

<sup>131</sup> Ibid.p.43

The corruption level went further during the fifth General election in 1982. During this election in some constituencies bogus voters were added in the electoral roll and the total number of voters increased more than the actual. Thousands of non local people were brought from other states by the candidates and they were given voting right. According to Tsuktimeren, during 1982 election, in some churches the candidates were allowed to preach in the church, who delivered the message with political tone defying the sanctity of the church.<sup>132</sup>

The 1987 election is described as the costliest state election in the nation's history (at that point of time).<sup>133</sup> By this time the corruption reached its climax in Nagaland. Besides the use of money, wine and clothes, the candidates provided arms and ammunition to the canvassers and the party men. Thus the expenditure of the candidates ranges from Rs.40 lakhs to one crore. Many people were killed. Many houses were burnt, if not completely ransacked. In some villages the citizens were expelled, because they refused to join the majority party. Instead of hearing the sound of prayer, there were sounds of guns and bombs. Naga people have experienced a bitter life in 1987 election. Enmity and division got rooted deeply in the society.<sup>134</sup>

In the modern Indian democratic system of election in Nagaland, each individual has his or her own vested interest. For example; for common people, they claim their share from their candidates. After which their politicians will recover their expenses. For the politicians, they spend as much as they could, it is said even up to the cost of their

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<sup>132</sup> Ibid.p.44

<sup>133</sup> Longkumer Lima, op.cit.p.32.

<sup>134</sup> Tsuktimeren, op.cit.pp.44-45.

lives; after which for five years the legislator would do whatever he/she likes. Public leaders and party workers would aim mainly for their own personal gain.<sup>135</sup>

Election to the seventh Nagaland legislative Assembly was held in January 1989. This election was necessitated before the completion of the term due to the defection in the ministry of Hokishe Sema. According to Dr. Wati Aier, 'during the last Nagaland general election held in January 1989, where an individual's voting rights guaranteed in the Indian Constitution were savagely snatched by few. A few hog-wash explanations may be sounded for justification, as it was done, but those are totally unacceptable. Moreover no person in the right frame of mind will ever buy such nonsense.'<sup>136</sup> This statement points to the fact that this election too was not free from mal-practices.

1993 election introduced a new trend of selecting a candidate for the election by each village. Lima Longkumer calls it 'village candidate system.'<sup>137</sup> This view is also supplemented by the under-mentioned statement:

*It can be noted that under the present electoral system, it is very difficult for a small village to elect an MLA (legislator), no matter how efficient their candidate may be. Under the present system, an individual has no freedom to exercise his franchise. The village councils take the decision as to who should be the candidate and whom to vote. The citizens are just to abide by the decision of the village council. Those who fail to abide by the decision of the village council are even excommunicated from the village. One must understand that in Nagaland if*

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<sup>135</sup> Longkumer Lima, op.cit.p.32.

<sup>136</sup> Aier Wati, A Cry from the Rice fields, Universal printers, Dimapur, 1989, P.P.27-28.

<sup>137</sup> Longkumer Lima, op.cit.P.32

*any individual's citizenship is lost in his/her native village then he or she becomes a social outcaste.*<sup>138</sup>

The above statement is supported by the response to the questionnaire in Table 3 given below; where only 45% of the respondents replied that they cast their vote during election. The remaining 50% of them do not cast their vote and 5% of them tend to remain silent on the issue.

**Table 3: Do you cast your vote in the election?**

	<b>No of respondent</b>	<b>Percentage of respondent</b>
Yes	27	45%
No	30	50%
Can't say	03	05%

During this election some of the candidates even hired a faction of Naga Nationalists (underground) to threaten the opposition party candidate and prevent the supporter from exercising their franchise.<sup>139</sup> Thus, the involvement of underground element in the poll process was one of the features of the eight General elections in Nagaland.

<sup>138</sup> Phom henshet B, Naga Concern, Reflection on Society, Religion, Culture and Politics, Longleng, Nagaland, 2009, p.p.14-15.

<sup>139</sup> Wezah Yiepetso, Prospects of Decentralized Government in Nagaland, ISPCCK, Delhi, 2004, p.94.

Electoral politics in Nagaland took a new twist during the ninth General election in 1998, when the Frontal Naga tribal organization, Naga Hoho gave the slogan '*We want Solution not Election*' and called for boycotting the election so as to pave the way for the early solution of the Indo-Naga political conflict. However, the Congress party and some independent candidates defied the order of the tribal body. As a result Congress party came to power.<sup>140</sup>

The notable features of the 2003 General election in Nagaland were the intensification of the coalition party politics. Because various political parties like Nagaland People's Front (NPF), Bharatiya Janata Party (BJP), Nagaland Democratic Movement (NDM) and Janata Dal United (JD-U) formed a coalition to oust the Congress government. The coalition had the backing of the National Democratic Alliance (NDA) headed by the BJP which was in power in the centre. It was also marked by the anti-incumbency politics, which was launched mainly against the then Chief Minister S.C. Jamir. It was also alleged that the underground elements also had their roles in the poll process.<sup>141</sup>

During the 11<sup>th</sup> Nagaland Legislative Assembly intense paper wars have been fought between various candidates and political parties. Newspapers have been used as the poll weapons. Some writers also brought the issue of Nagaland political solution and integration of Naga areas.<sup>142</sup> Another feature of the 2008 election was the trend of bringing different national political parties which do not have any relevance in the

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<sup>140</sup> The Naga Foundation, published by the Naga Students' Federation, Oking, September 20, 2002, P.13

<sup>141</sup> Singh Chandrika, op.cit.p.200.

<sup>142</sup> Nagaland Post September 22, 2007.

context of Nagaland. While the opposition charged the NPF of corruption during their last term in power, the NPF harped upon their achievements and better performance.<sup>143</sup>

In an interview to the researcher, Mr.B.Mane Noklang shared that during the early years of electoral history in Nagaland, patriotic feelings were very strong. It was believed that NNO was a Congress alliance, as such it is Indian based. Thus Naga patriots would vote for the United Front or United Democratic Front which is a regional party. They were believed to be fighting for the cause of the Nagas. Regional party made their campaign by singing patriotic songs rousing nationalist feeling among the Nagas. One of these songs in Ao Naga dialect goes like this (English translation):

*Rise up for your nation, stand up for your motherland;*

*March on! Let us keep the faith; March on for our motherland.<sup>144</sup>*

According to B.Mane Noklang during the 1970s and the early 1980s candidates would distribute salt, money and blankets to woo the voters. Youth rally would be held in their constituency headquarters where truck loads of party members would be brought from different villages to demonstrate their voting strength. As rural people were very simple during those days just by seeing the strength of the voters demonstrated, public could easily assume who could be the winner. Thus, they would also switch over their

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<sup>143</sup> Nagaland Post, Friday February 15, 2008,p.4.

<sup>144</sup> Noklang Mane B, interviewed on March 01, 2010 at Longleng. He is a prominent Social worker in Longleng District.

allegiance to the candidate who is likely to be the winner, if they want to be in the winning party.<sup>145</sup>

In an interview to the researcher Mr.Nyei-e Konyak said that as per his observation, the electoral trend under Mon and Longleng districts are almost same. It is not free from the influence of money and muscle powers<sup>146</sup>. On the other hand Mr.Wapang Longkumer says that the electoral trend in Mokokchung district is worse than Longleng. He says that during election even young boys would be seen with small arms and liquor bottles which is not very common under Longleng district.<sup>147</sup>

According to Yiepetso Wezah, in a democratic state, the electors are given the freedom to elect their leaders according to their choice. But in the context of Nagaland, the political parties in their fight for power have affected the economy and the social, religious and moral life of the people.<sup>148</sup>

**Table 4: Do you agree that money and muscle power play a big role in the modern election system?**

	No. of respondent	Percentage of respondent
Yes	54	90%
No	06	10%
Can't say	00	00%

<sup>145</sup> ibid

<sup>146</sup> Konyak Nyei-e in an interview to the researcher

<sup>147</sup> Longkumer Wapang in an interview to the researcher on May 05, 2010.

<sup>148</sup> Wezah Yiepetso, Prospects of Decentralized Government in Nagaland, ISPCK, Delhi, 2004, p.46.



According to Table 4, out of 60 respondents to the questionnaire, 90% of them agree that money and muscle power play a big role in the modern election system in Nagaland. According to them, during election candidates distribute money and items like clothes, shirts, CGI sheets roofing, liquor and so on. They also cited the involvement of underground elements, capturing of polling booths, proxy voting by the powerful party etc as the common features of the modern electoral trend in Nagaland.<sup>149</sup>

Thus, based on the preceding discussions it can be summed up that the electoral politics is going through a negative trend in Nagaland.

### **3.20. Electoral trend in Phom area (Now Longleng District):**

When the first General Election to the Nagaland Legislative was held in 1964, as per the provisions of the State of Nagaland Act 1962, forty Members of the Nagaland Legislative Assembly were elected by the people of Kohima and Mokokchung districts, whereas six MLAs were chosen from Tuensang district by the Tuensang District Regional Council. Of these six members, none was from the Phom community. As in 1964, elections were held only in Kohima and Mokokchung district during the second State Legislative Assembly Election of 1969, when forty MLAs were elected from these two districts. This time the number of seats for Tuensang district was fixed at twelve and the Tuensang District Regional Council sent by consensus all the twelve members to the State Legislative Assembly. There was complete absence of party politics. Of the twelve members, two hailed from the Phom areas, viz. Oditemba Phom of Yachem village and Thanglong Konyak of Tamlu village. Soon after becoming MLAs both Oditemba and

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<sup>149</sup> This passage is based on the views expressed by different respondents to the questionnaire

Thanglong joined the Naga Nationalist Organisation (NNO), a political party which came to power in Nagaland.<sup>150</sup>

Unlike the earlier elections, the election of 1974 was held in the entire state of Nagaland including the Tuensang area. Thus, after a period of ten years since the first election in state in 1964, Tuensang area was brought under the electoral map of Nagaland. The Delimitation Act, 1972 fixed sixty territorial constituencies for the purpose of holding election, including two for the Phom areas: 49 Tamlu Assembly constituency and 50 Longleng Assembly Constituency.<sup>151</sup>

Some of the MLAs from the Tamlu and the Longleng Assembly Constituencies, namely N.Metpong Phom, Bangjak Phom, Chenlom Phom, Bukchem Phom and B.Phongshak Phom held important portfolios in the ministries formed in the state from time to time. Chenlom Phom was appointed Deputy Speaker and thereafter the Speaker of Nagaland legislative Assembly in 1987.<sup>152</sup> Presently P.Dako Phom representing 49 Tamlu Assembly Constituency holds the position of Parliamentary Secretary, transport and Communication & Mechanical while S.Pangnyu from 50 Assembly Constituency is holding the position of Parliamentary Secretary, Rural Development & Rural Employment and Poverty Allevation.

A remarkable feature of the election process in the Phom area is that the people have been giving more importance to the candidates than the parties to which they were affiliated. Defection has always been a practice; a candidate winning the election as an

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<sup>150</sup> Rahman Abdur, op.cit.p.163.

<sup>151</sup> Ibid.p.163.

<sup>152</sup> Murry K.C, Naga Legislative Assembly and its Speakers, A Mittal Publication,2007,pp.163-64.

independent or on the ticket of one party has no inhibition to switch his loyalty in favour of another party whenever an opportunity arrives. This is done either in the interest of the community he represents or for personal gain. No wonder, the Phom MLAs in the legislature have shown a tendency to be on the side of the party in power. Consequently, no political party succeeded to have a foothold in the Phom areas in the last forty years.<sup>153</sup>

When the Assembly election approaches a festive atmosphere is witnessed among the people. During election the villagers get themselves into several groups in support of their candidates and each group enjoys feasts thrown by their candidates. The candidates fielded in the election fray are seen holding meetings to woo the voters. In some cases camps were opened at all important villages where supporters of the candidates are entertained with food and drink for several days.<sup>154</sup>

From the very beginning the Village Councils of the Phom areas have been taking an important part in elections. On the eve of election the members of the Village Council hold meeting with a view to take opinions of the people and also to study the situations and to take decision to whom to support or how to divide votes among different candidates. Likewise, when an eminent Phom leader decides to contest an election, the Village Council to which he originally belongs canvasses for him in the election.<sup>155</sup>

In some villages, individuals who defied the decision of the village councils have been banished from the village. On the eve of election, village gates are seen fortified

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<sup>153</sup> Rahman Abdur, op.cit.p.165.

<sup>154</sup> Ibid.pp.166-67.

<sup>155</sup> Ibid.p.166.

with sharp bamboos and village youths keep strict vigil so that no person from the opponent party sneak into the village. Villages who are fielding the candidate for the election do not even allow the candidates from other parties to visit the village to campaign. Another electoral trend in Phom area is that during Assembly election people gives importance to the individual (candidate) but during the election to the Parliament people support the party who are in power in the state.<sup>156</sup>

### **3.21. President's Rule in Nagaland.**

Just in a span of 46 years of its electoral history, President's rule had been imposed four times in Nagaland: 1975, 1988, 1992 and 2008. The President's rule imposed in 1975 lasted for 32 months which is recorded as the longest President's rule in the history of the Indian republic.<sup>157</sup> This points to the fact that defection and instability have been the general features of the Nagaland Legislative Assembly.

President's rule is imposed based on Article 356 of the Indian Constitution during the failure of the constitutional machinery in the state. The President's rule may be declared for a period of 2 months to the maximum period of three years.<sup>158</sup>

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<sup>156</sup> Experienced by the researcher himself during visit to the villages during the Assembly General Election in 2008.

<sup>157</sup> Ezung E.T, Government of Nagaland: Road to Progress, Information and Public Relation, Nagaland, Kohima, 2002, p.8.

<sup>158</sup> Phull D.S, The Constitution of India, Bright Career institute, Delhi, 2002,pp.50-51.

**Conclusion:**

From the foregoing discussions it can be summarized that with the dawn of an era of modern electoral system from 1964 onward, Nagaland has witnessed ups and downs in its electoral history. Thus every feature of the modern electoral system has also crept into the Naga politics. Corruption, defection, coalition politics, influence of muscle-power or money-power, intrusion of national parties in the state politics etc have become very much a part of the electoral politics in Nagaland. The detail analysis and comparative studies between the traditional and modern electoral system in Nagaland will be done in the next chapter.

## **CHAPTER FOUR**

### **THE COMPARATIVE ANALYSIS OF THE TRADITIONAL AND MODERN ELECTORAL SYSTEM IN NAGALAND**

**CHAPTER IV**  
**THE COMPARATIVE ANALYSIS OF THE TRADITIONAL AND MODERN**  
**ELECTORAL SYSTEM IN NAGALAND.**

**Introduction:**

A popular term for changes brought about in a non-Western country by contact, direct or indirect, with a Western country is Modernization. According to Daniel Lerner, Modernization includes a disquieting positivist spirit touching public institutions as well as private aspirations. Modernization is also marked by increasing urbanization which has in turn resulted in the spread of literacy...media exposure and finally enhanced media exposure is associated with wider economic participation and political participation. Modernization also implies social mobility.<sup>1</sup>

According to the Oxford Advanced Learner's Dictionary, the term 'Tradition' means the passing of beliefs or customs from one generation to the next...a belief or custom passed on this way; any established method, practice etc...It is referred to the practice according to or being tradition. On the other hand the term 'modern' is referred to the attitude of the present or recent times. Therefore, in this study, the term traditional electoral system of the Nagas will mean the conventional electoral system practised by the Nagas before the introduction of the modern electoral system. And the modern electoral system will mean the electoral practices of the present or recent time.<sup>2</sup> Thus, in this chapter a comparative study of the traditional and modern electoral systems in

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<sup>1</sup> Srinivas M.N, Social Change in Modern India, Orient Longman, New Delhi, 1995.p.53.

<sup>2</sup> Oxford Advanced Learners' Dictionary.

Nagaland will be done. It will also try to evaluate the relevance of both of the systems in today's context.

According to Hokishe Sema, the traditional Naga society has been democratic from the very beginning. It is casteless and classless. The untouchables are non-existent and unknown in Naga society. Among the numerous Naga tribes, the political power rests with the people. It is republic in character in most of Naga tribal societies. There are few exceptions; notable of them are the Konyak and the Sema tribes. The Konyaks have Angh (the sovereign). The Angh of Mon and Chui have many villages with smaller Anghs under them. They exercised sovereignty over those villages with smaller Anghs. These Anghs are advised by their ministers in their decisions. These ministers are selected by the Anghs from various clans of the village. Similarly among the Semas, there are Kukami (the Ruler). These rulers are more or less confined to their villages and generally, they have no control over other villages. The decisions of these rulers are made on the advice of their ministers called Chochomi, selected by Kukami from various clans or families in the village.<sup>3</sup>

Though the position and rank of the rulers is protected and kept in high esteem, the actual function in decision-making depends largely on the representatives of the people. These Anghs among the Konyak tribe and Kukami among the Semas are hereditary chieftainship. In the case of all other tribes, the village government is set up consisting of representatives of the clans, the khels and the families of the village. Its

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<sup>3</sup> Sema Hokishe, *Emergence of Nagaland: Socio-Economic and political Transformation and the future*, Vikas publishing House, Pvt.Ltd, New Delhi, 1986, pp.167-68.



members are selected by consensus of the respective clans and the members hold office as long as they enjoy the confidence of the chief. Decisions are generally made unanimously or on majority opinions of the members present in the meeting.<sup>4</sup>

V.R.Krishna Iyer also remarked that:

*For centuries the Nagas had lived secluded in their villages on hill tops. The world of Nagas was their own village, and the limit of their vision, the village horizon. In their remoteness and isolation, the villages developed their own code of behaviour and standard of administration. They were a closely knit society based on human equality and high sense of integrity and belief in a supreme being.*<sup>5</sup>

V.R.Krishna Iyer continued, ‘...Naga tribes present a varied pattern of village administration. It ranges from near dictatorship to most liberal democracy. Semas and Changs have hereditary Chiefship. Konyaks have powerful Angh or Chief. Their words at one time was law and they themselves were considered sacred. The Ao tribe was administered by a body of elders representing the main family groups. The Angamis, Rengmas and Lothas are very democratic in choosing their elders.’<sup>6</sup>

Today, all traditional societies are in rapid change under the impact of modern technology, neighbourhood based on territory rather than kinship, democratic polity, and egalitarian social justice. Democratization of society and state is the clue to winds of

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<sup>4</sup> Ibid.p.168

<sup>5</sup> Iyer Krishna V.R, Saga of the Nagas, Economic and Political Weekly, March 19, 1994,p.674.

<sup>6</sup> Ibid. p.674.

change....Even apartheid-ridden South Africa has realized that there is no alternative to genuine multi-party democracy.<sup>7</sup>

According to Rasheeduddin Khan, 'The working of the democratic system since independence has evolved a new political culture of India. A traditional, feudal tribal society is becoming democratic and secular. An ancient civilization is developing into a new nation. Both the masses and the elites have changed. The nature and character of mass-politics at every level has undergone a transformation- at the level of family, locality and community life; at the level of leadership, its style and response to people's demands.'<sup>8</sup> Similarly, the Naga society is also not an exception in this transition; with the dawn of modernization and introduction of modern electoral politics, one notices a sea change in the political system and the electoral trend in Nagaland.

