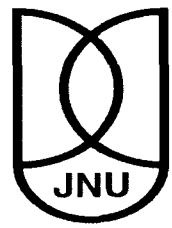
MAKING OF LAND RELATED CUSTOMARY PRACTICES INTO LAW UNDER COLONIAL RULE IN THE NAGA HILLS, 1832-1923

Dissertation submitted to the Jawaharlal Nehru University
in partial fulfillment of the requirements for the
award of the degree of

MASTER OF PHILOSOPHY

KHEKALI



CENTRE FOR HISTORICAL STUDIES
SCHOOL OF SOCIAL SCIENCES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI 110067
2011

Centre for Historical Studies
Jawaharlal Nehru University
New Delhi-110067, India

Date: 29th July 2011

DECLARATION

This dissertation titled "**Making of Land Related Customary Practices into Law Under Colonial Rule in the Naga Hills, 1832-1923**" is submitted for the award of the degree of **Master of Philosophy** of this University. This dissertation has not been submitted, in part or in full, for any other degree of this or any other University, and is my original work.

Khekali

CERTIFICATE

We recommend that this dissertation be placed before the examiner for evaluation.

Prof. Kunal Chakrabarty

Chairperson, CHS.

CHAIRPERSON
Centre for Historical Studies
School of Social Sciences
Jawaharlal Nehru University
New Delhi - 110067, INDIA

Prof. Janaki Nair

Supervisor

CHS Office Phone : (011) 26704456, 26704457
E-mail : chsjnu@gmail.com

Ipu Iza

ACKNOWLEDGEMENT

Many thoughts and ideas presented in this dissertation are due to my Supervisor Prof. Janaki Nair's scholarly suggestions, not letting me get away with arguments easily and making me realise the implications of what I am saying. Her thought provoking supervision and intrinsic deftness has helped me in shaping my ideas properly. This work owes most to her and for which I thank her with deep gratitude.

I am indebted to the staff of; the National Archives of India, New Delhi; Jawaharlal Nehru University, Central Library; Centre for Historical Studies, DSA Library; Nehru Museum and Memorial Library, New Delhi; Nagaland State Archives, Kohima.

My special thanks to Beshim, Heilube, Muzung, Notho, Nukshu, Moses, Serila, Athong and Lijungchem.

I thank Areanga, Ashebo, Asungla, Ben, Boholi, Hukato, Inotoli, Kaketo, Kenilo, Ketholenuo, Khriehutuo, Lovitoli, Meera, Nitoshe, Niraj, Peter, Preeti, Pushpanjali, Riyad, Robert, Saket, Shikatoli, Sonu, Sourav, Tenyenilo, Tovika, Vikheshe, Vivi, Visazonuo, Wangjin, Yesca, Zaheeda, Zhekheli and Zhepitoli for what you have been to me.

Lastly, to the ones I love and who loves me, Xuvi, Jimo, Anoto, Nili, Toto, Zakato, Akaholi, Iza and Ipu.

Above all I Thank God.

Khekali
July 2011

CONTENTS

LIST OF TABLES

Introduction

Land is a resource that no human being can live without, whether for purposes of agriculture, for building, homes or for materials from forests. In the pre-colonial Naga context, no inhabitant was deprived of a plot of land. It was customary practice for even those who were very poor to ask a wealthy person of the village for assistance to tide over hardship, for which concession the beneficiary would pay back in kind or in labour, depending on mutual convenience. By and large, considerations of the wider community overcame mere individualized interest in accumulation, and gave most people the opportunity to participate in the process of building the village life through relations of interdependence. Customary regulations that were based on mutual and reciprocatory consent were the norm. Within the village, individual and communal responsibilities and rights were clearly recognized and to a large extent played an important role in maintaining the status of the group.[1]

It was this responsibility of the individual to the community which was totally ignored by the British rulers in India, because they were so concerned about enhancing their revenues from the territory they had just won. Moreover, colonial rule was necessarily predicated on the providing convincing justifications for alien rule.[2] Not surprisingly, despite their sneaking admiration for many of the social relationships that had been fostered in tribal societies, the authorities characterised them as marked by wildness, in order to justify their actions, which were portrayed as "civilizing" them, with brutality if necessary. Official records show how even the most ruthless actions were recorded as pleasant and unavoidable; "as a rule, the most we can do is to burn a village, and if, which rarely happens, and if people resist, to shoot a few of them. But the burning of the village or the loss of a few members of the tribe are with them such very ordinary events that they make very little impression."[3] Ajay Skaria points out that, "Wildness came to be associated with marginality, social

---

[1] R. Gopalakhrishnan, *Political Geography of India's North East,* (New Delhi: Vikas Publishing House, 1991), p. 141.