According to J.Longkumer, 'The combined forces of political and administrative control, Christianity and education brought about rapid changes into the Ao Naga society. But it was the Christian missionaries who were in direct contact with the people and this contact accelerated the pace of change. With conversion and education, the Ao people began to give up their social and cultural practices such as living in the Arichu or dormitories, giving the feasts of merit and observances of genna or taboos.'<sup>9</sup>

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<sup>7</sup> Thomas M.M, *The Nagas Towards A.D.2000*, Centre for Research on New International Economic Order, Madras, 1992,p.58.

<sup>8</sup> Khan Rasheeduddin, *Democracy in India*, NCERT, New Delhi, 1999, p.62.

<sup>9</sup> Longkumer J in Venuh N, *Naga Society: Continuity and Change*, Shipra publication, Delhi, 2004,p.29.

According to N.Venuh, the Village council was the most important political institution in Naga society. Changes took place after Nagas came in contact with British in 1882. The British adopted a native system of administration which would suit local test (taste) and at the same time be conducive to maintaining law and order among the tribes. Accordingly, the age-old traditional form of administration most suited to the peculiar conditions of the Naga people and their society was reinforced.<sup>10</sup>

At the beginning in 1882, Gaonboras (GB) were appointed following traditional practices and the customs of various communities. There is a Head GB for the entire village and then there are one GB and one Assistant GB from each khel or clan of the village. The Government interest was served best as they were recognized and appointed to assist the colonial administration in the carrying out of their respective village administration. Although the chiefs or headmen were given due recognition as undisputed leaders in their traditional set up, their recognition as village chiefs or headmen was done with the intention of making them loyal agent of the colonial administration at the lower reaches. Thus, while continuing to be leaders of their people, they became an important link between the British Government and the masses.<sup>11</sup>

Another institution that served both as an instrument of pacification on the Naga and as a native team of intermediaries between the rulers and the ruled was that of the Dobashi. This institution was one of the chief means through which the British Government established successful relations with the Nagas....In addition to their duty as

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<sup>10</sup> Venuh N, *Naga Society: Continuity and Change*, Shipra publication, Delhi, 2004,p.95.

<sup>11</sup> *Ibid.*,pp.95-96.

liaison between the Government and their local people, the Dobashis were at the same time employed as judges in the villages. Dobashis also advised the British officers in the settlement of cases according to the customary laws.<sup>12</sup>

The third layer or institution of colonial policy was District Officer who supervised overall administration of the Nagas. Even though they did not interfere in internal matters of the tribe directly almost all the policy was framed by them and direction was given to the Gaonboras and Dobashis. In this way British Government transformed the political institution of the Nagas into three layer system not directly but indirectly to suit the convenience of the Government and to maintain relationship with the Nagas.<sup>13</sup>

However, according to J.Longkumer, despite the various changes that were introduced and imposed and the manner in which the Aos adopted and incorporated them into their lives, the fundamental system that has governed the Ao villages since their inception at Chongliyimti survived and remained firmly rooted in the psyche of the people. The parameters of the system may have been altered and with them the systemic principles but the stability and permanence of the fundamental traditional village organization has endured the test of time.<sup>14</sup>

The continuity of the traditions in the Ao village organization is evident although with certain changes first in the governance and administrative system of the village. The

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<sup>12</sup> Ibid.p.96.

<sup>13</sup> Ibid.p.96

<sup>14</sup> Longkumer J in Venuh, N, Naga Society, op.cit..p.31.<sup>14</sup>

clans of the village along with the Gaonboras still administer according to the customary laws.<sup>15</sup>

According to Justice Zelre Angami, 'While a traditional village in the state may be understood as having functioned effectively in the past, with the demand of the changing times and the constitutional obligation cast on the state, it is legitimate to raise a query if the state of Nagaland has taken any measure to empower the villages in the state. Such query may be answered to the extent that the state of Nagaland did bring about the measures, including legislative measures as to empower the villages on various aspects of the administration and development process.'<sup>16</sup>

The Nagaland Village Councils Act, 1978 gives legal status to the Village Councils. It states; 'A Village Council shall consists of members chosen by villagers in accordance with the prevailing customary practices and usages, the same being approved by the State Government, provided that hereditary Village Chiefs, GBs and Anghs shall be Ex-officio members of such Council and shall have voting right.'<sup>17</sup>

With the advent of the British rule and later after the imposition of the Indian Parliamentary democracy; and also with the introduction of the Indian federal polity, the Naga village polity has been adversely affected. The village-state which had been acclaimed as the sovereign democratic republic (or as sovereign monarch in some cases)

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<sup>15</sup> Ibid. p.31.

<sup>16</sup> Angami Z, Nagaland Village Empowering Laws, Novelty Printing Press, Kohima, 2008, p.i.

<sup>17</sup> Ibid. p.2.

has now become just a tiny unit of the larger Indian republic. How the Naga villages adjust themselves to this sweeping transition and how they adapt themselves to the new system of governance is in deed an interesting subject for discussion. Thus, some of these comparisons are discussed below:

#### 4.1. System of Election:

The under-mentioned table shows that 80% of the respondents to the questionnaire are of the opinion that there were no corrupt practices in the process of the selection of the traditional village council.

**Table 5: Were there any corrupt practice in the process of selection of the traditional village council?**

	No. of respondent	Percentage of Respondent
Yes	00	00%
No	48	80%
Can't say	12	20%

Except 20% of the respondents who could not give any view on the question, 80% of them expressed full satisfaction at their traditional political institution. They stated that it was completely free from corrupt practices; there were trust, respect and equality in the selection system and in its functioning.

The members of the Naga village councils are appointed purely based on merit. The Konyak Naga Anghs inherit their thrones purely based on their royal line. Thus, there could be no corruption or confusion on the issue of succession or coronation of the Angh. The members of the Village council among the Aos and Phoms are also appointed based on merit. There is transparency with regard to the selection of the members. The village council members along with the member who would relinquish the seat would jointly make the search for his replacement from the retiring member's own clan. The fittest members of the clan would then be selected for that coveted seat.<sup>18</sup>

Traditionally, the Nagas had the criteria of selecting leaders. They are: (i) One who is considered to be righteous and trust worthy. (ii) One who does justice to others even in small matters (iii) One who has the courage to say what is right and what is wrong. (iv) One who does not violate the community norms. They believe that if any leader violates the village norms would create an accident, bring disease and poverty to the village. No one takes up leadership without the blessings of the elders.<sup>19</sup> If any member violates the community norms or rules and regulation, he will be served first warning and second warning to change his ways. If he commits mistake for the third time he will be removed from the chair straight away.<sup>20</sup>

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<sup>18</sup> O.Benchem in an interview at Lushei, Anaki'C' on Feb.23, 2010

<sup>19</sup> Wezah Yiepetso, Prospects of Decentralized Government in Nagaland, Gandhian and Christian Ethical Perspectives, ISPCK, 2004,p.216.

<sup>20</sup> B.Hamphe, Longleng in response to the questionnaire.

According to Hokishe Sema, 'In the case of all Naga tribes the village government is set up consisting of representatives of the clans, the khels and the families of the village. Its members are selected by consensus of the respective clans and members hold office (as long as they enjoy the confidence of the chief). These rulers have some personal distinction acquired by them through their performances of sacrifices and good judgements. They also have great economic power and their capacity to help the poor and needy in the village is greatly appreciated. They provide food, shelter and clothings for the needy in any emergency. It is a great shame for the rulers if their subjects go to other villages for food. It is the duty of these rulers to ensure the security and welfare of their subjects.'<sup>21</sup>

For the traditional Nagas to be a member of the Village council was more of a responsibility than a privilege. It was a common maxim that *'the house of a true village council member would be having a holed roof and a cracked floor.'* The meaning behind the maxim was that the members of the village council has no time for his personal works, he spends most of his time for the works of the village. It was thus more of a sacrificial than a privileged position.<sup>22</sup>

**Table 6: Are you satisfied with your traditional electoral system ?**

	No. of respondent	Percentage of Respondent
Yes	33	55%
No	15	25%
Can't say	12	20%

<sup>21</sup> Sema Hokishe, op.cit.pp.167-68.

<sup>22</sup> L.Longduk Mükho in an interview at Anaikhai village on Feb.18, 2010.



The result in table 6 shows that 55 % of the respondents are satisfied with the traditional electoral system of the Nagas. It is found that 20% of the respondents expressed their dissatisfaction over their traditional system. Interestingly many of these respondents are from the community that had a monarchical system of government. It is inferred that they prefer democracy than monarchy<sup>23</sup>.

However, under the modern system of election the capturing of power is the motive among the parties and among the contesting candidates. Hence, the concept of 'might is right' is used as a means to capture power. The respective parties organize their gangs for proxy voting and booth capturing, which results in physical confrontations and killings. The 1993 election reports recorded heavy stone pelting, damaging of houses, vehicles, attacking each other's camp, firing, assaulting opposition party supporters and killing of party workers, candidates and polling officers.<sup>24</sup>

The present system of election does not permit a free and fair election. The contestants' ulterior motive to rule the state in order to pursue their economic interests drives them to use any available force in contesting the election. They do not consider the mandate of the people. It is only monetary power and physical force that bring candidates to power.<sup>25</sup>

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<sup>23</sup> This passage is based on the views expressed by different respondents to the questionnaire.

<sup>24</sup> Wezah Yiepetso, op.cit.p.93.

<sup>25</sup> Ibid.p.94.

Election is quite an alien culture for the Nagas. It was something which they never heard of. Some of the Naga singers even composed songs to show their contempt for election. One of the songs by Naga Reformation Singers goes like this:

*Election, election, election;*

*Go away from Nagaland !*

*Election, election, election;*

*Go away from Nagaland!*

*You teach innocent people all kinds of corruption;*

*Naga parents are silently dying in your hand, for which we cry;*

*Nagaland cannot live for Christ though we say;*

*Good bye, Election!*<sup>26</sup>

Another song in an audio album entitled 'Denja' meaning New Era released in Phom Naga dialect says like this (English translation):

*We do not have the word 'Election' in our mother tongue;*

*Election, your coming is not good for us;*

*You have brought disunity among us;*

*You have brought division among families, clans and villages;*

*You divided us into many parties;*

*Election, we disdain you!*<sup>27</sup>

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<sup>26</sup> Naga Reformation Singer is a popular singing band based at Dimapur.

<sup>27</sup> Denja (New Era) audio album released by Mr.Chingham and Mr.Bongaok of Kangching village, Longleng district, Nagaland, 2000.

#### 4.2. Similar Structure and ideals but differs in the area of coverage:

When a comparison between the traditional and modern electoral systems in Nagaland is done, it is observed that the basic structure and ideals of both traditional and modern political systems are almost similar but there is variation with regard to the area of their coverage. The ancient Naga political system was confined to their village-state. Each village was an independent political unit. Its government, therefore, was limited to their village-state. However, modern political system embraces a wide area of coverage: many villages constitute an electoral constituency and many electoral constituencies together form a Legislative Assembly or a Parliament.<sup>28</sup>

In the past each village was an independent sovereign state. But today each of this village has surrendered their sovereign or independent status and has become a part of the Indian Parliamentary democracy. As such, whereas there are 1317 villages in Nagaland, the Nagaland Legislative Assembly has only 60 members; and there is only 1 member in the Lok Sabha and 1 member in the Rajya Sabha to represent Nagaland.<sup>29</sup> Today the Naga people have their own elected representatives in their legally constituted Legislative Assembly. They have a cabinet and the complete structure of bureaucratic institution.<sup>30</sup>

However, though the extent of its structure differs, the basic ideals of both the traditional and modern political system are same; and it is for the Welfare of the people it

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<sup>28</sup> Chinglong Phom, Asst. Headmaster in an interview to the researcher on June 04, 2010 at Longleng

<sup>29</sup> Naga Reference, Department of Parliamentary Affairs, Government of Nagaland, Kohima, 2006, p.24

<sup>30</sup> Sema Hokishe, Emergence of Nagaland: Socio-Economic and political Transformation and the future, Vikas publishing House, Pvt.Ltd, New Delhi, 1986, p.191.

governs. Modern system has President, Prime minister and the Council of Ministers at the centre; and Governor, Chief Minister and council of ministers at the states. Similarly, the Naga traditional political system also had chief, Angh or headman and the village council members who are like the ministers of the modern government.<sup>31</sup>

Another aspect of the modern government machinery is that it has a wider coverage of its governance. Modern government has a clear cut division of power which is divided into its organs like the Executive, Legislative and Judiciary. They are often called Bureaucrats, Legislators and Judges. It is also supported by free Press.<sup>32</sup> Moreover, its various developmental programmes are being carried out through its agencies like Village Development Board, Village Education Committee and different Non Governmental Organizations (NGOs) in the case of Nagaland.<sup>33</sup>

#### **4.3. Traditional Naga political system is a Direct Democracy:**

Democracy has two patterns- direct and indirect. Under the system of direct democracy the will of the state is formulated and expressed by the people themselves. They make their own laws without the intervention of any intermediary agency. But such a type of democracy is impossible to obtain in our times. The modern state is huge state with enormous area and population. It is physically impossible for the people drawn from the length and breadth of the whole country to frequently assemble together and take

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<sup>31</sup> Chinglong Phom Asst.Headmaster in an interview to the researcher on June 04, 2010 at Longleng.

<sup>32</sup> Achhabra & Vikrantpuri, Political Science:Society, state & Government, Malhotra Book Depot, New Delhi, 2002,pp.222-223.

<sup>33</sup> Angami Z, op.cit.pp.1-30.

direct part in making laws. Thus Modern democracy is indirect and representative. The voters elect their representatives and they become members of the Legislative Assemblies charged with duty of making laws and bringing harmony of purpose between the government and the governed.<sup>34</sup>

It may also be noted that the Athenian democracy was more and less democratic than the democracies we know today. It was more democratic in that citizens took part in person in the main decisions of the society (direct democracy), whereas today's representative democracies are indirect.<sup>35</sup>

The traditional Naga political system can be called a direct democracy. Because citizens directly select the members of the Village council and they directly took part in the working of their village government. On the other hand the modern electoral system that exists in Nagaland can be called the indirect democracy or a representative form of government.<sup>36</sup>

According to David Beetham and Kevin Boyle, 'a representative system is the best system yet devised for securing popular control over government in circumstances where the citizen body is numbered in millions and has not the time to devote itself continuously to political affairs. The theory is that the people control the government by electing its head (President or Prime minister) and by choosing the members of a

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<sup>34</sup> Kapur A.C, Principles of Political Science, S.Chand & Company, New Delhi, 2005, P.510

<sup>35</sup> Beetham David and Kevin Boyle, What is Democracy in; Anthony Giddens (Ed), Sociology: Introductory Readings, Polity Press, Cambridge, UK,2002,p261

<sup>36</sup> Chinglong Phom, Asst.Headmaster in an interview to the researcher on June04, 2010 at Longleng

legislature or parliament that can exercise continuous supervision over the government on the people's behalf, through its power to approve or reject legislation and taxation.<sup>37</sup>

#### 4.4. Tenure:

According to Mr.M.Pongshen Phom, the traditional Phom Naga polity can be compared to the Rajya Sabha (Upper House) and the Traditional polity of the Ao Nagas is liken to the Lok Sabha (Lower House) of the Indian Parliament. Because Rajya Sabha is a permanent chamber and only 1/3<sup>rd</sup> of its members retire every after 6 years and some other members are appointed in their place, but the house is not subject to dissolution. So also the village government of the Phom Nagas functions as a permanent Chamber but some members retire and some members are appointed in their place at the end of the year. On the other hand, members of the Lok Sabha are elected for a fixed term of five years. Similarly the members of the Ao Putu menden are appointed for a fix term of 30 years which is called Putu in Ao Naga terminology.<sup>38</sup>

Today, the village governments among the modern Konyak Naga villages are functioning like quasi-Presidential system where both President and Parliament co-exist. In some way both Angh and council function with equal importance. In one of his official tours to his subject villages under Tamlu and Tuli areas, the Chief of Wanching village Mr.Kemang Angh said that in Nagaland as far as customary matters are concerned, the

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<sup>37</sup> Beetham David and Kevin Boyle, op.cit.,p261

<sup>38</sup> M.Pongshen in an interview at Anaikhai village on Feb.18, 2010.

traditional chief shall give the ultimate decision under his jurisdiction in Nagaland as Article 371(A) of the Indian constitution guarantees it.<sup>39</sup>

#### **4.5. Role of Opposition:**

Under the Parliamentary system of government adopted in India the political parties fall into two categories- the ruling party and the opposition. The ruling party is referred to the party which forms the government and administers in accordance with the provision of the Constitution. On the other hand, the political parties which are unable to form the government constitute the opposition...Whatever party be in opposition, it is expected to play a vital role in the smooth working of Parliamentary democracy both at the Centre as well as in the States...The Opposition focuses the attention of the government on numerous problems facing the country and compels it to take a clear stand on those issues and take remedial measures for the solution of these problems. The opposition party through its constant watch over the policies of the government keeps it on the right track.<sup>40</sup>

For example on March 20, 2010 the Congress party of Nagaland organized a 6 hour statewide bandh to protest against the failure of the ruling Democratic Alliance of Nagaland (DAN) government.<sup>41</sup> 'Among the 10 points that was listed in a handout, included alleged financial mismanagement and rampant corruption, bogus teachers

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<sup>39</sup> Mr.Kemang Angh of Wanching village at Anaki/Anaikhai village, Mokochung district on February 19, 2009

<sup>40</sup> Srivastava L.N, Indian Government and politics, Surjeet Book Depot, Delhi,2001,pp.192-493.

<sup>41</sup> Nagaland Post March 21, 2010.

appointment scam, PWD road scam, transport subsidy scam, NPSC answer script swaping scam, Singphan wild life hunting scam and for not holding municipal and town council election on time.<sup>42</sup>

The critics have often alleged that the opposition in India has not been able to play any positive role and has generally delighted in pulling the credibility of the ruling party. They have adopted obstructionist policies and resorted to agitations, demonstrations etc. which is contrary to the norms of democracy.<sup>43</sup> One of the leading example is the pulling down of the government of the Democratic Alliance of Nagaland by the Congress party (Opposition) in January 2008 just 3 months before the election. In this way the role of opposition are today more criticized than appreciated.

But under the Naga traditional Political system, there were no political parties. And as there is no political party or parties among them, there is no division among the members. As such the village council functions as a unified and cohesive body. If any member goes in contradiction to the popular opinion or against the welfare of the community, the opposition against him would be first from his own family or clan-men. If any member comes out with a destructive agenda, then his view would be first countered by his own brother, paternal cousin or his own clan-men. It was a common scene to see the heated debate between blood brothers in the village council meeting for the general welfare of the community. Erring members are as such first rebuked by their own family men before others. Thus there is a check/guard against the wrong decision of

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<sup>42</sup> Nagaland Post March 17, 2010.

<sup>43</sup> Srivastava L.N, op.cit.pp.193-494.



the Village council. The village council would take decision based on truth and sound judgment.<sup>44</sup> One can thus call the Naga village council, 'an ethical or a moral Body.'

#### 4.6. Participation of Women and Cross-Sections of society

What David Beetham and Kevin Boyle talk about the Athenian democracy is true with the traditional Naga democracy as well. According to them:

*'Athenian democracy was less democratic than democracies of today, however, in that citizenship was restricted to free-born male; it excluded women, slaves and resident foreigners, these groups ensuring the continuity of the domestic and productive work necessary to enable the male citizens to engage in political activity. So the active participation of a direct democracy was only possible at all because the citizenship was restricted. 'The people' certainly ruled, but they did so from a position of privilege'.<sup>45</sup>*

Although the traditional Naga political system had been hailed as a Democracy in its purest form, a closer examination reveals that it lacks certain ingredients to be qualified as the purest democracy. For example, women were restricted from direct participation in the village governance. Although the non-participation of women in politics had been justified with the statement that:

*"Under the traditional Naga society, men played dominant role in all its socio-political and cultural spheres. It is being inferred that, it was because of the*

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<sup>44</sup> Chingshen Phom in an interview at Anaikhai village on January 02, 2010

<sup>45</sup> Beetham David and Kevin Boyle, op.cit.,p261

*prevalence of the head hunting culture, as men were physically strong, they took part in the headhunting raid and also in the overall village governance. However, the existence of such a social system should not be taken to mean that women were accorded inferior status during that period. Because, though women did not involve in the politics of the village, their genuine advice and views were never denied. Because men consulted their wives before taking any major decisions. One would find many instances of the community being saved from crisis, by adhering to the advice of certain wise women.”<sup>46</sup>*

Yiepetso Wezah has made a very critical comment on the traditional political system of the Nagas when says; ‘Without critical analysis, Hokishe Sema and V.K.Nuh also made sweeping arguments to prove that Naga polity was democratic from the beginning and managed by the people. Practically, the Naga polity was patriarchal. The system of governing also varied from tribe to tribe and from village to village. The Konyak tribe had Angh (Kingship) system, the Angh clan dominated village council. The Sema and Chang tribes had chieftain system, which was hereditary. The Angh and chieftain system was one man rule. Though the other tribes like Angami, Chakhesang, Lotha Ao etc.claimed to have democratic polity in their practices only the male elders dominated the council. Women were debarred from membership and did not participate in the village decision making process. At the same time, the rich and the warriors appeared to have played a dominant role in decision making. Hence, there was no

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<sup>46</sup> Phom Henshet B, Naga Concern: Reflection on the Society, Religion, Culture and Politics in Nagaland, Longleng, 2009, pp.45-46.

consensus in decision making. There could be silent consensus because the poor could not voice against the rich people and the warriors, for they were at their mercy.’<sup>47</sup>

However, under the modern political system people from all walks of life get the opportunity to air their views in favour or against the government. ‘Although elections are the principal means by which people have a say in government policy in a representative system, they are not only means. People can join associations to campaign for and against changes in legislation; they can become members of political parties; they can lobby their representatives in person. Governments in turn can be required to consult those affected by their policies or a selected cross-section of electorate. In practice, few representative governments are immune to expressions of public opinion such as are regularly provided by opinion polls or through the press, radio and television. Yet all these channels of popular influence are ultimately dependent upon the effectiveness of the electoral process.’<sup>48</sup>

The passing of the bill on 33% reservation of seats for women in Parliament and State legislative bodies by the Rajya Sabha on March 9, 2010 by two-third majority is the latest trend on the issue of women empowerment in India.<sup>49</sup>

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<sup>47</sup> Wezah Yiepetso, op.cit.p.12.

<sup>48</sup> Beetham David and Kevin Boyle, op.cit.,p261

<sup>49</sup> Nagaland Post March 10, 2010.

**Table 7: Do women participate in modern election system?**

	<b>No. of respondent</b>	<b>Percentage of Respondent</b>
Yes	57	95%
No	03	05%
Can't say	00	00%

As the response in Table 7 indicates; today, women are playing active role in the modern election system in Nagaland. However, their role is restricted to playing their part as active party workers, campaigning during election etc. Nagaland is yet to see women legislators in their state legislative assembly. Some respondents also remarked that women take part in politics by just making tea when male members participate in decision making.<sup>50</sup>

Today organizations like the Naga Hoho, Eastern Nagaland People's Organization, Naga Students' Federation, Eastern Nagaland Students' Federation, Naga Mothers' Association, Nagaland Baptist Church Council etc are playing tremendous roles in mobilizing public opinion and are acting as watch dogs of the Naga society. Whenever there is any issue confronting the Naga Society or if government is to take any issue related to the welfare of the people, these organizations raise their voice in the interest of the people.<sup>51</sup>

<sup>50</sup>This passage is based on the views expressed by different respondents to the questionnaire

<sup>51</sup>This passage is based on the views expressed by different respondents to the questionnaire. See for example in Nagaland Post October 8&9, 2010 issues various NGOs and individuals expressed their views on Article 371(A), Women reservation issue and control over natural resources by the Naga people.

However, the modern political system is also not free from criticism. It is said that 'In a representative system, people are only free once every few years at election time; thereafter they revert to a position of subordination to their rulers which is no better than slavery.'<sup>52</sup>

#### 4.7. Party System

The traditional Naga polity did not have party system. And as there was no political party or parties among them, there was no division among the members. As such the village council was a unified and cohesive body. According to Tsuktimeren, 'The Nagas have popular assembly of chosen leaders called elders which forms legislative, executive and judiciary...It is partyless, because they believe in the will of the people as a whole.'<sup>53</sup>

Opinion is expressed in certain quarters that India needs a partyless Government in the interest of national integration and efficient administration. Many of these people look upon parties as undesirable organizations, and they would substitute for them other means for permitting popular expression and for implementing the people's will. Often they derive their ideas from Gandhi and ideas of the Sardvodaya society. The major exponent of a partyless Government was Jayaprakash Narayan. He had been speaking and writing about such a system but had never given a clear-cut outline as to how the

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<sup>52</sup> Beetham David and Kevin Boyle, *op.cit.*,p261

<sup>53</sup> Tsuktimeren Tzudir, *op.cit.*p.9.

partyless democracy would work and how it would differ from democratic system based on parties and how it would meet the needs of a vast nation trying to cope with the problems of modern world and to develop the basis for a healthy national life.<sup>54</sup>

Partyless government certainly cannot mean a rule by one or a few men. Such a rule would no doubt yield a government which would be devoid of parties. It would not, however, be a democratic government. What it appears to imply is a democratic government conducted by the representatives of people which nevertheless had no parties.<sup>55</sup>

According to Yiepetso Wezah, In a pluralistic society, the multiparty system is important in representing various ethnic and cultural groups. However, in context of Nagaland, the multi party system of election has created more divisions between tribes, ranges, villages and clans. During the election campaign, the respective party candidates and workers defame the opposition party candidate, his clan, village etc. which sow the seeds of disunity, suspicion and ultimately creates a spirit of unhealthy rivalry among the people. It not only affects the social life of the people but also the church. The church workers also support party candidates of their choice and even join in election campaigns. Hence, due to this partisan spirit the church leaders refuse to work together and the members refuse to follow the leaders of those who support their opposition party. It

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<sup>54</sup> Srivastava L.N, op.cit.p.494.

<sup>55</sup> Ibid.p.p.494-95.

obstructs and disrupts the unity of the church because it splits the members in their loyalty.<sup>56</sup>

It is, therefore, seen that whereas the traditional political system functioned as a unified body; the modern party system of election has brought division, disunity, suspicion and social disharmony among the people in Nagaland.

#### 4.8. Corruption in the system:

**Table 8: Do you agree that modern election system has brought corruption in Naga society?**

	No. of respondent	Percentage of Respondent
Yes	53	88.34%
No	06	10.00%
Can't say	01	01.66%

In the table given above, an overwhelming percentage of 88.34% of the respondents agree that modern election system has brought corruption in Nagaland. Here the term corruption is mainly referred to denote misuse of government development fund, sales and purchase of votes during election, nepotism practised by the politicians in allocating fund, appointment in government service etc.<sup>57</sup>

<sup>56</sup> Wezah Yiepetso, op.cit.p.92-93.

<sup>57</sup> This passage is based on the views expressed by different respondents to the questionnaire

According to Pongsing W, 'Down through the centuries, the Nagas had been known for their traditional good qualities such as bravery, frankness, hospitality, hard work, honesty and bigness of heart etc. But today we have lost all these good qualities and instead, the Nagas are often spoken of as corrupt people, easily purchasable with money.'<sup>58</sup> According to Bizo L, 'Corruption has become a lifestyle in Nagaland.'<sup>59</sup>

According to V.K.Nuh, 'it was from the Third Election in the state that is February 1974; the Naga people began to indulge themselves in corruptions of all kinds. The innocent Nagas were taught dishonesty and immorality; the entire populations were soon exploited left and right by the political leaders. All God fearing and God loving people wept over the sad situation which one could do nothing.'<sup>60</sup>

Harish Chandola states that, 'The UDF (United Democratic Front had come to power in 1975 after 13 years of Naga National Organisation) rule in Nagaland...The UDF was keen to provide honest and clean administration to Nagaland state... However, At the annual conference of the UDF in Dimapur on January 28, 1975 the young people had very severely criticized some of their own ministers for not upholding proper standards of honesty and had in fact demanded the resignation of their minister, against whom allegations of corruption were voiced.'<sup>61</sup>

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<sup>58</sup> M.M.Thomas, The Nagas towards AD 2000,p.29

<sup>59</sup> Bizo L in M.M.Thomas, The Nagas towards AD 2000,p.29

<sup>60</sup> Nuh V.K, Nagaland Church and Politics, Vision Press, Kohima, 1986,p.185.

<sup>61</sup> Harish Chandola in Economic and Political Weekly, April 5, 1975, p.575.



According to the Editorial column of the Morung Express, 'Money power and the adulterated electoral process is clearly the single biggest threat posed to the functioning of a vibrant democracy. This also clearly explains the spread of corruption. Nagaland is no exception and the heavy dose of corruption induced development index or the lack of it makes absolute sense if one just looks at the figures. The survey report brought out by a group of young Naga professionals under the banner of Youth Net and the disclosure of an estimated Rs.570 crore spent as election expenditure in the recently concluded State Assembly election is hardly surprising...Such a colossal amount being used for getting elected or buying votes against the backdrop of the continuing paucity of resources for real development is simply unacceptable for any citizenry...The point is if we vote for corrupt politicians, then the electorate should also not ask as to where all the development funds disappear.'<sup>62</sup> As such, 'Dishonesty and corruption in the government system has only bred ugly social problems resplendent with the extortion industry which has severely destroyed Naga society. The million dollar question is- can sanity ever return?'<sup>63</sup>

On being asked who would be blamed for the corrupt practices in Nagaland, 80% of them replied that voters are to be blamed; 18.34% blamed the politicians and 1.66% blamed the system itself.

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<sup>62</sup> Morung Express, Dimapur, Nagaland, 15 August, 2008,p.6.

<sup>63</sup> Political Games, Editorial column of Nagaland Post, December 18, 2007,p.4

**Table 9: Whom do you blame for the corrupt electoral practices in Nagaland?**

	No. of respondent	Percentage of Respondent
Voters	48	80.00%
Politicians	11	18.34%
Any other	01	01.66%

In Table 9, 80% of the respondents say that voters should be blamed for the corrupt electoral practice in Nagaland, 18.34 blamed politicians. 1.66% blamed other factors like the election system itself. According to them during election, voters asked money from the candidates; youth camps are set up and feasting and drinking become the order of the day, and voters involve in showcasing their muscle and money strengths.<sup>64</sup>

#### **4.9. Merits and Demerits in the Traditional and Modern electoral systems:**

Both traditional and modern electoral systems have their own weaknesses and strengths. 'Traditionally the Nagas practiced selection of leaders, but not through the party system of election. The system of selecting members of the village council is done by a simple method of a show of hands in the village council annual meeting...in the present(modern) system bribery, confrontation, booth capturing and assault and even killing have become a pattern of the elections. Therefore, the present election does not create any enthusiasm among the electorate; instead it causes fear among the people.'<sup>65</sup>

<sup>64</sup>This passage is based on the views expressed by different respondents to the questionnaire

<sup>65</sup> Wezah Yiepetso, op.cit.p.47.

Temjenyanger Longkumer states that, 'The Naga traditional form of government is human based. Therefore, the party based politics should be changed to human oriented politics which should have concern for the welfare of human society.'<sup>66</sup>

Under the traditional system, people's art of governance was driven by the maxim; 'Keep the issue (matter) for a night'. The logic behind was that the rulers must be thoughtful, steady and must avoid haste in carrying out the administration of the village. Self sacrifice and community welfare were the ethos of their governance.<sup>67</sup> According to Rev.Manküp, Konyak chief (Angh) would never commit murder with the fear that he will be cursed by God. Even though he is acknowledged as the sovereign by the people, he in reciprocate admit people's sovereignty and divine supremacy. Angh also followed the policy of 'slow and steady' in his decision making. Angh system of administration had a well systematized hierarchy. There was no conflict on the issue of<sup>68</sup> succession. Angh delivered justice, thus, there was an orderliness under Angh's rule.<sup>68</sup>

According to Vekusoh Swuro, "The village had fundamental democratic form. The most important function of the council is judicial. The village court is the highest court of justice among the Chakhesang. All disputes and differences between families belonging to the same clan are as far as possible, decided by the clan elders. Those quarrels, which these elders fail to decide satisfactorily are referred to the village court. Straight forward 'Yes' or 'No' was the key to any social or public decision. This is also

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<sup>66</sup> Longkumer Temjenyanger, A critical study of the politics in Nagaland(1975-1995) towards the formation of a political theology, unpublished BD thesis, ETC, Jorhat,1996,p.86.

<sup>67</sup> Mr.Pangchong Retired Teacher & Mr.Toiphen DB in an interview at Tamlu town on December 29, 2007.

<sup>68</sup> Rev.Manküp in an interview at Tamlu village on December 30, 2007.

the maxim of their lives that makes them simple, pleasant and devoid of complications.”<sup>69</sup> He continues, ‘Democratic system prevailing in present is just opposite from the past. Today most of the leaders are rich and self styled leaders because they became leaders by money power and not by wisdom, knowledge etc.’<sup>70</sup>

The dispensation of justice was very efficient and prompt under the traditional system but modern courts in India is known for ‘the peculiar reasons like longest court cases, nails and moustaches...Jails in India are overcrowded with innocent people who await and cry for justice eternally.’<sup>71</sup>

**Table 10: Did the traditional village council delivered justice to the people?**

	<b>No. of respondent</b>	<b>Percentage of Respondent</b>
<b>Yes</b>	<b>54</b>	<b>90%</b>
<b>No</b>	<b>03</b>	<b>05%</b>
<b>Can't say</b>	<b>03</b>	<b>05%</b>

In Table 10; 90% of the respondents to the questionnaire were of the opinion that the traditional village government delivered justice to the people. And 5% stated that it did not deliver justice and 5% could not decide. According to them modern court has a

<sup>69</sup> Swuro Vekusoh, Select Traditional Ethical values of the Chakhesang Nagas and their Significance for the present society, unpublished BD thesis, ETC, Jorhat,2001,p.43.

<sup>70</sup> Ibid.,p 44.

<sup>71</sup> Chaudhari .Malay & Arindam Chaudhuri, The great Indian Dream, Macmillan India Ltd., Delhi,2003,pp.9 &83

complex system of justice delivery, but the traditional village council has a simple system of justice delivery, hence fast justice is given to its citizens.<sup>72</sup>

Commenting on the impact of modernization among the Chang Nagas, Dr.B.B.Kumar wrote, 'The government has established new courts of law at district and sub-divisional level. These courts of law have certainly done more harm than good to Chang society as their very existence has downgraded the village and tribal authorities...The old system of village council have been undermined and weakened the existing court system to a very real extent.'<sup>73</sup>

He continues that 'Introduction of modern political institutions have also brought considerable change among the Changs. The candidates of state Assembly and Parliament elections spend huge money during their election campaign. This money is not bringing altogether healthy effect on the people specially the youth who indulge in excessive drinking, feasting and some undesirable activities during the elections due to huge money they receive during that period. Although political modernization has resulted in making the commoner politically more conscious; it has helped better integration of Naga tribes in one hand and national integration on the other; but in real functioning it has given rise to deviant behaviour among the youth.'<sup>74</sup>

'It is observed that the present political system that exists in Nagaland is not suitable to the Nagas as a whole. We claim that we have a democratic form of

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<sup>72</sup> This passage is based on the views expressed by different respondents to the questionnaire

<sup>73</sup> Kumar B.B, Society and Culture in a Corner of Nagaland,Pragati Prakashan, Meerut,1998,pp.74-75.

<sup>74</sup> *ibid.*.p.76

government, but when we judge closely, the true ideals of democracy are missing in our system. Democracy stands for equality, liberty and fraternity; which means that all citizens are equal, all citizens are free and all citizens are brothers and sisters. But practically these ideals are not found in the present Naga democratic system. We must, therefore, try to find a system that promotes just society and the system that works for the equal growth and development of every quarter of our land.’<sup>75</sup>

It can be noted that under the present electoral system, it is very difficult for a small village to elect an MLA (legislator), no matter how efficient their candidate may be. Under the present system, an individual has no freedom to exercise his franchise. The village councils take the decision as to who should be the candidate and whom to vote. The citizens are just to abide by the decision of the village council. Those who fail to abide by the decision of the village council are even excommunicated from the village. One must understand that in Nagaland if any individual’s citizenship is lost in his/her native village then he or she becomes a social outcaste.<sup>76</sup> The statement is also supported by the under-mentioned table.