[2] Peter Robb, *Liberalism, Modernity and the Nation,* (New Delhi: Oxford University Press, 2007), p. 134.

[3] Foreign Department, External, A, January, Nos. 76-88, 1889, No. 76, No. 3,292, From the Officiating Secretary to the Chief Commissioner of Assam, To, the Secretary to the Government of India, Foreign Department, dated Shillong, the 14th November 1888, Judicial Department, para. 13. National Archives o of India of India.

ritual inferiority, and political powerlessness, often among forest communities"[4] i.e. tribals' who depended on land and forest produce. Beneath the wildness, the British also detected virtues among tribals that appeared to have their uses in this new socio-economic order of colonialism: of the Naga trade with the neighbours, a colonial official remarked, "though wild, bold and ruthless, the savages we knew were very intelligent and exceedingly anxious after traffic and gain. This disposition had hitherto manifested itself only in the trade they carried on in slaves, for obtaining which they committed all their depredations, but recently they had commenced a more beneficial barter, viz., of articles of their own produce for the necessaries and luxuries to be obtained in our hauts."[5] Though scornful of these systems which only encouraged limited greed, rather than unrestrained plunder.

Not that tribal societies in the Naga Hills were exempt from all hierarchies: as Sajal Nag has pointed out, that the relations between the hills people and those of the plains undermine the idea that Nagas lived in isolation before British arrival. He mentions that these tribals too viewed the plains people as "weak, uncivilized and look alikes," and had their own names for the plains people, "the Mizos call them Vais, Khasis Dkhar, Garos Achang, Meitheis Mayang, Mingyangs Ayeng, Gallongs Nipak, Ao Nagas Thumar." He further added, "the antipathy between these tribes in the North Eastern Hills and the people of the plains was mutual, each looking down on the other but the two were hopelessly dependant on each other.[6]

Colonial officials wanted to transform "from the war like and marauding "'to a peaceful race." In their mission to "*tame the Nagas*" [emphasis mine] according to colonial standards, the British used a variety of methods, and even showed willingness to abandon ideas that did not have the desired result. Thus, C. S. Elliot, the Commissioner of Assam said, "The more I thought about it," he wrote, "the less

---

[4] P. J. Marshall (Author), *Eighteenth Century in Indian History*, (Oxford University Press, 2005), p. 313.

[5] Foreign Department, Political, A, December, Nos. 99 -102, 1867, From the Deputy Commissioner of the Naga Hills, to the Political Agent, Munnipore, No. 181, dated Golaghat, Upper Assam, the 1st October 1867. Foreign Department, Political, A, December, 99-102, 1867, Report of 1841-42 shows that Rengmas has also for ages carried on a trade with the Bengalees of Sylhet in slaves, and in all their depredations the carrying off of slaves was the chief object in view. New Delhi, National Archives Of India.

[6] Sajal Nag, *Contesting Marginality: Ethnicity, Insurgency and Subnationalism in the North East India*, (New Delhi: Manohar Publishers, 2002), p. 27.

practical it seemed to try to restrain the Nagas in their wanderings and trading habits, within an imaginary line which they have always been accustomed to cross." This "imaginary line" Peter Robb argues, was because it was not based on tribal boundaries or natural obstacles. It was also uncertain."[7] All the dilemmas and frustrations arose because the normally miserly[8] East India Company was always looking out for material and strategic gains. Jayeeta Sharma has pointed out that, "Assam company managers were pleased with the Nagas who had no use for money, given their barter economy, and were content to be paid in shells, beads, etc., however", she says, "the company was not as pleased with the Nagas when they would not work for more than a few days at a time."[9] All these conflicting aspects of tribal culture led to complex strategies and policies, which require detailed analyses.