**Table 11: It is observed that under the modern (present) election system it is very difficult for the small villages to have an MLA. Do you agree?**

	No. of respondent	Percentage of Respondent
Yes	39	65%
No	21	35%
Can’t say	00	00%

<sup>75</sup> Phom Henshet B, Naga Concern, Yingli College, Longleng, Nagaland, 2009, p.14

<sup>76</sup> Ibid, p.14

In Table 11; 35% replied in negative but 65% of the respondents agreed that in Nagaland it is very difficult for the small villages to elect an MLA. According to them, in Nagaland voters do not cast votes in favour of a party or individual candidate. The village council takes decision whom to vote for, and the citizens are just to abide by the decision of the village council. Naturally, the big villages with huge vote bank or those villages having coalition with the bigger villages are at an advantage to elect an MLA.<sup>77</sup>

In most cases those villages with a huge vote bank are at the better position to own an MLA (legislator) permanently. Ultimately those villages in power and position are at the advantage to get more funds, more development, more employment etc. Some villages in Nagaland are derided as opposition village. The hard fact is that these villages are at the grave disadvantage in all fronts of development. In this way the modern electoral system in Nagaland has created gaps between the villages and a class among the citizens. According to Mahatma Gandhi, democracy is the government of the majority; it is not the government of all the people. That is why he propagated Sarvodaya, which means welfare of all as an alternative to democracy. Gandhiji advocated this alternative, because he saw the evils of democracy even in his days.<sup>78</sup>

Ten major weaknesses have been noted by many analysts in the modern electoral system. They are: The role of unaccounted money in elections promoting corruption; wide divergence between the proportion of votes polled by a party and the number of seats it obtains in the Parliament or legislature; misuse of official position and state

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<sup>77</sup> This passage is based on the views expressed by different respondents to the questionnaire

<sup>78</sup> B.Henshet Phom, op.cit.,p.15

machinery by the Central and state ministers for party and election purposes; arbitrary transfer of officials on a big scale on the eve of elections for postings in crucial constituencies, ostensibly to help the ruling party; inadequate procedure of preparation of electoral rolls, involving exclusion of several bona fide citizens and inclusion of certain bogus voters; loop holes in poll petition rules, which makes it difficult to prove corrupt practices indulged in by and on behalf of a candidate; lack of clear rules prohibiting parties and groups from indulging in communal, caste and parochial propaganda that impairs the secular structure of the state and weakens the process of national unity and integration; induction of criminals in election politics, as candidates, leaders and activists; intimidation and impersonation of voters especially from weaker sections and women voters; and booth capturing and bogus voting in certain constituencies.<sup>79</sup> All the evils of the modern electoral system mentioned above are also found in the modern electoral system in Nagaland.

However, in spite of many criticisms, Modern democracy gives ample opportunity to the people of all walks of life. Under this system woman, youth, students' union, chamber of commerce, human rights group, poor, weaker sections, tribal, dalit etc all get the opportunities for participation. As Bill Clinton, the President of USA declared in his second inaugural address; 'For the first time in all history more people on this planet live under democracy than dictatorship.'<sup>80</sup>

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<sup>79</sup> Khan Rasheeduddin, Democracy in India, NCERT, New Delhi, 1999, pp..63-64.

<sup>80</sup> Schlesinger Arthur Jr, Has Democracy a Future?, Institute of US Studies, University of London, 2009,p.2



Women's electoral participation and leadership is becoming more notable with a corresponding increase in scholarly attention.<sup>81</sup> According to Arthur Schlesinger Jr, 'Whether democracy, a western creation can be transplanted to all parts of the world with different cultures and traditions is far from certain. Yet I would expect a gradual expansion of democratic institutions and ideals. The great strength of democracy is its capacity for self correction. Intelligent diagnosis and guidance are essential.'<sup>82</sup>

Critics of democracy have always objected that the mass of people are too ignorant, too uneducated and too short sighted to take any part in determining public policy. To this democrats answer that the people certainly need information and the time to make sense of it, but are perfectly capable of acting responsibly when required to do so. Just as we expect all adults to take responsibility for directing their own personal lives, so they are also capable of taking a share in decisions affecting the life of their society.<sup>83</sup>

According to Achhabra & Vikrant Puri, 'notwithstanding its demerit, democracy is still the best form of government now a days.'<sup>84</sup> Thus, incorporation of the traditional and modern electoral systems can be the best option for bringing balanced electoral system in Nagaland.

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<sup>81</sup> Ramashray Roy & Paul Wallace(Ed), India's 2004 Elections: Grassroots and National Perspective, Sage Publications, New Delhi, 2007,p.3

<sup>82</sup> Schlesinger Arthur Jr, op.cit.,p12.

<sup>83</sup> Beetham David and Kevin Boyle, op.cit.,p.260.

<sup>84</sup> Achhabra & Vikrant Puri, Political Science: Society, State & Government, Malhotra Book depot, New Delhi, 2002, P.148.

#### 4.10. Assimilation of the Traditional and Modern electoral system:

Social transformation among the different tribal societies of Nagaland was indeed very rapid. The seclusion of one tribe from another, which once was the main obstacle in the path of tribal understanding and co-operation, no longer exists. With the improvement in the communication system, social interaction has become more dynamic. As educational facilities increased and became available to more and more, Nagas began rising above narrow parochial concerns and inhibiting tribal constraint to think of the common good of Nagaland.<sup>85</sup>

However, this growth and development has not been unmixed blessing. The boys and girls today have almost forgotten their culture and customs pertaining to their specific tribes. The rich traditions which made life so colourful and attractive are now being completely neglected...The increasing breakdown of the individual and family harmony is promoting an unhealthy ferment among the community at large. Political corruption, breakdown of social restraints, mass unrest and mob behaviour are some of the evils which have to be fought and kept under check.<sup>86</sup>

According to M.M.Thomas, 'The call to those on the threshold of the 90s is to renew tradition and reinterpret modernity so that we may establish a creative relation

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<sup>85</sup> Sema Hokishe, *Emergence of Nagaland: Socio-Economic and political Transformation and the future*, Vikas publishing House, Pvt.Ltd, New Delhi, 1986, p.184.

<sup>86</sup> *Ibid.* pp.184-85.

between tradition and modernity in the development of peoples.<sup>87</sup> S.C.Jamir said that though we had our own traditional democratic systems, the Nagas are still new to the functioning of the modern system of democratic government. But we are learning fast.<sup>88</sup>

And as stated in the first chapter of the thesis, it will be impossible to go back to the old system of governance. Because, the traditional electoral systems of the Nagas were developed based on the need of their time. Administration during that time was limited just to their village republic. But today with the growth of Naga politics from village to state, national and international levels, to go back purely to the old system seems impracticable. Thus, a new kind of method taking into consideration both the traditional and modern electoral systems is needed.

‘An electoral system will not work in the same way in its new setting as in its old...An electoral system will not work and does not work in the same way, to our mind, not only in the new setting and the old, not because the new setting is African and Asian and the old one is European or that one is a pre-industrialized and developing setting and the other is industrialized and highly developed because it does not work in the same way even among the developed and industrialized nations of Europe and North America as well. The experiences of these countries are varied and divergent and so are their electoral systems with their effects on the stability or instability of their societies.’<sup>89</sup>

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<sup>87</sup> Thomas M.M, *The Nagas Towards A.D.2000*, Centre for Research on New International Economic Order, Madras, 1992,p.38.

<sup>88</sup> *Speeches of S.C.Jamir, Chief Minister, Nagaland Feb.1984-Jan.1986*, Published by the Directorate of Information and Public Relation, Nagaland, Kohima,p.17

<sup>89</sup> Nair Jeevan, U.C.Jain; *Electoral System in India*, Pointer Publishers, Jaipur,2000, p.73

It is said that 'the English system may be characterized as outstanding because of the continuity of their political system and their capacity to assimilate gross rapid changes in their social and economic structure without sharp discontinuity, upheavals or revolutions....There is a kind of harmony in the system which permits continuity and change, combines traditionalism with modernism.; past and present intermingle so easily because modernism is not a recent phenomenon in England but in many ways an integral part of a tradition stretching back through the eighteenth century and further.'<sup>90</sup>

According to A.P.J. Abdul Kalam, 'many ancient knowledge bases, such as tribal societies are being revisited...Similarly, the knowledge base of other civilizations is also being extensively utilized: Chinese acupuncture techniques are being used all over the world. Serious studies of Sanskrit are being undertaken for possible applications to computer language.'<sup>91</sup>

Mar Atsongchanger says that 'Modern society cannot stay away from traditional practices... Tradition play an important role in system of one's attitude, decision making, interpretation that displays in day to day lives. The change has come and faster change will overtake us, yet the aged old practices of traditional costume and culture will have a say in new generation too. Traditions in itself cannot be considered as useless, for they are being tested time and again and established as valid in its own ways,...without which no culture can have its bases. They are as old as human being's existence, and in modern society their relevance has to be surged with rationality that can promote and enhance values into our lives.'<sup>92</sup>

Therefore, it is highly imperative to refer to the traditional Naga political system if one is serious to bring political or electoral reform in Nagaland. It is said that when the

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<sup>90</sup> Ibid. pp.73-74.

<sup>91</sup> Kalam Abdul A.P.J, India 2020,Penguin Books, New Delhi,1998,p.134.

<sup>92</sup> Atsongchanger Mar, Institution of Headmanship and modern changes on local governance, a paper presented at a seminar organized by the Concerned Citizens' Forum, Dimapur, July 10, 2009.

colonizer first came to Naga Hills in later part of nineteenth century and made contact with the Nagas, they saw that inspite of their backwardness in terms of modernization or modern education systems, their administrative system, polity and social set-up had great admiration. The system of governance was so vibrant and transparent that, there were no murders, theft, rape or any kind of corruption or cheating. Because of the honesty there was no need to lock a house; just a stick would simply be placed on the door, in order to show that there is nobody at home.<sup>93</sup> The need of the hour is, therefore, the exploration of the ideals of the traditional electoral system and to apply it in the modern context.

### **Conclusion:**

In conclusion it may be stated that on a close examination it is found that the traditional and modern electoral system has a closer affinity and also a wide contrast; in certain cases one also find the interplay of the two systems. It is also found that the traditional system of governance has been incorporated in the modern system of governance in Nagaland since British days. For instance, the institution of Gaonboras, Dobashis, Village Council system, Village Development Board, Communitisation Programme in Health, Education, Power and Sanitation sectors in Nagaland are all rooted in the traditional polity of the Nagas. What is needed now is to integrate the Naga traditional system of selecting the village council members into the modern system of election.

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<sup>93</sup> Ibid.

## **CHAPTER FIVE**

### **A SEARCH FOR ELECTORAL REFORM IN NAGALAND**

## CHAPTER V

### A SEARCH FOR ELECTORAL REFORM IN NAGALAND

#### **Introduction:**

Electoral reform describes the process of introducing fair electoral systems where they are not in place, or improving the fairness or effectiveness of existing systems.<sup>1</sup>

Electoral reforms have been considered to be a continuous process and the election law was amended from time to time to correct the flaws in the electoral process. However, the attempts in the earlier years did not touch even the fringe of the problem. In the meeting of the representatives of political parties in Parliament on the 9<sup>th</sup> of January 1990 at new Delhi under the chairmanship of the then Prime Minister, Mr.V.P.Singh, various aspects of electoral reforms were discussed and on the basis of the conclusions of the meeting, the Government constituted a Committee under the chairmanship of Mr.Dinesh Goswami to go into the various aspects of the electoral reforms. The Committee concluded its work on the 4<sup>th</sup> May 1990.<sup>2</sup>

A meeting of leaders of various political parties was held on 23<sup>rd</sup> July, 1996 and on the basis of consensus reached among political parties on certain proposals on electoral reforms, some important amendments were made to the Representation of the People's Acts of 1950 and 1951 with effect from 1<sup>st</sup> August 1996.<sup>3</sup>

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<sup>1</sup> Wikipedia@Wikimedia Foundation Inc, a US registered 501, March2009.

<sup>2</sup> Gupta Naresh, Electoral Reforms, Yojana, January 2009,p.42.

<sup>3</sup> Ibid.p.42

While some recommendations of Dinesh Goswami Committee were implemented and amendments made to the electoral laws, much still needs to be done so that the Parliament and other Legislative bodies serve as balanced and effective instruments of democracy and further that political life and processes are freed of the adverse impacts, including criminalisation.<sup>4</sup>

### **5.1. Malaises in the system and the need for reform**

According to Subhash Kashyap, 'Legitimacy of government and of representative institutions under the system are inextricably linked to free and fair elections and to the system being able to bring to power persons who truly represent the people's will and have the necessary abilities to govern. Therefore, as a first step, it would be necessary to reform the electoral system and the political party system. What is needed is a holistic approach to electoral reforms and a comprehensive legislation for the purpose.'<sup>5</sup>

Parliamentary Reforms would have to include; building a better image of Parliament, improving the quality and conduct of members, reducing expenditure on Parliament, making membership financially less attractive and more motivated by the spirit of sacrifice and service, improving information supply to Parliament and efficacy of Committee scrutiny, legislative planning and improving the quality of laws, setting up standing committees on the Constitution and on economy, codifying parliamentary privileges, improving working of Parliamentary parties, floor management, parliamentary time table and rationalizing and modernizing rules of procedure to meet today's needs.

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<sup>4</sup> Ibid.42.

<sup>5</sup> Kashyap Subhash, Our Parliament, National Book Trust, New Delhi, 2007, pp.310-311



Finally, Parliamentary reforms would have to be part of an integrated approach to reforms in all sectors-in education, judiciary, administration and the rest.<sup>6</sup>

In order to choose the true representative of the people, the law of election should be firmly enforced. It is only through free and fair elections that the best results could be obtained. However, during the past elections there were complaints of rigging, gerrymandering, tempering with ballot boxes, misuse of money, capturing of booths, unauthorized donations to political parties by corporate bodies. These evil practices were so corrosive that they caused a breach in the electoral machinery.<sup>7</sup>

According to Enid Lakeman, "Today though few would dispute that the 'voice of the people' must be the ultimate arbiter, and the voice must be heard through the ballot box, the method and machinery by which this voting is practiced differ from country to country, and some still retain the forms of a century ago. We argue that it is to the failure of outmoded electoral systems that many of the confusions and abuses of the present political scene are due, and that a more rational system, directed to the fundamental 'good purposes' of elections is a necessary and preliminary step to genuine democratic government."<sup>8</sup>

According to Avnindra Kumar Verma, 'Elections in India are generally free and fair. But this is not true for every constituency. There have been several

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<sup>6</sup> Ibid, pp.311-312

<sup>7</sup> Srivastava L.N, Indian Political System, Surjeet Book Depot, Delhi, 2001, P.520.

<sup>8</sup> Lakeman Enid, How Democracies Vote, A study of electoral systems, Faber and faber, London, 1971, p.28.

challenges in the conduct of elections which have led to demand for reforms in the electoral system. These include: Money power is often used by influential candidates and parties to win elections. It gives them an advantage over small parties and independent candidates; Candidates with criminal background try to hegemonies the tickets and electoral seats. Muscle power is used to influence election result; Family lineage especially in distribution of tickets to relatives is a big challenge to Indian democracy; parties appear to be similar in their policies and programmes, making it difficult to choose; Women have received inadequate representation; smaller parties and independent candidates are at a disadvantage as compared to big parties; Religion and castes are used to incite communal passion and castiest feelings of people leading to electoral violence and partisan politics and media is used for petty promotional campaigns.<sup>9</sup>

**Table 12: Do you agree that the present electoral system in Nagaland needs reformation?**

	No. of respondent	Percentage of Respondent
<b>Yes</b>	<b>57</b>	<b>95.00%</b>
<b>No</b>	<b>02</b>	<b>03.34%</b>
<b>Can't say</b>	<b>01</b>	<b>01.66%</b>

Table 12 shows that out of 60 respondents to the questionnaire, 95% of the respondents agree that the present electoral system needs a reform in Nagaland. Some of the respondents were of the view that the system in itself is alright but people's mindset

<sup>9</sup> Verma Avnindra Kumar, Political Science, VK Interprises, Delhi, 2009,p.51.

should be changed. According to them more seminars and awareness campaigns on electoral reform are required.<sup>10</sup>

**Table 13: Do you agree that it is possible to bring electoral reform in Nagaland?**

	No. of respondent	Percentage of Respondent
Yes	54	90%
No	00	00%
Can't say	06	10%

In Table 13, quite interestingly, 90% of the respondents are optimistic that it is possible to bring electoral reform in Nagaland. Some of them have suggested that the present system itself can be strictly enforced through the use of neutral force, while others suggested going back to the Naga traditional system of selecting the village council members. Some suggested following the Naga National Council model.<sup>11</sup>

Some of the important issues of electoral reforms posed by the Election Commission and also the views expressed by different commentators, scholars and opinion creators which need attention are discussed in the subsequent passages.

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<sup>10</sup> This passage is based on the views expressed by different respondents to the questionnaire

<sup>11</sup> This passage is based on the views expressed by different respondents to the questionnaire. The Naga traditional village system and the Naga National Council models are explained in the subsequent passages.

### 5.2.1. Seek Re-election on defection

According to Malay Chaudhuri and Arindam Chaudhuri, 'it is very important to mention that we need urgent electoral reforms in this country without which our dreams will always remain unfulfilled...The most urgent reform needed in our electoral system is that once they (MPs/MLAs) change parties they have to seek re-election on the basis of the new party's spirit and ideologies of their election manifesto, if any. This will impose a certain degree of compulsion to adhere to a public given undertaking. This will also add to the stability of the government and the Prime Minister will be able to implement to a certain extent the promised policies without the fear of being overthrown by night.'<sup>12</sup>

### 5.2.2. State funding of election

The second most important reform in this area could be government funding of elections so that the dependence on black money is substantially reduced....that election booths need not be inside a room. It can be in an open space under a shade surrounded by barbed wire. Video cameras may be fitted to detect any untoward incident. This will mean that elections cannot be organized during the monsoons.<sup>13</sup>

In pursuance of the decision taken in the all party meeting on electoral reforms held on the 22<sup>nd</sup> of may, 1998 under the chairmanship of the then Union Home Minister, the Government of India constituted a high powered Committee on the State Funding of

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<sup>12</sup> Chaudhari Malay and Arindam Chaudhuri, *The Great Indian Dream*, Macmillan, New Delhi, 2003, pp.221-222.

<sup>13</sup> *Ibid.* pp221-223.

Elections under the chairmanship of Mr.Indrajit Gupta, M.P. The main recommendations of the Committee are outlined below.<sup>14</sup>

State funding of Elections, i.e. for grant of state subvention to political parties, is fully justified in order to establish such conditions where even the parties with modest financial resources may be able to compete with those having higher resources, on a level playing field and with a fair chance of success at the hustling.<sup>15</sup>

State funding should be confined to only the parties recognized as national or State parties by the Election Commission of India and to the candidates set up by such parties. It is necessary to have a tighter control over the election expenditure of the candidates and the political parties.<sup>16</sup>

### **5.2.3. Non-partisan observer**

Malay Chaudhuri and Arindam Chaudhuri suggest that to stop rigging, elections for parliament are to be held under a non party neutral authority, says the Chief Justice of the Supreme Court...State elections can be organized under the authority of the Chief Justice of the High Court. It is obvious that the ruling government has to resign, say, three months before the elections.<sup>17</sup>

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<sup>14</sup> Gupta Naresh, Electoral Reforms, Yojana, January 2009,p.41

<sup>15</sup> Ibid,p.41

<sup>16</sup> Ibid,p.41

<sup>17</sup> Chaudhari Malay and Arindam Chaudhuri, The Great Indian Dream, Macmillan, New Delhi, 2003,pp.223.

#### 5.2.4. Presidential form of Government

Utter dismay and dissatisfaction over the democratic system in India continues to raise the debate over the parliamentary form of government that has been borrowed and self imposed for the last 60 years. There have been suggestions that India should have either a two or three party political system. The other suggestions include changing over to the Presidential or federal system, like that of the United States.<sup>18</sup>

To really have a working democracy in India, where the best man is elected to power, the need of the hour is the Presidential form of democracy as in the USA. Otherwise as things stand now, we need to get around 300 MPs elected, mostly by illiterate voters, whose opinions can easily be manipulated by empty castiest, communal or regional slogans. A presidential form of election by a nationwide electorate wipes out regional, communal or castiest bias. A presidential form will also lend the stability required for implementing policies and programmes based on long term objectives and vision, which is the basis for people-oriented long-term national economic planning.<sup>19</sup>

Jaideep Bose argues that, 'Sure, we can debate what form of democracy would suit us best-and every few years the idea of a US style presidential form of government is faithfully exhumed as an alternative to the parliamentary system we've inherited from the

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<sup>18</sup> People and Government, Editorial column of Nagaland Post, November 11, 2007,p.4.

<sup>19</sup> Chaudhari Malay and Arindam Chaudhuri, op.cit. pp.224-225.

British. But as the excesses of the Bush years have shown, every form of democracy has its flaws.<sup>20</sup>

### 5.2.5. Reservation for Women

Women comprise half of the population in India, and if democracy is to have sex egalite and women power with its real play in the governance of the country, every political party contesting elections should provide half the number of candidates from among women....There can be provision to make women's egalitarian participation by extensive reservation of constituencies for women only.<sup>21</sup> In South Africa equal representation to men and women.<sup>22</sup> Even in the case of Nagaland, 100% of the respondents responded in support of women contesting election under the reformed election system.

**Table 14: Should women be allowed to contest in election under the reformed election system?**

	No. of respondent	Percentage of Respondent
<b>Yes</b>	<b>60</b>	<b>100%</b>
<b>No</b>	<b>00</b>	<b>00%</b>
<b>Can't say</b>	<b>00</b>	<b>00%</b>

<sup>20</sup> Bose Jaideep, Change begins with your vote, Times of India, March 3, 2009.

<sup>21</sup> Ibid.p.87.

<sup>22</sup> In an interaction with the church leaders at Wilkespruit, Johanesburg, South Africa on December 15, 2009.

According to the respondents in Table 14, women should be allowed to contest in election because women are more sincere than men in all walks of life. Some of them stated that women and men are equal therefore there should be no gender discrimination. Some of them also were of the view that head hunting days where physical prowess were required are over, now it is the age of intellectual caliber, so women are at par with men in all aspects. And so any capable woman should not be denied the chance to contest election.<sup>23</sup>

#### 5.2.6. Recall

Recall is referred to a method of removing a public official from office before the expiration of his term by petitioning for a special election to decide his continuance in office.<sup>24</sup>

One of the inherent defects of representative democracy is that once a person is elected to power, there is no provision to remove him or her from the seat though he/she is involved in criminal activities and loses the confidence of the people. To this Gandhiji recommended that if a representative fails to fulfill the duties and becomes corrupt, oppressive and inefficient, the masses should have the right to demand the resignation before the expiry of the term in the office.<sup>25</sup>

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<sup>23</sup> This passage is based on the views expressed by different respondents to the questionnaire

<sup>24</sup> Nanda T.R, Dictionary of Political Science, Anmol's publications, new Delhi, 2000,P.406.

<sup>25</sup> Wezah Yiepetso, Prospects of Decentralised Government in Nagaland, ISPCCK,New delhi, 2004,p.217.



One provision that may be considered borrowing profitably from the Soviet era election law is the right to recall an elected candidate for gross misconduct for grave corruption or outrageous communalism. In Soviet Union such a provision existed and worked. Party candidates had been successfully recalled on an appropriate motion and subject to strict procedure.<sup>26</sup>

### **5.2.7. Educational Qualification for Legislators**

The Parliament, which primarily concerns itself with the function of lawmaking, enjoys a place of primacy and pre-eminence in the governance of the country. In the Presidential system, the Chief Executive selects his cabinet from outside the House and from diverse social spectrum that he considers as efficient and competent. However in Parliamentary democracy like ours, the Prime minister has to pick his cabinet from among the available talents in the Parliament. In the light of this, parliament, which is an important organ of Government, must have representatives who have some educational qualifications, impeccable track record, high integrity and probity in public life and retirement provision.<sup>27</sup>

According to Maongsangba, 'The present constitutional position is that there is no minimum educational qualification prescribed for the lawmakers. The qualification for MPs and MLAs is laid down in Article 84 and 173 respectively. The two important qualifications prescribed for a lawmaker in India are that he must be a citizen of India and

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<sup>26</sup> Iyer Krishna V.R, *op.cit.*,p.87.

<sup>27</sup> Maongsangba, Electoral reforms in India, in Fazl Ali College 1959-2009 Golden Jubilee Souvenir, 2009,p.153.

not less than 25 years of age. However educational criteria are conspicuously missing. It is surprising how a person above the age of 25 years alone, will be able to do justice to the complex task of law making. Today in India, minimum educational qualifications for all categories of posts including peons are prescribed. So, there is no reason as to why such an important profession as that of lawmakers should be exempted from the ambit of educational qualifications.<sup>28</sup>

**Table 15: Do you think that there should be criteria for the person who contest in election?**

	No. of respondent	Percentage of Respondent
Yes	54	90%
No	03	05%
Can't say	03	05%

In a reply to the questionnaire 90% of the respondents agree that there should be certain criteria for a person to contest election.

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<sup>28</sup> Maongsangba, op.cit. pp.153-154.

**Table 16: What do you think should be the criteria for the person who contest in election?**

	No. of respondent	Percentage of respondent
Educational qualification	33	55%
Past record	27	45%
Family history	00	00%
Any other	00	00%

In the Table 16 given above, 55% of the respondents agree that there should be certain educational qualification to be qualified to contest election, and 45% of them are of the opinion that past records of the candidate should be taken into consideration as the criteria. In a reply to this questionnaire one respondent suggested that a person with good moral life and active in social activity should be taken into consideration while selecting a candidate for the election.<sup>29</sup>

#### **5.2.8. Provision for Retirement**

Another reform, which is an important necessity relating to Legislators is that of the retirement provision. His popularity amongst his constituents should not be the sole criteria to continue as lawmakers. There are legislators in India who cannot read, hear or walk properly even in the Central Hall of Parliament owing to old age. This lends credence to the belief that aged legislators hardly do justice to their profession. An

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<sup>29</sup> This passage is based on the views expressed by different respondents to the questionnaire

elderly politician can immensely contribute to politics and nation building without being a member of the House.<sup>30</sup>

### **5.2.9. Disqualification of Charge sheeted person from contesting election**

The number of criminal MPs in the 15<sup>th</sup> Lok Sabha is now whooping 153, a quantum jump, which should be a matter of concern to the people at large. If this is the growth rate of criminals in Indian politics, one should not be surprised, if India is presided over by a criminal as first among equals. Ironically, India continues to showcase its democratic achievement at various international forums and takes pride in being the largest democracy in the world. The presence of a large number of charge sheeted lawmakers coupled with illiterate lawmakers has eroded the credibility of our country and its image has nosedived among the comity of nations. The face-saver for the criminal MPs is that they are all innocent until proven guilty.<sup>31</sup>

The Representation of People Act 1952 stipulates that a person is disqualified from contesting only on conviction by the Court of Law. In view of the serious nature of the issue, the Election Commission suggested that the law should be amended to provide that any person who is accused of an offence punishable for five years or more, should be disqualified from contesting elections even when the case is pending, provided charges have been framed against him by competent Court. However, as a precaution against motivated cases by the ruling party, it may be provided that only those cases,

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<sup>30</sup> Maongsangba op.cit.,p.155.

<sup>31</sup> Ibid.,p.155

which were filed prior to six months before an election alone, would lead to disqualification as proposed.<sup>32</sup>

#### **5.2.10. Negative Voting**

The voting public needs the option of the negative vote. Say one does not like any one who is on the ballot, currently one has no choice but to either vote for someone one disagree with or not vote at all... Voters should be allowed to cast either positive or negative votes. A negative vote subtracts from a candidate's positive vote total. For each office, the voter could choose to either vote for a candidate or against a candidate. For each candidate, a net support total would be calculated by subtracting the "Against" votes from the "For" votes. The winner would be the candidate with the highest amount of net support.<sup>33</sup>

#### **5.3. Electoral reform in Nagaland**

According to Jeevan Nair, U.C.Jain, Failure of democratic practices and inability of elections to ensure stability in certain countries as against their successful performance in certain others leads us to believe that democratic procedures are workable only under certain circumstances and only by people habituated to their requirements. All political

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<sup>32</sup> Ibid.,pp.155-56

<sup>33</sup> Gupta Naresh, op.cit.,pp.42-43.

institutions bear an inimitable stamp of their origin do not easily bear transportation. It has been said that the best wine can be drunk in perfection only in the country of origin.<sup>34</sup>

Similarly, the Parliamentary system of government is a Westminster model copied by India, and the same had been applied in Nagaland. The system is quite alien to the Nagas, thus, voices of dissatisfaction on the system and remarks at the process of its working are being expressed from various quarters; some of which are discussed below:

Patricia Mukhim says that, 'Nagaland still practices its own archaic village democracy where women are completely marginalized during elections. Even educated women complained they had never been able to cast their votes because by the time they reached the polling stations someone had already voted in their names. For the uninitiated it seems rather strange that when people elsewhere had been using Electoral Photo Identity Card (EPIC), precisely to check proxy voting, this exercise has not succeeded in Nagaland. This is perhaps the only state where the EPIC is still not in use... There are several instances where the village council arbitrarily decides, which candidate to vote for. A dictat of sorts follows and people are simply told to surrender their votes so that someone can stamp all the ballot papers for that single candidate... It sounds like a bizarre form of democracy but funny enough even the most articulate do not see anything wrong with this system'<sup>35</sup>

Patricia Mukhim argues, 'One wonder if Article 371(A) which allows the State of Nagaland special privileges in respect of customary laws and practices, transfer of land

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<sup>34</sup> Nair Jeevan, U.C.Jain; Electoral System in India, Pointer Publishers, Jaipur, 2000, p.73

<sup>35</sup> Patricia Mukhim, Making Mockery of Democracy, Nagaland Post November 13, 2007, p.6.

and property and such other exemptions are also extended to the conduct of elections. No where in India do we have direct democracy or direct elections as is practiced in Nagaland. Yet successive governors who are expected to point out these anomalies to the Chief Election Commissioner have not done so.<sup>36</sup> Through the above cited arguments one observes that there is a clash between the native and alien systems of selecting or electing rulers; it also makes one to reason that there is something wrong with the system.

Thepfulhouvi Solo remarked that 'Of late we have often seen some village council supporting this or that political party candidate in the News papers for the coming Nagaland Legislative Assembly Election. Assembly elections are however not inter-village contests that the village council is required to declare and support the village candidate. The Assembly election in modern democratic system is a contest of programmes and policies of a political party differentiated from that of the other parties in the state...it is undemocratic for the village council to decide to select or support a particular candidate.'<sup>37</sup>

What T.U.Mehta commented on the election in India is still true in the case of Nagaland; 'Elections are meant to provide an opportunity to the contesting parties to project their ideological policies and concrete steps which they proposes to take for giving practical shape to these policies. Instead, those who contest elections, do so merely to capture power to further their personal interests and for self aggrandizement. To achieve this object, they lavishly use black money, appeal to communal and caste

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<sup>36</sup> Ibid.,p.6

<sup>37</sup> Solo Thepfulhouvi, Village Council in Nagaland & Democracy, Nagaland Post, January 01, 2008,p.4.

feelings, freely utilize the service of hired musclemen, capture booths, bringing voters, misuse the public media and utilize the administrative machinery wherever possible. Should we allow this process to continue or should we start thinking of taking remedial steps?<sup>38</sup>

Dominis Yazokie states that 'the present election system not only has malaises of money power, muscle power, booth capturing, rigging and proxy voting but has become the origin of vicious cycle of corruptions in the Government...A solution by legislation for electoral reforms under the purview of customary laws and practices is perhaps worthy of considerations by the legal experts, church forums, students' organizations, public Hohos and above all by the present legislators.'<sup>39</sup>

The personal testimony given by Ms.Akokla from Dimapur states that on 5<sup>th</sup> March, 2008, she went with excitement to caste her vote for the candidate of her choice, but to her utter shock and disbelief she found that her vote had already been casted by someone. She also came to know that many other people also had the same experience like her. Then when she tried to contact the polling and presiding officers they were unreachable...she said that this is the time for Nagas to shift their paradigm.<sup>40</sup> This speaks volumes about the evils of the electoral system in Nagaland

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<sup>38</sup> Mehta T.U in Khosla Shyam (Ed), Electoral System in India: Need for reform, Panchand Research Institute, Chandigarh, 1987,p.2.

<sup>39</sup> Dominic Yazokie, Election and Customary Laws, Nagaland Post,November 21, 2007,p.4.

<sup>40</sup> Akokla, Free and fair Election?, Nagaland Post, March 08, 2008,p.4.



### 5.3.1. Traditional system of Selection

According to Chief Minister Neiphiu Rio, ‘ Naga traditional way of selection process was superior to the present democratic election process as the later tends to bring misunderstanding and breaks unity also...Naga traditional way of selection process enabled the people to choose leaders with integrity, caliber and quality. He called upon the Hohos to follow the traditional method of selection for the benefit of public.’<sup>41</sup>

Reiterating his advocacy for replacing the existing election with the time tested selection system practised by the Nagas, Chief Minister Neiphiu Rio said that election system is creating more division among the Nagas. ‘Election is not the system of the Nagas as the Nagas practices selection system since time immemorial.’ Justifying his advocacy to selection system Rio pointed out that the Indian constitution gave special recognition to the Nagas under Article 371(A) and even the British during their rule recognized and appreciated the Naga system of selection. In this regard he stressed that there shouldn’t be election of Gaonboras and Dobashi but it should be done with the time tested selection system...Rio further disclosed that the State cabinet had discussion on the merit of the traditional method of selection and not election and appealed to the Angamis to start with various organizations under APO (Angami Public Organisation).”

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<sup>41</sup> Nagaland Post, August 31, 2007,p.1.

<sup>42</sup> The Morung Express May 18, 2008,p.1

**Table 17: Which between the two systems do you find to be more transparent and accountable?**

	<b>No. of respondent</b>	<b>Percentage of Respondent</b>
Tribal Hoho	27	45.00%
State assembly	10	16.67%
Can't say	23	38.33%

The table 17 given below shows that 45% of the respondents to the questionnaire finds the traditional Naga institution or the tribal institution more transparent and accountable than the modern system. Because under the traditional system, all the affairs of the village are conducted in public in a transparent and accountable manner. 38.33% could not give any view, and 16.67 finds the state assembly more transparent.<sup>43</sup>

### **5.3.2. Scope to develop Naga system of election based on Article 371(A) under the Indian constitution**

According to Nagaland's I.Imkong, 'The grant of autonomy and recognition of diversity in federalism gives rise to innovations to make the systems work better...although the 16 Point Agreement of 1960 was not the final answer to the Naga political problem, it had helped the Nagas evolve an identity and a unique direction for governance based on their customs and traditions...the special Constitutional provision

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<sup>43</sup> This passage is based on the views expressed by different respondents to the questionnaire

in the form of Article 371(A) gave vast scope to the people of Nagaland to develop according to their own genius and to safeguard their various social, customary and traditional practices...The institutions being evolved are being recognized as deserving replication in other parts of the world.<sup>44</sup>

**Table 18: Which type of electoral system would you prefer?**

	No. of respondents	Percentage of respondents
<b>Traditional</b>	<b>03</b>	<b>05.00%</b>
<b>Modern</b>	<b>24</b>	<b>40.00%</b>
<b>Synthesis of traditional &amp; modern</b>	<b>32</b>	<b>53.34%</b>
<b>Can't say</b>	<b>01</b>	<b>01.66%</b>

On being asked which of the electoral system would they prefer, 5% of the respondents favoured traditional system; 40% of them favoured modern system; 53.34% of them preferred the synthesis of traditional and modern system and 1.66% of them could not give their view. Thus, the synthesis of the traditional and modern system can be the best alternative. According to them the traditional system should be improved to make it more relevant to the modern needs.

<sup>44</sup> The Morung Express November 27, 2007, Page 1. I.Imkong Ao is the former Leader of Opposition in Nagaland Legislative Assembly.

### 5.3.3. Village Council, Village Development Board & Communitisation Models

Some of the unique institutions that have evolved are the Village Councils, the Village Development Board (VDBs), and the latest concept of Communitisation are classic examples...The creation of the Village Council is based on the age old tradition and customary practices of the people. This institution has evolved to become a strong and viable institution to maintain administration at the village level. With very little policing by the State Government, the communities are maintaining law and order in their jurisdiction. It is to the credit of the Village Councils as an institution that there are no police outposts in any of the village of Nagaland. The local communities are able to organize themselves and act much more efficiently for their various requirements including the development process.<sup>45</sup>

The VDB emerged based on the strength of the Village Council... Under the concept of Communitisation programme of the government, various public institutions and services such as primary education, primary health care, power supply and water supply systems are being handed over to the communities for management and maintenance.<sup>46</sup>

There may be some loopholes in the working of the VDB or communitization systems but its over all functioning is quite commendable. Now with the growing awareness of their rights among the rural masses the system is gaining strong momentum. And it has become difficult for the officers in the department to deceive the

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<sup>45</sup> The Morung Express November 27, 2007, Page 1.

<sup>46</sup> The Morung Express November 27, 2007, Page 1

villagers. The VDB members are making exposure tours to different parts of the country to equip themselves with new ideas to develop their communities.<sup>47</sup>

#### **5.3.4. Naga village council system Election and Governance**

It is pertinent to look at some of the propositions put forward by some of the concerned individuals for the electoral reformation in the model of the Naga village council. According to Dominic Yazokie: A common minimum qualification be set for all candidates by the constituency; All candidates declare their assets and service to the village council; Every village conduct preliminary round of selection by lot to one candidate for each political party; candidates from all villages of the constituency be further reduced to one candidate each for every party by lot drawn by the chairman of the village council; The final draw of the lot on the fixed date conducted by the Election Commission and declare 'elected' as per constitution; The oath of service to the people and sworn in as member (MLA) of the party; Government formation procedure should remain the same like now; any defection should disqualify his membership from the House and further from the candidature instantly; The Local area development Fund (LADF) should be directly drawn/deposited to the VDBs of each village account; By tenure end if assets accrued more than double the prior declaration, then the candidature should be debarred when seeking consecutive tenure.<sup>48</sup>

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<sup>47</sup> Mahabir Jha, Lecturer & HOD, Department of Political Science, Yingli College, Longleng in an interview on 30<sup>th</sup> April 2010

<sup>48</sup> Dominic Yazokie, Election and Customary Law, Nagaland Post, November 21, 2007, p.4.