Of late, a large number of scholars have begun to do research on the North East. U. A. Shimray in his work "Ecological setting and Economic Systems of the Nagas: A case study of the Tangkhul Nagas of Manipur," has dealt with the traditional Naga village life, peoples sentimental attachment to it, and all that constituted a village life. He says that, "Naga traditional administrative institutions functions broadly as executive, administrative and judiciary." He discusses the land use systems of post colonial Naga Hills, the ownership patterns of land and forest, the systems of community and clans land, forest/jhuming areas and village settlements. . Since his work is based on the contemporary situation, he has pointed out how Naga village authority is shifting from its traditional priorities of being mere administrative institutions to making village land use and forests a development priority. He attributes these changes in the land use system, to socio-economic and population pressure where "education, currency, inappropriate developmental work" are the causes.[10]

Gina Shangkham talks about the inner line regulation laid down along the borders of the Brahmaputra valley beyond which the tea planters were forbidden from

---

[7] Peter Robb, *Liberalism*. p. 138.
[8] Jayeeta Sharma, " 'Lazy' Natives, Coolie Labour, and the Assam Tea Industry", *Modern Asian Studies*, 43, 6(2009), pp. 1287-1324, Cambridge University Press, (first published online 23 December 2008), 2009, p. 1290.
[9] Ibid. p. 1293.
[10] U. A. Shimary, *Ecological setting and Economic Systems of the Naga: A Case Study of the Tangkhul Nagas of Manipur*, New Delhi, JNU, PhD Thesis, 2005, pp. 137.

acquiring land either from the Assam government or from the local tribal chiefs. The inner line regulation, she argues, "was defined merely for purposes of jurisdiction." She is of the opinion that the distribution of the Naga tribes had its "root cause in the conquest of Assam by the British followed by the demarcation of the boundaries running from the south to the north extremity." This boundary line, according to her, was "arbitrarily" drawn by the British company in 1826 through the densely populated forest hills, streams, trees and rivers with Nagaland, Manipur, Mizoram, on one side and the Kachin, Naga Hills, Chin Hills on the other, which the boundary commission even after two years of appointed did not demarcate which therefore became an imaginary boundary.[11]

Piketo Sema who studies "British Policy and Administration in Nagaland 1881-1947," opines that, although the chiefs were given due recognition by the colonial government, as undisputed leaders of their traditional societies, their recognition as village chiefs was made mainly with the intension of making them loyal agents of the colonial administration at the lower reaches. The author dwells on the issue of the Dobashis' (speakers of two languages or interpreters) services being greatly utilized by district officers, thus paving the way for easy British access to the people.[12] He mentions that, in the matter of judicial administration, the Indian Penal Code and Civil and Criminal Procedures were not in force in Naga Hills districts, and accordingly the Deputy Commissioner exercised a wide range of judicial powers including the power of life and death subject to the confirmation of the Chief Commissioner.[13] He highlights the initial policy of the British for building roads was to have military control as well as to influence the people and how these paths were constructed with impressed labour. Sema had pointed out an interesting outcome brought about in the area of socio-religious life of the Nagas that, the Christians in their endeavour to be faithful to the new religion often came into confrontation with the village administration which was under the ancient chiefs. "The Christians", he said, "refused to pay customary contribution of meat to their headmen who had not turned Christian." He has also pointed out the government's protective policy toward

---

[11] Gina Shangham, *British Policy Towards the Nagas 1839-1947*. New Delhi, JNU, MPhil Dissertation, 1979, p. 133.
[12] Piketo Sema, *British Policy and Administration in Nagaland 1881-1947*, (New Delhi: Scholar Publishing house, 1991), pp. 31 & 36.
[13] Ibid. p. 40.

the preservation of custom and tradition of the Nagas, that, since the headmen who was a Christian could not continue to serve the interest of the ancients, "the headship had to devolve to any ancient who might be in the direct line of succession, likewise, although a dobashi, because of the nature of the cases to be dealt with prompted the government to prefer a non-Christian for the post."[14]