### 5.3.5. Naga National Council (NNC) Model

Hokishe Sema argues that after the Second World War ended at the battle of Kohima in April 1945, the Naga National Council tried to bring uniformity into the administration. The Village councils which existed in many villages were introduced in all the rest of the villages. All male adults in the village would meet and select the council member. No political parties existed and selection of members was done by general consensus. The next level was the Range Councils or the Area Councils. Each range had a council whose members were selected and sent by village councils. The third level was the District Council, which is called the Regional Council. Its members were selected by Area Councils.<sup>49</sup>

M.Alemchiba says that, 'the Naga National Council was composed of 29 members who represented the tribes on the principle of Proportional representation. Among the members office bearers were elected.'<sup>50</sup> According to him as back as 1923, the Lothas had their council formed and ever since the same has been continued. The Ao Tribal Council was founded in 1928, but dissolved in 1929, which was reorganized in 1939. Most of the other Tribal Councils were organized in the middle of forties.<sup>51</sup>

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<sup>49</sup> Sema Hokishe, *Emergence of Nagaland: Socio-Economic and political Transformation and the future*, Vikas publishing House, Pvt.Ltd, New Delhi, 1986, p.170.

<sup>50</sup> Alemchiba M, *A Brief Historical Account of Nagaland*, Naga Institute of Culture, Kohima, 1970,p.165.

<sup>51</sup> *Ibid*, p.165

### 5.3.6. Tuensang District Regional Council Model

In Nagaland even the members of the State Assembly which is the final level can be selected by the Regional Councils. Till recently (1974) this system was practised in Tuensang district. Diffusion of power is necessary for development and for speedy progress of the state. This system will reduce the increasing expenses of election and minimize the corruptions.<sup>52</sup>

In view of the fact that the Tuensang District came under regular administration much later than the Naga Hills District, the inhabitants themselves had insisted and the Naga delegation as a whole had agreed that special provisions should be made for it. It was decided that the Governor shall carry on its administration for ten years until the Tuensang tribes are capable of shouldering the heavier responsibilities of an advanced system of administration. It will have a regional Council consisting of elected representatives of all the tribes in the District, to which Governor may also nominate members; the deputy Commissioner will be its ex-officio Chairman; and it will elect representatives from among its members to the Nagaland Legislative Assembly. It is provided that no Act or Law passed by the main Assembly shall be applicable to Tuensang unless it is specifically recommended by the Regional Council.<sup>53</sup>

Some of the leaders of Tuensang like Rev.Manküp Konyak were of the opinion the same system of selection which was in practice till 1974 should have continued

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<sup>52</sup> Sema Hokishe, op.cit.,pp.171.

<sup>53</sup> Elwin Verrier, Nagaland, Research Department, Advisor's Secretariat, Shillong, 1961, P.86.

without involving in election. Because, the system did not break the unity and social cohesiveness of the region. In fact more developments of the region have been witnessed during that period. Selection rather than election system is suitable to the Nagas.<sup>54</sup>

According to Hokishe Sema, the council system is the surer way to inculcate self confidence in the people. It gives them opportunities to manage their affairs themselves and their resources themselves. These Village, Area and Regional Councils should be allowed to collect local taxes to augment their resources for development of their areas and government should sanction matching grant and also assist them to procure loans. These Councils should be allowed to run primary schools, handicraft industries, forestry, roads and irrigation etc.<sup>55</sup>

On a proposal to frame a new system of representative democracy in Nagaland the respondents gave the following reply:

**Table 19: Do you think that it will be better to have a representative from each village to form an Area Council, and representative(s) from Area Council should form a tribal council(District) council and the Tribal(District) council should form the State Council/Assembly to have a more effective and representative democracy in Nagaland?**

	No. of respondent	Percentage of Respondent
Yes	39	65%
No	12	20%
Can't say	09	15%

<sup>54</sup> Rev.Manküp Konyak in an interview to the researcher on December 29, 2007 at Tamlu.

<sup>55</sup> Sema Hokishe, op.cit.p.171.



In the Table given above, 65% of the respondents were of the opinion that the modern system is not relevant to the context of the Nagas. Therefore, a new system based on the traditional Naga political system should be evolved and introduced to make it more relevant to the need of the people.<sup>56</sup>

### 5.3.7. Bi-cameral Legislature

Nagaland is called the conglomeration of the village republics. Each village is a nation or state in itself. Therefore, the needs and aspiration of each village must be represented and must be taken care up. If these needs are not addressed then Nagas claim of having a vibrant democracy is a farce. Therefore, in order to have a vibrant functioning democracy in Nagaland, one needs to have a re-look into the present democratic system.

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One answer to rectify the defect in the present political system is to introduce the Bi-cameral legislature in Nagaland. Bi-cameral system of legislature means to have two chambers of legislature: the upper house representing the village republics and the lower house representing the people (citizens). The upper house is also called the Legislative council and the lower house is called the legislative assembly. If it is properly regulated then the tribal hohos can also be given the status of the legislative council by statute. The Upper house must be a non-partisan permanent chamber of legislature.<sup>58</sup>

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<sup>56</sup> This passage is based on the views expressed by different respondents to the questionnaire

<sup>57</sup> Phom Henshet B, Naga Concern: Reflection on Society, Religion, Culture and Politics in Nagaland, Yingli College, Longleng, 2009, pp.15-16.

<sup>58</sup> Ibid, ,p16.

Each tribal territory can be declared as a province. The tribal council (tribal hoho) can be formed by a representative from each village assembly. The tribal council can also be called provincial council or any name that suits it. And the members of the provincial council can elect their representative(s) to the legislative council (upper house). Some members with distinction in the field of arts, science, literature, social service etc may also be nominated as the member of the provincial council.<sup>59</sup>

Certain criteria, like the minimum educational qualification, may be fixed for a person to become a member of the provincial council. This will make the legislative council truly a refined house. The representative of each village must be elected by their village assembly through the system of adult franchise for a fixed term. Each member of the provincial council must be allotted certain amount of fund depending on the size of the village for implementing various developmental and welfare programmes in his own village. And a proper mechanism must be created to make the developmental works more transparent. This is also one way to strengthen our grass-root democracy.<sup>60</sup>

In this way the voice from every nook and corner of Nagaland can be heard through the establishment of the Upper House. We can also call this system the most represented form of government, because each village gets their representation under this system. This can be the stepping stone towards realizing our dream of a vibrant democracy. Some of the states in India like Bihar, Maharashtra, Karnataka, Uttar Pradesh

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<sup>59</sup>Ibid, p16.

<sup>60</sup>Ibid, p16.

and Jammu & Kashmir are having bi-cameral legislature. Thus, this is something which is workable.<sup>61</sup>

Nakhro Mazie also suggests for the establishment of Upper house in Nagaland which would be called House of Councillors. According to him the House of councilors may play a deliberative role to discuss issues of concern to the nation and enjoy unlimited influencing power in shaping public policies. The councilors may serve an advisory role to the Legislative assembly, but they may have no overriding power except the power to delay any legislative bill for up to 60 days for reconsiderations by the Lower House or endorse it before submission to the Governor of the state. The councilors may serve as a government figure-heads in most ceremonies and functions arranged by the public or interest groups so that elected officials may be protected from making hasty promises/donations on the spot.<sup>62</sup>

#### **5.4. Suggestions for Free and Fair Poll**

It is worthwhile to take into account some of the suggestions propounded by S.K.Kenye for the conduct of free and fair poll in Nagaland. According to him:<sup>63</sup>

1. There should be compulsory identification card of every citizen of Nagaland with personal photo pasted in it. The card should be driving license, employee ID, gas card and village citizenship card. Or in that

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<sup>61</sup>Ibid, p.16.

<sup>62</sup>Nakhro Mazie, *To the Top in two Generations*, Brilliant printers pvt.Ltd, Bangalore, 2010, p.47.

<sup>63</sup> S.K.Kenye, *Problems of manning polling stations in Nagaland*, March 17, 2007,p.4.

matter any ID card with photo issued by the authorized government, church or village. A law should be introduced that by the age of 18 years every citizens of Nagaland shall have a photo ID card of any of the above mentioned ones.

2. The polling party should consist of two groups: one group for conducting the actual polling whereas the other will streamline the bogus voters in the main gate before entering within the perimeter of the polling station.
3. Before any voter enter inside the perimeter of the polling booth the security personnels along with the polling officials should check these ID cards and see that those who have ID card tallying the individual concerned (in the electoral roll) be allowed to enter inside the periphery of the polling booth. Polling is conducted in phases so that sufficient security personnels are making available to each polling party for providing security to the polling officials as well as to fairly streamline the bogus voters in the check gate. Unless the bogus voters are streamlined by the security personals at the main check gate, it is practically impossible for any presiding officer or polling officer to strictly adhere to the election rules and regulation for free and fair election.

### 5.5. Naga customary Oath and Dress Code

Rev.Luoliehu suggests that ‘the elected leaders must be made accountable to their electors and God. This can be done openly in their respective villages or constituencies with all the elders, church leaders etc. and to make them take an oath. This need to be done before the Raj Bhavan’s and Assembly Ceremony. He also suggest for the dress code during the Assembly session. Since Nagas are a people who are renowned for the pride we (they) have in their rich natural heritage...it will be good for the elected leaders to wear their particular tribe attire which can be costumed tailored , this is one good way for leaders to show the way to present and preserve our (their) culture.’<sup>64</sup>

### 5.6. Model Code of Conduct

Today, the Model Code of Conduct is considered the basis for evaluating the conduct of political parties and candidates in the run-up to elections. The code was evolved in 1972, on the eve of Assembly elections, by the then CEC (Chief Election Commissioner) S.P.Sen Verma after discussions with political parties.<sup>65</sup> According to the said Code of Conduct, certain norms are to be followed by the political parties and the party in power which faces election.<sup>66</sup>

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<sup>64</sup> Luoliehu, Proposition for a Better Nagaland, Nagaland Post February 12, 2008, p.6.

<sup>65</sup> Venkatesan, Election Commission: Looking back, Frontline, February 26, 2010,p.120.

<sup>66</sup> Ibid, pp.41-42

For example, on the eve of election, no action is to be taken to influence the electorate. The party in power is not to make use of government machinery for the betterment of its prospects in the elections...Ministers and other authorities shall not sanction grant or payment out of discretionary funds from the time the elections are announced<sup>67</sup> Ministers and other government authorities should not announce or promise any financial grants to the people; they should not promise public facilities like road; and they should not make any adhoc government appointments.<sup>68</sup>

Similar to the Code of Conduct issued by the Election Commission, the voice raised by the church and the suggestions offered by them also call us to ponder upon the system of election in Nagaland. Some of them are discussed in the following passages.

### **5.7. Voice from the Church**

A question is often raised; 'should Christians be involved in politics? The Bible testifies to the involvement of the people in political activity. The story of exodus is about the politics of liberation of Israel from slavery in Egypt and their development as a nation...It is important that all citizens participate responsibly in political life and not simply stand aloof as spectator. The most basic form of participation is through the exercise of franchise or the right to vote in elections...It is also important that Christians

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<sup>67</sup> Ibid, pp.41-42

<sup>68</sup> Ibid.p.42.

join with others in determining the guidelines for their choice of candidates or political parties so that the goals of justice in society may be realized.<sup>69</sup>

In Nagaland majority of the people practise Christian faith. And since the beginning of the Naga national movement, church had been playing an important role in bringing peace and justice in the land. For example, 'In view of the seriousness of situations, the Nagaland Baptist Church Council (NBCC) had a convention at Wokha on February 2-4, 1964. There a resolution was passed to bring about a peaceful settlement between the Government of India and the Federal Government of Nagaland. Consequently, a peace mission was formed with Mr.B.P. Chaliha, the then Chief Minister of Assam, Mr.Jayaprakash Narayan and Rev.Michael Scott from England. They came forward and took up their responsibilities sincerely and made many contacts with both the sides...Thus, a ceasefire between the two Governments was agreed to, and with the Peace Mission as go-between, contacts started and a ceasefire Agreement was secured on September 6, 1964.<sup>70</sup> Like wise, till today church has a strong voice in the Naga community. NBCC its apex body stands as the conscience keeper of the Naga society; therefore, its voice and suggestions need reflection while working to bring electoral reform in Nagaland.

Under the initiative of the Nagaland Baptist Church Council (NBCC) a Naga Consultative meeting attended by Naga church leaders, public leaders, politicians,

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<sup>69</sup> Chandran J.Russell, Christian Ethics, ISPCK, Delhi, 1997, pp.129-136.

<sup>70</sup> Nuh V.K, Nagaland Church and Politics, Vison Press, Kohima, Nagaland, 1986, pp.149-150.

theologians, government officials, youth leaders and student leaders on October 30, 1981 passed the following resolutions for the conduct of free and fair election:<sup>71</sup>

1. Electoral Roll: No duplication of names in your own constituency. Care to be taken in enumeration of the Electoral Roll.
2. Common platform: Constructive spirit should be made by common platform for canvassing and campaigning. No house to house creeping:
  - a. Timing: Specific time be fixed by the public leaders and church leaders for the candidates or representatives to address the mass or voters from the same platform in the village or at a selected place. Apart from such public platform, private canvassing is violation and unfaithful. As such, students and volunteers shall check: *Vote for faithful leaders.*
  - b. Campaign promise: A candidate or representative, while addressing voters, should clearly give the manifesto of his candidature and ensure with proof the implementation of the manifesto for the decision of the voters.
  - c. Campaign Criticism: as Christian responsible leaders, candidates or agents should avoid character assassination or any reflection on family, clan, village, religion, etc. A worthy leader has nothing to do with such elements.
  - d. Election expenditure: The society should select its leaders from heart, democratic and Christian spirit and not from inducement or purchase. Heavy expenditure amounts to corruption and exploitation of public welfare. Free and fare election does not require vote-cost, donation, bribery or feasting. Expenditure should be restricted to expense required only for common platform of campaign

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<sup>71</sup> Ibid, pp.186-189



and canvassing. Candidates should serve people and public get their service after the election. It is a moral duty. Therefore, this shall be checked by public church leaders and student-volunteers.

e. Election camp: All misunderstandings, corruptions, rivalries, enmity and so on should be avoided. No election camp should be set up by parties or candidates apart from that of common platform established jointly by the voters.

3. Voters: Under-age voting is a sin against the moral society and such deliberate enrolling as voters will be reflected at the time of seeking employment.
4. Transportation of voters: Accepting facility from the candidates for voting is not democratic way. If necessary, Government should provide transportation for the voters to the polling booths. Nagaland government should carefully check the proper use of photograph identity card. Proper voting is a sacred duty and responsibility of every qualified Christian electorate.
5. Defection: Respective constituency should take up a proper step for preventing or dealing with defection after election so as to avoid instability and social corruption in future.
6. Proposed selection of leader (for near future): The cordial manner in which Naga villages generally and customarily select their leaders for village affairs is an attractive one. The strong natural leader is found. Every Naga tribe has its own traditional ways of recognizing its leaders. Constituencies could be allowed to choose their leaders or representatives according to their respective customs as a step towards ELECTION REFORM and such measures could be examined by an

expert. All Nagaland Consultative Committee consisting of nine members, representing different shade of opinions, profession and interests. And for this, the house has authorized the Nagaland Baptist Church Council (NBCC) to appoint the committee.

Again in 2008, the NBCC wrote an appeal to all the candidates, party workers, village councils, church leaders and general public for free, fair and accountable election 2008 in the form of the following guidelines:<sup>72</sup>

**CHURCH:**

1. The churches under NBCC recommit to strongly advocate for free, fair and just election process.
2. A true Christian ought to be a good and responsible citizen of the land.
3. Voting is vital to ensure that laws are enacted that confirm to God's law and as such it will encourage all its members to vote...proxy voting is sin against God and His fellow men.
4. The church must not allow itself to vote-trading for church development project, but will stay clear of any partisan activity and as such it will not permit the use of pulpit by any politician or its party worker prior to election.
5. All the associations and local churches under NBCC should adopt its own resolutions in addition to the ones stated here.

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<sup>72</sup> NBCC Appeals for free, fair and accountable election 2008 in Nagaland, issued by the General Secretary, NBCC in Nagaland Post January 15, 2008, p.4

#### CANDIDATES:

1. There should be no secret deals or agreements with selective individuals. Clansmen or others. All discussions and manifestations should be issue based and should be in public domain since the election experience is ultimately for the people and by all the people.
2. Use of alcohol and establishment of camps for youth disturb the already fragile social climates of towns and villages, and further endanger the future of our youth.
3. Booth capturing is obnoxious. Any design to capture election booths is unconstitutional and against the will of God...

#### PARTY OFFICIAL:

1. Party workers should develop inclusive version and work to fulfill party manifesto.
2. They should practice tolerance towards all, including those opposed to them
3. They should avoid all forms of cheap divisive propaganda, character assassination and refrain from exploiting the elected members for self gain.
4. All active party workers of all parties should try to be in touch with one another and work in tandem so as to usher amity and cordiality. Absolute tolerance should be the guiding principle of all the parties.

#### VILLAGE COUNCIL:

1. The village council should ensure that right to vote is not curtailed.
2. The council should take upon itself a divine duty to commit to accommodating all the diverse opinions of its members in the village and find ways to maintain peaceful co-existence at all times but more so during election.

#### NATIONAL WORKERS:

1. The aspiration of the Naga national workers profess and pursue is apparently different from the constitutional impetus of the Government of India. Therefore, the involvement of the naga national workers in the general Election is seen by the common people as a 'sell out' of the very spirit they cherish. Therefore, they must uphold their aspirations strongly and stay clean.

#### ELECTED MEMBERS:

1. The elected members are expected to fulfill all election manifestos
2. All programmes should be executed in a transparent manner and open to public and social audit.
3. Community interest should be primary and above party or individual interest.
4. People should have easy access to their leaders for grievance redressal.

## 5.8. The Sami Parliament

It is pertinent to state that to formulate a new paradigm to bring electoral reform in Nagaland is not impossible. Many indigenous communities in different parts of the world have been granted such autonomy. One leading example is the Sami parliament.

The Sámi politics is referred to the politics that concern the indigenous Sámi people in Scandinavia, Finland and Russia. In a more narrow sense, it has come to indicate the government of Sámi affairs by Sámi political institutions. According to Joan Carling, 'Certain indigenous peoples practice self governance in varying degrees under autonomy structures within their nation-states. These are the Sami people of Sweden, Norway and Finland, through their Sami Parliaments, the Inuit of Greenland through the Greenland Home rule, the Kuna through Kuna yala in Panama and the Miskito in the autonomous regions in Nicaragua.'<sup>73</sup>

In these countries there is some level of recognition of indigenous processes and mechanisms of governance and political systems. Certain indigenous groups also engage in party politics and the electoral process of the nation state as in the case of the Miskito of Nicaragua and the Sami people.<sup>74</sup>

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<sup>73</sup> Joan Carling, 'Indigenous Peoples' Involvement in National Politics, *Morung Express*, January 19, 2011

<sup>74</sup> *ibid*

**Table 20: Whom do you think is responsible to bring electoral reform in Nagaland?**

	<b>No. of respondent</b>	<b>Percentage of respondent</b>
Government	18	30.00%
NGOs	17	28.34%
Public	25	41.66%
Any other	00	00.00%

If electoral reform is to be introduced then it must be taken as the joint responsibility of the government, Non Governmental Organizations and the public. But the general public should take the major role in bringing electoral reform in Nagaland. The statement is justified by the Table 20 given above.

**Conclusion:**

Based on the preceding discussions it can be summed up that the elections are not held in a free and fair manner in Nagaland; the system is also not relevant to the context of Nagaland. Thus electoral reform is needed. Electoral reform can be initiated in two ways: Either to reform the present (modern) system or to revive the traditional system. The best way is to go back to the traditional system of selecting village council members and to incorporate it in the modern system. The customary practice can be improved to make it relevant to the modern needs.

**CHAPTER SIX**  
**SUMMARY AND CONCLUSION**

## CHAPTER VI

### SUMMARY AND CONCLUSION

Before the introduction of the modern electoral system, Nagas had their own system of selecting their rulers. Although there is a slight variation, there is almost a similar system of governing each of the Naga village-state.

Except the Konyak, Chang and the Sema Nagas, who have hereditary chiefs, the Ao, Phom and the rest of the Naga tribes have democratic system of selecting their rulers. It may also be noted that even when the chiefship is hereditary, the chief had a council of Advisors/rulers representing every clan. Thus the democratic principle still exists even under the chiefship.

The polity of the Naga village-state had been evolved since time immemorial. The political system of each tribe is as old as their tribe; it was therefore, relevant to the need and aspirations of each of the tribe. As such, there were orderliness and stability in the system of their governance.

Nagas felt the spell of modernization for the first time with the signing of the Treaty of Yandaboo in February 1826 between the British and Burmese government; which while demarcating the boundary between India and Burma, caused the vivisection of Naga country. Since then various historical factors played their role in influencing the Nagas to the world of modern politics.



It can be stated that the Treaty of Yandaboo, the British rule, Christianity, modern education, the World War I, World War II and the politics of the independent India made drastic impact upon the traditional Naga political institutions. It also opened their eyes to see the larger politics of the modern world.

During the World War I, a group of Nagas numbering about 2000 members who went as Labour Corps to France for the first time realized about their unique identity and the importance of their nationhood. Thus after coming back from the War, this group of Nagas formed Naga Club which became the torch bearer of the Naga political movement.

The Naga Club submitted its memorandum to the Simon Commission in 1929 to exclude the Naga areas from the proposed Constitutional reform by the British India. And this Memorandum became the bed-rock of the Naga national history.

The Naga Club was later given a new nomenclature- Naga National Council popularly known as NNC. The NNC declared Naga independence on August 15, 1947 one day ahead of India to declare their sovereign nationhood. Thus, to prove their claim of an independent nation, the President of the NNC A.Z.Phizo conducted the famous Naga plebiscite on May 16, 1951 and later the Constitution of the Federal Government of Nagaland was adopted on March 27, 1957.

The plebiscite of 1951 can be termed as a landmark in the political history of the modern Nagas because it was for the first time that the Naga masses exercised their rights to declare their claim for sovereign nationhood. Consequently the first two General elections of the Indian union held in 1952 and 1957 were boycotted by the Nagas.

However, as the political imbroglio continued between the Naga underground and the Government of India, a section of the moderate Nagas under the banner- Naga People's Convention proposed a settlement of the Naga political problem by advocating statehood under the Constitution of India. Accordingly Nagaland was inaugurated as the 16<sup>th</sup> state of the Indian Republic on December 01, 1963. And to serve as a bridge during the transition, an Interim Body was constituted with Dr.Imkongliba as the Chairman.

The first election to the Nagaland Legislative Assembly was held in 1964. It was the first participation of the Naga masses in the modern election. Since then twelve General elections to the Nagaland Legislative Assembly have been held.

But today with the introduction of the modern electoral system in Nagaland, the old system of governance, which have been evolved through the age old wisdom of the Naga ancestors have been destroyed. The evils of the modern politics like corruption, defection, nepotism etc have come in the way of the new system.

Universal adult franchise is not practised in true spirit in Nagaland. In most cases an individual voter do not get a chance to cast his/her vote; the village councils take the decision as to whom to vote for and they thus caste the votes on behalf of the whole village.

Distribution of money, clothes, salt, cigarette, wine, CGI sheet etc to woo the voters are common features during elections. Launch of paper war is the recent electoral trend in Nagaland. In some places even the underground elements were involved during elections.

Modern electoral system has brought division in the Naga society. It has created class among the citizens and a gap between the villages. Voices of discontentment over the prevailing system are being heard from all corners.

On the other hand, the members of the Naga village councils are appointed purely based on merit. The Konyak Naga Anghs inherit their thrones purely based on their royal line. Thus, there could be no corruption or confusion on the issue of succession or coronation of the Angh. The members of the Village council among the Aos and Phoms are also appointed based on merit. There is transparency with regard to the selection of the members. For the traditional Nagas to be a member of the Village council was more of a responsibility than a privilege; it was more of a sacrificial than a privileged position.

However, election is quite an alien culture to the Nagas. It was something which the Nagas have never heard of. The present system of election does not permit a free and fair election. Use of muscle, money and media power is a common feature of electioneering in Nagaland.

Unlike the modern party system of government, one unique feature of the Naga traditional Political system is that they do not have political parties. And as there is no political party or parties among them, there is no division among the members. As such the village council functioned as a unified and cohesive body. If any member goes in contradiction to the popular opinion or against the welfare of the community, the opposition against him would be first from his own family or clan-men. The village council would take decision based on truth and sound judgment. One can thus call the Naga village council, '*an ethical or a moral Body.*'

It may also be noted that although the traditional Naga political system had been hailed as a Democracy in its purest form, a closer examination reveals that it lacks certain ingredients to be qualified as the purest democracy. For example, women were restricted from direct participation in the village governance. Practically, the Naga polity was patriarchal. Women were debarred from membership and did not participate in the village decision making process.

However, modern democracy gives ample opportunity to the people of all walks of life. Under this system woman, youth, students' union, chamber of commerce, human

rights group, poor, weaker sections, tribal, dalit etc all get the opportunities for participation. Although elections are the principal means by which people have a say in government policy in a representative system, they are not only means. People can join associations to campaign for and against changes in legislation; they can become members of political parties; they can lobby their representatives in person. Governments in turn can be required to consult those affected by their policies or a selected cross-section of electorate.

Similarly, today organizations like the Naga Hoho, Eastern Nagaland People's Organization, Naga Students' Federation, Eastern Nagaland Students' Federation, Naga Mothers' Association, Nagaland Baptist Church Council etc are playing tremendous roles in mobilizing public opinion and are acting as watch dogs of the Naga society. Whenever there is any issue confronting the Naga Society or if government is to take any issue related to the welfare of the people, these organizations raise their voice in the interest of the people.<sup>1</sup>

On a closer examination it is also found that the traditional and modern electoral system has a closer affinity and also a wide contrast; in certain cases one also find the interplay of the two systems. It is also seen that the traditional system of governance has been incorporated in the modern system of governance in Nagaland since British days. For example, the institution of Gaonboras, Dobashis, and Village Council system, Village

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<sup>1</sup> This passage is based on the views expressed by different respondents to the questionnaire. See for example in Nagaland Post October 8&9, 2010 issues various NGOs and individuals expressed their views on Article 371(A), Women reservation issue and control over natural resources by the Naga people.

Development Board, Communitisation Programme in Health, Education, Power and Sanitation sectors in Nagaland are all rooted in the traditional polity of the Nagas. What remains to be done now is to integrate the Naga traditional system of selecting the village council members into the modern system of election.

Some of the recent discussions on the topic of electoral reforms are that a Legislator should be asked to seek re-election on defection; there should be State funding of election; there should be a non-partisan observer during election; there is a need to switch over to the Presidential form of government; reservation for women; recall, educational qualification for legislators, provision for retirement, disqualification of the charge sheeted person from contesting election, introduction of a negative voting and so on.

Various suggestions have been put forward for bringing electoral reform in Nagaland as well. It has been stated that the Naga traditional way of selection process was superior to the present democratic election process as the later tends to bring misunderstanding and breaks unity of the community. Naga traditional way of selection process enabled the people to choose leaders with integrity, caliber and quality.

Election is not relevant to the Nagas as the Nagas practised selection system since time immemorial. The Indian constitution gives special recognition to the Nagas under Article 371(A) and even the British during their rule recognized and appreciated the

Naga system of selection. Thus, there is scope to develop Naga system of selection of their rulers based on Article 371(A) of the Indian constitution.

Some of the unique institutions that have evolved based on the wisdom of the traditional system are the Village Councils, the Village Development Board (VDBs), and the latest concept of Communitisation. Therefore, they can also be referred to while working on to bring electoral reform in Nagaland.

The Naga National Council (NNC) Model which has the system of having Village council, Range Council, District Council and Regional Council whose members are elected by Area Council can also be considered.

Tuensang District Regional Council whose members were selected through indirect means, through the system of proportional representation may also be considered as a model. There is also suggestion that there should be a Bi-cameral legislature with the Tribal Council as the Upper Chamber.

It is also found that it is possible to formulate a new paradigm to bring electoral reform in Nagaland. Many indigenous communities in different parts of the world have been granted such autonomy. One leading example is the Sami parliament of the indigenous Sámi people in Scandinavia, Finland and Russia.

Therefore, based on the preceding discussions it can be brought to the final conclusion that the traditional political system was relevant to the needs of the Nagas. The modern elections are not held in a free and fair manner in Nagaland; the system is also not relevant to the Nagas. Thus, electoral reform is needed in Nagaland. But it is not possible to adopt the traditional system as it is, as it was evolved based on the need of the ancient Naga village set up. Electoral reform can be initiated in two ways: either to reform the present (modern) system and to enforce it strictly or to revive the traditional system. The best way is to go back to the traditional system of selecting village council members and to incorporate it to the modern system. The customary practice can be improved to make it relevant to the modern needs.



## Appendix I

### List of People Interviewed

- B.Pangchong at Tamlu town on December 29, 2007
- B.Mane Phom interviewed at Longleng on September 25
- Chingdang at Tamlu town on December 28, 2007
- Chemben Tangha Village interviewed on April 08, 2008
- Chingshen interviewed at Anaikhai on Dece.20, 2008
- Chinglong Phom Asst.Headmaster at Longleng on June 04, 2010
- Chingau Teacher (Rtd), Yongshei village on August 18, 2007
- Lanunochit Pongen, Lecturer at Longleng on May 15, 2010
- L.Haülong Dobashi Tamlu village on January 01, 2008
- Longdük Mukho at Anaikhai village on Jan.05, 2009
- Mahabir Jha Lecturer, Dept. of Pol. Science, Yingli College, Longleng on April 30, 2010
- Mankup Konyak (Reverend) at Tamlu on December 30, 2007
- Manwang Konyak on June 20, 2010
- Mungkhum (Kangching village) at Tamlu town on December 23, 2007
- M.Pongshen at Anaikhai village on Feb.18, 2010
- Nockthak Konyak son of Loakho village Angh at Longleng on 13.10.05
- Nokton (Tamlu Konyak) at Tamlu town on December 29, 2007
- Nyamto Wangsha at Dimapur on December 18, 2009
- Nyei-e Konyak at Longleng on February 20, 2010
- O.Benchem at Lushei, Anaki'C' on Feb.23, 2010
- Rev.Manküp (Tamlu Konyak) at Tamlu village on 30.12.2007
- Tali Pongen at Longleng on May 04, 2010.
- Tamonger Teacher at Longleng on October 13, 2009
- Temjen Ao Teacher at Longleng on Oct.13, 2009.
- Toiphen Dobashi (Buranamsang Village) at Tamlu Town on December 29, 2007
- T.Imdong Phom in an interview at Longleng on Oct. 2, 2009.
- Wapang Longkumer at Longleng on May 05, 2010
- Y.Nyemyu at Tamlu Town on December 29, 2007
- Yongnyu Sub Inspector of Schools, at Longleng on September 16, 2007

## Appendix II

### Respondents to Questionnaire

Awang Konyak, Jail Colony, Kohima  
Aying Konyak B.A, Student Activist, Mon Town  
Asenla T Longkumer, Lecturer Longleng  
Akumla Jamir, Mokokchung  
Angshing, Naginimora, Mon District  
Asangla Phom, Social Worker, Longleng  
Alemba Longkumer, Mokokchung  
Abdur Rahman, Lecturer, Longleng  
Ba-e Teacher, Longleng  
Bendang Jamir M.Sc, Teacher, Agri.Colony, Kohima  
Bendang Jamir, Mokokchung  
Benchem O, Teacher, Anaikhai village  
Beau Pastor, Longleng  
Baungan, Longleng  
C.John Konyak, MLA, Mon Town.  
Cheong Konyak (Er) B.Tech, Kohima  
Chemben, Teacher, Yotan, Longleng  
Chingling B, Tuensang  
Chingjem Konyak, Naginimora, Mon District  
Chingthai Pastor, Longleng  
Chuba L, Longleng  
Hamphe B, Mission Centre, Longleng  
Hamngoi Phom, Anaikhai  
Haushing T, Longleng  
Hongya Phom, Orangkong village  
Imliakum Ozukum, Dimapur  
Imdong T, Kohima  
I.Sowa Pastor, Longleng  
Lanunochit Pongen Lecturer, Longleng

Longshak Phom, Longleng  
Longpo Phom, Longleng  
Longkum M.Div, Longleng  
Longduk Mukho, Anaikhai  
Mary Konyak, Govt. Servant, Kohima  
Mane B Noklang, Mission Centre, Longleng  
Manchi Noklang, Mission Centre, Longleng  
Manyau (Dr), Kohima  
M.K.Jha Lecturer, Longleng  
Mahabir Jha Lecturer, Longleng  
Nyei-e Konyak, Longleng  
Nurul Islam, Lecturer, Longleng  
Nyemyo Dobashi, Tamlu  
Nyamto Wangsha, Mon  
Nyemphe, Yongam village, Longleng  
Nockthak Konyak, Tizit  
Nockton Konyak, Tamlu  
Ongvai Phom, Longleng  
Paushen S, Kohima  
Pongshen M. Anaikhai  
Shayung M, SDO (Civil), Longleng  
Shauhong N, Teacher, Longleng  
Shanthong P, Former Student Activist, Longleng  
Shohpang , Anaikhai  
Supong Jamir, Changtongya  
Theppen Noklang, Lecturer, Longleng  
Temjeninla Tia Lecturer, Longleng  
T.Shejong Konyak, Upper Agri.Colony, Kohima  
Vangngoi C, Lecturer, Longleng  
Wangman Konyak M.Sc, Teacher, Kohima  
W.Chatyam Konyak, Govt. Servant, Kohima.

### Appendix III

#### QUESTIONNAIRE ON: A COMPARATIVE STUDY OF THE TRADITIONAL AND MODERN ELECTORAL SYSTEM IN NAGALAND.

General Information of the Respondent:

Name : \_\_\_\_\_  
Age : \_\_\_\_\_ Sex: Male/ Female  
Tribe/ Community: \_\_\_\_\_  
Edu. Qualification : \_\_\_\_\_  
Occupation/ Profession: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### GROUP A: ON TRADITIONAL ELECTORAL / POLITICAL SYSTEM.

1. How do you call your traditional village council/ government in your dialect?
2. Can you give a specific time when your traditional village government system was evolved?
3. What is the method of appointment of its members?
  - a. Hereditary ( )
  - b. Election ( )
  - c. Selection ( )
  - d. Any other
4. Whom does the member represent?
  - a. Clan ( )
  - b. Khel( )
  - c. Family ( )
  - d. Any other
5. Is there any age limit for a person to become a member of the traditional village council?
  - a. Yes ( )
  - b. No ( )
  - c. If yes, When ?
6. Is there a specific tenure for the member of the traditional village council ?
  - a. Yes. If yes specify:
  - b. No ( )
  - c. Can't say ( )

7. Was there any corrupt practice in the process of the selection of the traditional village council members?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )
8. Is there any criteria for the selection of the traditional village council members?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )
- d. Space to write criteria, if yes:
9. Can a member of your traditional village council be impeached?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )
- If Yes, on what ground can a member be impeached?
10. Were the members of the traditional village council paid for carrying out their responsibilities?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )
11. What were the sources of income of the traditional village council?
12. Did the traditional village council deliver justice to the people?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )
13. Were there woman members in the traditional village council?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )
13. Can you give below some of the evils of your traditional political system?
14. Are you satisfied with your traditional electoral system?
- a. Yes ( )
- b. No ( )
- c. Can't say ( )

GROUP B: ON THE MODERN ELECTORAL SYSTEM

1. Do you cast your vote in the election?
  - a. Yes ( )
  - b. No ( )
  - c. Can't say ( )
  
2. Do you agree that money and muscle powers play a big role in modern election system?
  - a. Yes ( )
  - b. No ( )
  - c. Can't say ( )
  
3. Do women participate in modern election system?
  - a. Yes ( )
  - b. No ( )
  - c. Can't Say ( )
  
4. Can a voter easily meet their Ministers or MLAs after the election is over ?
  - a. Yes ( )
  - b. No ( )
  - c. Can't say ( )
  
5. Do you agree that the modern election system has brought corruption in Naga society?
  - a. Yes ( )
  - b. No ( )
  - c. Can't say ( )
  
6. Whom do you blame for the corrupt electoral practices in Nagaland ?
  - a. Voters ( )
  - b. Politicians ( )
  - c. Any other
  
7. It is observed that under the modern (present) election system it is very difficult for the small villages to have an MLA. Do you agree ?
  - a. Yes ( )
  - b. No ( )
  - c. Can't say ( )
  
8. Do you think that the present system of election is suitable to the people of Nagaland? Give reason for your answer in the space below.
  - a. Yes ( )
  - b. No ( )Space for elaboration:

9. Which between the two systems do you find to be more transparent and accountable?

- a. Tribal Hoho ( )
- b. State Legislative Assembly ( )
- c. Can't say ( )

### GROUP C: TOWARDS AN ALTERNATIVE ELECTORAL SYSTEM

1. Do you agree that the present electoral system in Nagaland needs reformation?

- a. Yes ( )
- b. No ( )
- c. Can't say ( )

2. Do you agree that it is possible to bring electoral reform in Nagaland?

- a. Yes ( )
- b. No ( )
- c. Can't say ( )

3. Which type of electoral system would you prefer ?

- a. Traditional ( )
- b. Modern ( )
- c. Mixture/synthesis of both traditional and modern ( )
- d. Any other

4. Do you think that there should be a criteria for the person who contest in election?

- a. Yes ( )
- b. No ( )
- c. Can't say ( )

5. What do you think should be the criteria for a person who contest in election?

- a. Educational qualification ( )
- b. Past record ( )
- c. Family history ( )
- d. Any other

6. Should women be allowed to contest in election under the reformed election system ? Give your opinion.

7. Do you think that it will be better to have a representative from each village to form an Area Council, and representative(s) from Area Council should to form a Tribal (District) Council and the Tribal (District) Council should form the State Council or Assembly to have a more effective and representative democracy in Nagaland ?