David Vamlillian Zou argues that colonial knowledge about the Nagas was not a "self-sealed system"[15] it became more and more sophisticated, more contested and contradictory, and increasingly punctuated with "racial pejoratives" over time. However, gathering information or penetrating into the lives of the tribal people had its own disadvantages, the "native suspicion was not the only obstacle that stood in the way of information gathering, but the apathy and the indifference that the natives sometimes exhibited the question of European interest was equally seen as deplorable."[16] He also points out how the colonial state appreciated the role of the missionaries in forging an effective instrument in pacifying the turbulent tribes inhabiting the hills of the North East. It helped maintain a certain degree of order on the eastern frontier, although differences in approaches to governance existed between the two. There were many instances when the white missionary "wanted to distance himself from the colonial state" and vice versa. For instance, "British officers were notorious for their impure relations with the native women and that was a stumbling stone to the work of the work of evangelism"[17] because the natives could not differentiate between the white missionaries with the English officers.

These kinds of studies are empirically rich and have thrown light on many areas of traditional village life and the ways in which the policies of the colonial regime shaped and reshaped existing institutions. There is, however, less work done on the customary practices and the ways in which they were made into law in the Naga Hills in the colonial period, especially law relating to land and land use. It is to this area of Naga history in the colonial period that my work turns.

---

[14] Ibid. p. 90.
[15] David Vumlallian Zou, *Colonial Discourse and Local Knowledge Representing North East India*, New Delhi, JNU, MPhil Dissertation, 2002, p. 28.
[16] Ibid. p. 33.
[17] Ibid. p. 122.

The sources used for this work are primarily archival supplemented by colonial writings in the form of monographs. A few interviews have been incorporated to fill the much need information.

The work is divided into three chapters; the Chapter 1, **Custom, Culture and Agriculture in Colonial Naga Hills** looks at the traditional village settlements of the Nagas and various traditional and cultural practices of the Nagas relating to land uses. This chapter also tries to look at early colonial strategies which included both the setting up of new villages, and the complete destruction of old one, depending on the time and context of these efforts. What were the traditional ways of founding villages and how did the period of change that colonial appearance brought disrupt or reorient these processes, in the pursuit of their interests in the land and labour of the Naga Hills? These are some of the first questions of the dissertation.

Chapter 2, **Colonial Occupation of the Naga Hills** deals with the gradual colonization of the Naga Hills by the British using a wide range of strategies. Colonial policy in the Naga Hills ranged from punitive expeditions to methods of pacification through house tax, impressed labour, and by settling disputes using the basis of customary law, and yet altering customary law in very specific ways. This chapter not only reviews these varied strategies, but the kinds of resistance that was posed to these measures and tactics of the British, in turn leading to changes in British policy.

Chapter 3, **The Limits of the Law: British Interpretations of Customary Practices**, deals with the simultaneous use of customary and government laws in the Naga Hills according to administrative convenience. What were the considerations that led to the application of two different kinds of law in the plains and in the hills, and what were the consequences of this British intervention in and interpretation of customary law? What new kinds of dependence emerged on British made law, and British interpretations of the law? The chapter takes up for closer examination some cases which help us to answer some of these questions.

Chapter 1

Custom, Culture and Agriculture in Colonial Naga Hills.

Introduction

Since Nagas did not have a written culture, early Naga history is available to us in written form largely through colonial writings. The writings of early colonial soldiers-ethnographers such as Major John Butler and Major General Robert G. Woodthrope (1844-98), and later administrator-ethnographers such as John H. Hutton (1914-1935) and James P. Mills (1922-1937) etc., resulted in the publication of a series of tribal monographs. These monographs and other ethnographic articles written during the colonial period are the only documents that Nagas have as a historical archive.[1] Even this limited production of knowledge did not cover many Naga communities, as a result of which many were left with only oral traditions to reconstruct history.

The British colonizers first started with small notes such as personal diaries, reports, etc., when they were on expeditions, but they also undertook surveys and mapping. They started with the collection of "exotic" ornaments in the earlier phase of military pacification, and continued the systematic collection of all items of material culture in the period of indirect administration.[2] "Any and every" aspect of life became of intrinsic interest to the British and it resulted in the collection of a wide range of objects. The process of collecting the "exotic materials" of the Nagas resulted in the colonisers becoming the interpreters of Naga culture to the Nagas, while the Nagas themselves were considered ignorant of their own society.[3]

---

[1] Abraham Lotha, *History of Naga Anthropology,* (1832-1947), (Dimapur: Chumpo Museum, 2007), p. 44.

[2] There are known to be well over 12000 Naga artifacts in Britain alone. Alan Macfarlane and Mark Turin, The Dizitization of Naga Collection in the West and the Return Culture, p. 370. Accession: 11/12/2010. (http://www.alanmacfarlane.com/FILES/Digitization_Naga_collections.pdf)

[3] Julian Jacobs, *Hill Peoples of Northeast India, The Naga Society, and Colonial Encounter*, (New York: Thames and Hudson Ltd London/Thames and Hudson Inc., 1990), p. 25.

Although these ethnographical and anthropological works helped in widening knowledge about the Nagas, it must be noted that these seemingly "benevolent" endeavors were intended as an aid to the colonial administration. Since the early 20th century, there have been discussions among colonial anthropologists about their responsibilities to their chosen "subjects" who were frequently defined as "native" or "tribal" or "wild men" in relation to state policies and practices which sought to control them. Serious attempts to prepare "Official Ethnography", was made for the first time in 1903, when Sir Bampfylde Fuller, the then Chief Commissioner of Assam proposed and Government of India (GOI) sanctioned, the preparation of a "series of monographs on the more important tribes and caste"[4] of the province of Assam. This "official ethnography" project was undertaken by writers who had special and intimate experiences of the races to be described.[5]

Academic and administrative investigations, which were intertwined, were undertaken by scholar administrators such as Herbert H. Risley (1851-1911), Edgar Thurston (1855-1935) and William Crooke (1848–1923), all of whom wrote extensive treatises on the central Indian tribes. J. H. Hutton, and J.P. Mills wrote on the various Naga tribes, and were in active government service[6] when their works were published. As a result, these anthropological truths and facts are inherently partial and incomplete, as they often reflect the forces of history and the power that produces them.[7]

Efficient colonial expansion and governance called for a detailed knowledge of the customs and traditions of the people whom the regime wished to control. The attempt to get detailed information about the Nagas was predicated on knowledge on Naga languages and rewards were sanctioned for officers who learned these local

[4] For instance, J.P. Mills wrote The Lotha Nagas even as he was stationed at the Mokokchung as the sub-divisional officer, Mokokchung.
[5] David Vumlallian Zou, *Colonial Discourse and Local Knowledge Representing North East India.* (New Delhi, JNU, MPhil, Dissertation, 2002), p. 83.
[6] Being in active government services enabled the administrator-researcher to get all possible support from the government. The addition of pipers and drummers while on tour was one such advantage, "which in the shyest of villages succeeded in luring from obscurity a few of the more curious or musically inclined." J. H. Hutton, *Diaries of Two Tours in the Unadministered Area East of the Naga Hills*, (New Delhi: reprint; 1923, 1995), p. 1, 3 April 1923.
[7] Sanghamitra Misra, "The Nature of Colonial Intervention in the Naga Hills, 1840-80," *Economic and Political Weekly,* December 19, 1998, p. 3274.

tongues. It was in 1878 that allowances for learning Angami and Lotha Naga languages were sanctioned.[8] In 1885, the Kachha Naga (Zeliangrong) and Sema languages were added to the list of languages for which rewards could be obtained. In 1886, McCabe, Deputy Commissioner, Naga Hills was granted an honorarium of Rs. one thousand for writing a grammer of the Angami Naga language.[9]

Who were the Nagas and of what did their community leadership consist? How did the several tribal groups that occupied this region choose their village sites and what land systems were followed? What kind of threat did they pose to the emerging plantation economy in Assam, and what use could there be in securing the borders of the territory? With whom could the British negotiate or deal and whom could they influence? These were questions that required urgent answers, and the administrator- anthropologists were among the most important producers of the knowledge that would form the basis for the exercise of colonial power. Since this knowledge was produced for the ultimate purpose of control of the region, it also implied producing an understanding that was convenient for British control and conquest of the region. This chapter tries to look into some representative ways in which the Naga people were understood, and how colonial power was exercised over the region. It concerns the detailed knowledge about the settlement of the villages in the Naga Hills, the land systems and systems of inheritance, and the disruptions that were caused by colonial actions and understanding of these system.