- a. Yes (     )
- b. No (     )
- c. Can't say (     )

7. Whom do you think is responsible to bring electoral reform in Nagaland?

- a. Government (     )
- b. NGOs (     )
- c. Public (     )
- d. Any other

Note: If you have any remark you can give your opinion in the space left below. You are also at liberty to use extra papers if required.

Signature & Date of the Respondent: \_\_\_\_\_

Name of the Respondent: \_\_\_\_\_



## Appendix IV

### The Nagaland Village Councils Act 1978

(Nagaland Act No.1 of 1979)

Short title: extent and commencement:

1. (i) This Act may be called the Nagaland Village Councils Act, 1978
- (ii) It extends to whole of Nagaland
- (iii) 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 provisions of this Act.

Definition:

2. In this Act unless the context other wise requires:-
  - a. "Appropriate authority" or "competent authority" means an authority having administrative jurisdiction with whatever designation called and notified by Government from time to time.
  - b. "Assembly" means the Nagaland Legislative Assembly
  - c. "Gazette" or "the Gazette" means Nagaland Gazette
  - d. "Prescribed" means prescribed by rules made under this Act.

Village Council:

3. Constitution: Every recognized village shall have a village council.  
Explanation:-Village means and 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 conditions namely:
  - a. The land in the area belong 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 and
  - b. The village is established according to the usage and customary practice of the population of the area.
4. A village council shall consist of members chosen by Villagers in accordance with the prevailing customary practices and usages, the same being approved by

the state Government, provided that hereditary Village Chiefs GBs and Anghs shall be Ex-officio members of such council and shall have voting right.

Qualification and Members:

5. 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. has attained the age of 25 years.
6. a. Every Village Council, unless otherwise dissolved by the State Government shall continue for five years from the date of appointment. Provided that the said period may be extended by the State Government by a notification in the gazette for a period not exceeding one year at a time.
  - c. All members 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 whom he replaced.  
Provided further that village institutions which were traditionally established like the "Putu menden" in Ao area and recognized as Village Council shall continue to function as Village Council according to respective custom and usage.
7. Chairman:
  1. The Village Council will choose a member as chairman of the council
  2. 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.
8. Secretary: The village council may select and appoint a Secretary who may or may not be a member of the council. If the Secretary is not a member of the Council, he shall have no voting rights.
9. Power to remove members:
  1. The State Government remove any member of a Village council from his office:-
    - a. Who is convicted of any offence involving moral turpitude by a court of law, or
    - b. Who refuses to act or become incapable of acting or
    - c. Who is declared to be insolvent, or
    - d. Who has been declared by notification in the gazette to be disqualified for employment in the Public service or

- e. Who without an excuse or sufficient ground in the opinion of the State Government absents himself from majority of meeting in a year of Village Council or
  - f. 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 recommended his removal
2. No person who has been removed from his office under clause (a) or clause (d) of sub-section (1) shall be eligible for re-election except with the previous permission of the State Government obtained by person in the prescribed manner.

Conduct of Business:

- 10. The procedure for the conduct of business in a village council shall be as may be regulated from time to time by the Chairman thereof. The written record of the list of its proceedings shall be maintained.
- 11. The village council shall meet once in every 3 months: provided that the Chairman may summon the meeting of the council at any time if requisition is made by one-third of the members.

Powers and Duties:

- 12. The village council shall have the following powers and duties:
  - 1. To formulate village development schemes, to supervise proper maintenance of water supply, roads, power, forest, 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 or financial institutions for application in the development and welfare work 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, donations, 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, bank or financial institution
7. To lend money from its funds to deserving permanent residents of the village and to obtain repayment thereof with or without interest.
  8. To forfeit the security of the individual borrower on his default in repayment of loan advanced to him or on his commission of breach of any of the terms of loan agreement entered into by him with the council and to dispose off such security by public auction or by private sale.
  9. To enter into any loan agreement with the Government Bank and financial institutions or permanent resident of the village.
  10. To realize registration fees for each litigation within its jurisdiction
  11. To raise fund for utility service within the village by passing a resolution subject to the approval of the State Government; provided that all monetary transactions 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 on the event of epidemic: On the outbreak of an epidemic or infectious disease Village council shall initiate all preventive measure.

Administration of justice:

14. 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 cannons of justice established in Nagaland, and the law in this respect as enforced from time to time
2. In case of disputes between the villages falling in different areas or districts, two or more village councils may settle a dispute in a joint session or refer it to the appropriate authority.

Village Administration:

15. The village council shall be auxiliary to the administration and shall have full powers to deal with internal administration of the village:
  - a. Maintenance of law and order

- b. In serious case of offender may be arrested but such person should be handed over to the nearest administration officer or police station without un-due delay
- c. To report to the nearest administrative officer occurrence of any un-natural death or serious accident
- d. To inform the presence of strangers, vagabonds or suspects to the nearest administration officer or police station
- e. To enforce orders passed by the competent authority on the village as a whole
- f. To report outbreak of epidemics to the nearest administration officer or medical officer
- g. No transfer of immovable property shall be affected without the consent of the Village council. Written record of this shall be maintained by the Village Council

Disqualification:

16. 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 he 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 less period as the state Government may determine in any particular case has lapsed 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 obtains 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
17. In any question arises as to whether a member of Village Council has been subject to disqualification, the question shall be referred to the decision of the State Government whose decision thereof shall be final
18. A seat shall become vacant:
1. When a member dies
  2. When a member resigns his seat in writing under his own hand
  3. When a member is removed by the state government on becoming disqualified

Filling of casual Vacancy:

19. When a seat becomes vacant, the chairman shall call upon the Village concerned to choose a member
20. When 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 thereon shall be final
21. Every village council shall be a body, corporate by the name of the village for which it is constituted and shall have perpetual succession and a common seal, and shall by the said name use and be used through its Chairman, with power to acquire hold and dispose of property, both moveable and immovable and to contract and do all other things necessary for the purpose of this Act.

Control of Village Council:

22. Subject to the general superintendence of the State Government/the Deputy Commissioner/Additional deputy Commissioner or/Sub-Divisional Officer(Civil) in charge of the Sub-Division, Extra assistant Commissioner or Circle Officer shall have control over all the village councils within his jurisdiction.

**Appendix V**  
**Government of Nagaland**  
**Communitisation of Public Institutions and Services Act, 2001**

Whereas it is expedient to provide for empowerment of the community and delegation of the powers and functions of the State Government to the local authorities by way of participation of the Community in matters connected with the management of local public utilities, public services and the activities of the State Government connected with education, water supply, roads, forests, power, sanitation, health and other welfare and development schemes and also to provide for promotion of community based schemes incidental thereto.

It is hereby enacted in the Fifty second year of the Republic of India as follows:-

1. Short title, Extent and Commencement:

1. This Act may be called the Nagaland Communitisation of Public Institutions and Services Act, 2001.
2. It shall extend to the whole of Nagaland.
3. It shall come into force on such date or dates as the State Government, may by notification, appoint for different parts of the State and for different sectors of public services.

2. Definitions:

1. Appellate authority means the appellate authority prescribes under section 8.
2. Authorities means the authorities as may be called Board or committee or any other nomenclature.
3. Fund means a fund established for the authorities under section 7
4. Rules mean the rules made under section 11.

### 3. Constitution and Declaration of Local Authorities:

The State Government may, by notification, constitute authorities as may be called Board or Committee or any other nomenclature or declare any of the existing local authorities established under any law for the time being in force for a village or an area covering two or more villages to exercise the powers and to discharge the functions as provided under this Act.

### 4. Delegation of Powers and Functions:

(1) The State Government or its authorities may, by notification, delegate the powers and functions of the State Government or its authorities, as may be specified, with respect to the management and operation of any of the public utilities and public services or the activities of the State Government connected with education, water supply, roads, forests, power, sanitation, health and other welfare and development schemes to the authorities constituted or declared under Section 3 of this Act.

(2) The State Government or its authorities may also issue directions to the authorities constituted or declared under section 3 of this Act for implementing any specific scheme and policy that may be formulated with respect to any particular service or activities.

(3) The authorities so constituted or declared under section 3 of this Act may also undertake any other social, cultural and educational activities not inconsistent with the provisions of this Act with due regard to the public interest and the requirement of innovative approach as well as optimum utilisation of resources.

### 5. Transfer of assets:

Wherever required and in such manner as may be specified by the State Government the assets in relation to the public utilities and public services or the activities connected with the matters specified under section 4 vested in the State Government shall be transferred to the authorities constituted or declared under Section 3 of this Act and the same shall be



managed by such authorities in such manner as may be specified by special or general order made in this behalf.

6. Officers and employees of authorities:

(1) The State Government may, by special or general order, direct that the officers and employees appointed by the appropriate authorities of the State government on regular and substantive capacities and employed in connection with the services or activities specified under Section 4 of this Act be placed under the control of the authorities so constituted or declared under Section 3 of this Act to the extent specified by the State Government in this behalf.

(2) The conditions of service of the officers and employees so placed under sub section (1) above shall not be varied except in accordance with any rules that may be made by the State Government in this behalf or any rules that may be made governing similar category of officers and employees at the commencement of this Act

(3) The Rules and Regulations applicable to the officers and employees so placed under sub-section (1) above shall continue to apply until repealed or amended.

(4) The salaries and allowances of the officers and employees so placed under sub-section (1) shall be borne by the State Government.

(5) The authorities under Section 3 of this Act may engage such further employees as may be considered expedient and as may be permitted by the fund available at their disposal.

Provided that the employees so engaged under this sub section shall not be deemed to be the employees of the State Government.

(6) The authorities so constituted or declared under Section 3, of this Act subject to the directions of the State Government as may be specified by a special or general order, shall have the power to review the appointment of any employee including work charged employee already employed at the commencement of this Act but not appointed on

regular and substantive capacity in connection with any public utilities and public services or activities in respect of which the powers and functions had been delegated under section 4 of this Act.

7. Fund:

(1) There shall be established a fund for the authorities so constituted or declared under Section 3 of This Act.

(2) The fund so established under sub-section (1) above shall include the grants that may be made by the State Government in connection with the discharge of function so delegated with respect to a specific service or activity and any other fund that may be raised as may further be prescribed in this behalf.

(3) The fund so established under sub-section (1) above shall be operated subject to the special or general directions that may be issued by the State Government in this behalf.

8. Appeal/Revision:

(1) An appeal against the decision of the authorities constituted or declared under Section 3 of this Act shall lie before the appropriate authority that may be prescribed in this behalf.

(2) The State Government or the authorities as may be authorised in this behalf may at any time call for and examine the records relating to any order passed or proceeding taken under this Act by the authorities constituted or declared under Section 3 of this Act.

Provided that no order shall be modified, amended or reserved unless a notice has been served on the parties interested and opportunity given to them for being heard.

9. Power to inspect:

An officer of the State Government, as may be authorised in this behalf, may enter upon or into and inspect or for the purpose of his own inspection cause any other person upon

or into any immovable property, or any work in progress under the orders, or any institution under the control and administration of the authorities under Section 3 of this Act and call for and inspect any book or document which may be, for the purposes of this Act, in the possession or under the control of the above said authorities.

10. Power to Supersede:

If in the opinion of the State Government, an authority under Section 3 is not competent to perform or persistently makes default in the performance of duties imposed on it or under this Act or exceeds or abuses its powers, the State Government may, by order, stating the reasons for so doing, declare such authority to be incompetent or in default or to have exceeded or abused its powers, as the case may be and supersede it for a period to be specified in the order or dissolve the authority and order fresh constitution of the authority or direct that any other authority shall carry out the function of such authority so superseded to the extent as may be specified in this behalf.

11. Power to Make Rules:

The State Government may, by notification, make rules for the purpose of carrying out the provisions of this Act.

12. Power to Remove Difficulties:

(1) If difficulty or doubt arises in giving effect to the provisions of this Act, the State Government may, by order published in Official Gazette, make any provision, not inconsistent with the purpose of this Act as appears to it to be necessary or expedient for removing the difficulty.

Provided that no such Order shall be made after the expiry of a period of two years from the date of coming into force of this Act.

(2) Every order made under sub-section (1) above shall, as soon as may be, after it is made, be laid before the Legislative Assembly of the State.

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## Glossary

Alamkaphen	Alamkaphen means the 'Gate of the sun' in Konyak Naga parlance. It is referred to the historic gate which the Konyak Nagas crossed over in course of their migration to their present habitat.
Angh	Angh means the King, Chief or Monarch in Konyak Naga dialect.
Angh Gho	Angh Gho means the King's court in Konyak Naga dialect.
Anghtak Anghyong	It means the Supreme king or the king only next to God in Konyak Naga dialect.
Anghnok kah	It is referred to the paddy field of Angh where the villagers are obliged to offer free labour.
Apaihong	Apaihong is the name of a place in Phom Naga migration account. But the place is yet to be located.
Arju	It means the traditional learning institution in Aö Naga parlance. It is also called bachelors' dormitory.
Aei/Ei	The system of age-grouping (age-set) for the purpose of recruiting to the morung batch wise is known as Aei/Ei in Phom and Konyak Naga parlance.
Baan	Baan means bachelor dormitory in Konyak Naga dialect . The ancient Naga learning institution is known as the Baan by the Konyak Nagas.
Bangshan/Baanshan	The members of the Village council are called Bangshan/Baanshan by the Konyak and the Phom Nagas.
Buongküp shahthai	Buongküp shahthai or Bangong shahthai means post harvest village assembly in Phom Naga dialect. It is compared to the present day budget session of the parliament.

Bühü shahthai	Bühü Shahthai means Citizens' Assembly in Phom Naga terminology. Bühü means citizen and shahthai means Assembly.
Ching Uoshing	The Village Council is called Ching Uoshing in Phom Naga terminology.
Chong	The cabinet member of the Phom Naga village council is called Chong. It is also known as Bangba.
Eanghs	Eangh means Priest in Konyak Naga dialect. Eangh performs various religious rites in the community.
Ekyung	The village chief is known as Ekyung among the Lotha Nagas
Ghum	Ghum means Log drum in Konyak Naga parlance. It was the chief means of communication for the traditional Nagas.
Hamba	Hamba means warrior in both Phom and Konyak Naga dialects.
Hoho	The Naga tribal council is called Hoho
Khusabu	The senior members of the Chang village council is called Khusabu
Kosasanger	This is referred to the fifth generation of the Ao Putu Menden system. Its literal translation is broken people. It is believed that men of this generation die young.
Longterok	It is the name of a place in the present Sangtam territory. The Ao Nagas referred to this place as the place of their origin. They believed that the Ao Nagas emerged from six stones at Longterok.
Mapangsur or Pangjung	The junior members of the Ao Naga village council are called Mapangsur or Pangjung.
Meihongnyiü	Meihongnyiü is a legendary creature in Phom Naga mythology. Meihongnyiü is the mother of humanity according to the Phom Naga genesis account. The Phom

	Nagas believed that all human beings are given birth by Meihongnyiü.
Mechensanger	This is referred to the third generation of the Ao Putu Menden system. The literal meaning of the term is 'those who do not run away'. We can also call them the warlike or brave batch of rulers.
Metemsanger	This is referred to the second generation of the Ao Putu menden system. The literal meaning of the term is equal or perfect generation.
Minchen	The village council (Putu menden) is called Minchen by the Mongsen Ao Nagas
Morung	The Naga traditional learning institution or the bachelor's dormitory is called Morung by the Nagas in general.
Mupongsanger	This is referred to the fourth generation of the Ao Putu Menden system. The literal meaning of the term is 'people of wind'. We can also call them windlike generation.
Mutten	The age group controlling the affairs of the village among the Chang Nagas is known as Mutten
Nuklaksong	The ceremony where the headman of the khel/morung narrates the history, custom and culture of the community by ceremoniously holding the spear is called Nuklaksong by the Ao nagas. This signifies that he speaks nothing but truth.
Nyam	Gong is known as Nyam by both the Konyak and the Phom Nagas. It was their ancient musical instrument and also the valued article.
Pagsabu	The junior members of the Chang village council are known as pagsabu
Pang	The word Pang has two meanings for the Phom Nagas. Pang can mean khel or ward. It is also referred to the bachelor's dormitory or traditional learning institution.

Pangshan	The elderly member of the Phom Naga village council is called Pangshan. Their position is like that of the ministers in modern government.
Pangshan näü-e	The junior member of the Phom Naga village council is called Pangshan näü-e. Their position is compared to the Member of the Parliament or the State Legislative Assembly of the modern government.
Pinnyuha	Pinnyuha means commoners in Konyak Naga terminology.
Poun	The yearly tribute paid by the subject village to the parent village is known as Poun in Konyak Naga dialects. The Phom Nagas call it Boom. This is paid to recognize the suzerainty of the parent village.
Pongyin Angh	The absolute monarch who ascend to the throne through royal line (royal blood) is known as Pongyin Angh. The Anghs of the Thendu group of the Konyak Nagas are known as the Pongyin Angh.
Pongngaihong	Pongngaihong is the name of a place in Phom Naga migration account. But this place is yet to be located.
Pudir	Pudir means Priest. The Ao Naga elders after their retirement from the Village council becomes Pudir. They play the role of a priest in performing religious ceremonies.
Putu Menden	Putu Menden means the Village Council in Ao Naga terminology.
Reyongsanger	This is referred to the first generation of the Ao Putu Menden system. Its literal meaning is many or multitude. It was the first Putu Menden established at Chungliyimti.
Shaojong	Shaojong means altar in Konyak Naga dialect.

Saro	The post harvest meeting of the Ao village council is called Saro. This meeting resembles the budget session of the modern legislative assembly. Saro literally means tax or collection.
Tatar	Tatar means the Member of Village Council in Ao Naga terminology. The Naga National government has also adopted the term to refer to their Members of Parliament.
Tazünpur	The cabinet member of the Ao Naga village council is called Tazünpur.
Thendu	The term Thendu is referred to the group of the Konyak Nagas who tattoo their face. The thendu Konyaks are ruled by the absolute monarch.
Thenko	The term Thenko is referred to the group of the Konyak Nagas who tattoo only their chest and arms. The Thenko Konyaks are relatively democratic. The Thenko Konyaks are ruled based on the decision of the council of elders.
Unger or Ungbo	A man from the Pongen clan who occupy the position of the village chief is called Unger or Ungbo in Ao Naga terminology. But the place of the Chief is just ceremonial. Because the Chief just carry out the decision of the Village council.
Wang	Wang is the other name for Angh. Wang means the beginning, the first or with whom everything begins. In modern terminology it can also be known as the First citizen.
Yingnyüshang	It is the highest peak in Phom Naga territory. The Phom Nagas believed that they got socio-cultural and political enlightenment at this place. The Konyak Nagas call it Yingnyutang.

Zünga

The system of age-grouping (age-set) for the purpose of recruiting to the morung batch wise is known as Zünga in Ao Naga terminology.