---

[8] Foreign Department, External, A, January, Nos. 76-88, 1889, Diary No. 37, From the Chief Commissioner, Assam, dated, The 9th January 1889. In 1885, the Kachha Naga, Kuki, Sema and Manipuri languages were added to the list of languages for which rewards could be gained, p. 2. Angami and Lotha Naga were sanctioned by GOI on May 21st, 1878, p. 4. NAI.

[9] Foreign Department, External, A, July, Nos. 69-70, 1886. NAI. In spite of these allowances made by the government in an effort to solve the language problem which was causing administrative inefficiency, language still remained a barrier, especially in the villages across the Dikhu, "every third or fourth village have a language or dialect of their own." Foreign Department, External, A, May, Nos. 209-212, 1889, No. 210, p. 4, para. 8. In 1907, to encourage more officers to learn frontier languages, revised rules gave a reward of rupees five hundred to any member of the Indian Civil Service whether European or Native, who passed the language that was spoken in the locality of their employment could earn. Foreign Department, General, B, September, Nos. 116-127, 1907, Enclosure No. 124. Language remained a problem throughout the period of British rule. In the annual report of 1916-17, the official said that, "much assistance was given by a number of trans-frontier chiefs, and more volunteers might have been had from them but for the difficulty." Annual Report on the Frontier Tribes of Assam for the year 1916-17, p. 3, para. 6.

1. Nature of Village Settlement

Nagas comprised various communities,[10] each owing submission to its own headman,[11] independent of one another.[12] This did not imply that Naga tribes were completely different from one another in all respects. In the early days of the colonial encounter with the Nagas, Butler had mentioned that, "portions of the dialect, manners, customs, and dress of any tribe we may like to take up will constantly keep cropping up in other tribes as we go on, thus clearly proving the unity of the race."[13] This view was supported by Verrier Elwin when he talked about the various northeastern tribes: "in spite of differences in detail, there are things that are common to all the tribes."[14]

A new village was usually founded when the population of the existing one increased pressure on cultivable agricultural land. The Sema and the Zeme communities were the ones among the Nagas who regularly founded new villages for other reasons. It was common for the Chief's son among the Sema Naga to found a new village not far away from the parent village. On the other hand, Zeme Nagas were in the habit of settling near their fields in groups of three or four villages, each for two or more generations and the site was kept fallow until the next cycle of jhum arrived. The deserted village was therefore strongly identified as belonging to a particular group who would one day return to their respective sites. The British did

---

[10] Nagaland Basic Facts 2010. In the present State of Nagaland there are fourteen indigenous recognized Naga tribes, namely; Angami, Ao, Chakhesang, Chang, Kachari, Khiamniungan, Konyak, Kuki, Lotha, Phom, Pochury, Rengma, Sangtam, Sümi (Sema),Yimchungrü, Zeliang, (Kohima: Directorate of information and Public Relations, Government of India, 2010), pp. 7-8. There are Nepalis who are not schedule tribe community, but the state has scheduled them in the list of "educationally backward communities." As per the state government gazette notification No. GAB-8/2/9/73, dated 22 October 1974, Home Department, Personal and General Administration, the Nepali, who came to Nagaland before 31st December 1940, are enjoying facilities equivalent to the Naga communities. K. S. Singh (ed), *People of India: Nagaland*, (Kolkata: Seagull Books and Anthropological Survey of India, 1994), p. 214.

[11] Political Department, Commissioner's office, 1861-1863, File No. 403. AC. 28th June 1862, Assam Commissioner's Files, Guwahati, Assam State Archives (hereafter ASA).

[12] Political Department, Commissioner's Office, 1861-1863, File No. 424, dated, Sibsagar 5th October 1861, ASA.

[13] Political Department, File No. 30, September, 1873, No. 24, From the Commissioner of Assam: Brief Memorandum on the Naga Country, p. 10. ASA.

[14] Verrier Elwin, *Philosophy for North-East Frontier Agency (NEFA)*, (Shillong: NEFA Administration 1957), p. 8.

not understand this system and began to distribute the 'apparently' deserted lands to the incoming Kuki farmers.[15]

Each Naga community had its own customary practices. For example, while founding a village, a certain community may first search for a suitable site for the Chief's house then the site for a morung (bachelor's dormitory) or the site for a head-tree (a specific tree in the village where heads of enemies killed were kept). Likewise, some performed rites on the selected spot for the new settlement and some even referred to dreams. The founding of a village involved a series of rituals, omens and dreams. Nagas believed that certain dreams were significant,[16] and tradition reveals that people depended on these dreams and omens as the determining factor of their plans. While the conduct of activities differed, the reasons for performing the activities were the same.

Nagas also propitiated the spirits of forest and land as they prepared to establish a new village. A Naga village was usually perched on the top of the hill, stocked and "panjied" (i.e., circled by spiked bamboo) with an understanding that the village could be defended in case of any attack. Since Nagas were first and foremost people who lived on agriculture, they made careful note on the possible uses and quality of the land they tilled. A village was founded, thus, according to how they could utilize the land and forest products for their needs.

Naga village names were taken from the flora and fauna of the region, and in some cases the village was named after its founder. Among the Angami villages, names such as Kwunoma (Khonoma) derived from the name of the tree that was largely cleared from the site when the village was first built. Setikima was named after an ancient pipal tree while Kigwema (the old-house man) owes its name to the return of part of the former members of that village from Jotsoma.[17]

---

[15] Julian Jacobs, *Hill Peoples of Northeast India.* p. 36.
[16] H. Bareh, *Gazetteer of India, Nagaland Kohima District*, (Kohima: Government of Nagaland, 1970), p. 63.
[17] J. H. Hutton, *The Angami Nagas*, (Kohima: Directorate of Art and Culture, Government of Nagaland, 1921; reprint, 2003), p. 43.

In the Ao tradition, the name of the village was usually either derived from some peculiarity of the site, or commemorated an ancient settlement there. Thus Chuchuyimlang was so called from a kind of thin bamboo (chuchu) with which the hill was covered when its first founders arrived, and Changtongia derived its name from a species of cane. Mongsenyimti means 'big Mongsen village.' And Yongyimsen (new village of the Yong people) recalls long-departed Konyak settlers.[18]

The founding of the village was also memorialized in myth. A common story recounted about the founding of the Lungsachung, Lotsu and several villages in Lotha country runs as follows: a man had a sow which wandered off one day and could not be found. He tracked it for miles, till he found it lying under a big tree. He at once decided to found a new village on the spot, and the tree where the sow had littered became the head tree.[19] A Sema village was named after its founder. There were two kinds of clans that performed rituals for the foundation of a new village, namely 'Tuku' and 'Suphu' and the choice between them was made by the "Akükau" (Chief). The Chief's wife played a very important role in the founding of a village. As soon as the houses were built on the new site, all the people who were to settle there assembled near the gate and the "Awou" (ritual performer) would take his spear and jump about shouting "I am the warrior, I am the victor" and then touch the Chief's wife with his spear. When the spear touched her and the warrior said "Anaqü" (Ana=rice qü=mother) she responded "ü"(pronounced as uuh=yes), and the Awou would pull her inside the new gate. The Chief would then go inside followed by the Awou and others comprising different clans.[20] The next morning, as soon as the first cock crowed, the wife of the Chief went to the village well with the Awou following her and draw water to cook pork for the feast to commemorate the new village. This ritual was known as the "Vakile Chine" (Vale=soaking in hot water, achine=ritual), (a

[18] J. P. Mills, *The Ao Nagas*, (Kohima: Directorate of Art and Culture, Government of Nagaland, 1926; reprint, 2003), p. 71.
[19] J. P. Mills, *The Lotha Nagas*, (Kohima: Directorate of Art and Culture, Government of Nagaland, 1922; reprint, 1980), pp. 5-6.
[20] Hokuto V. Zhimomi, *Sumi Kughuko eno Aqho Aho Kuxu (The Genealogy and Socio-Customary Life of the Semas)*, (Satakha: Modern Press Dimapur, 1985), p. 20.

figure of speech which would meant purging of sickly attributes), after which the people of the new village started their daily activities.[21]

Customary tradition in Rengma had it that the man who was chosen to do the sacrifice imagined the village already established and said, "many men have been sacrificed here, there are many boys here, there are many girls here, many children are playing with sword-beans, many people are having a tug-of-war." Then he threw the pieces of the boar that was killed for this purpose to the spirits and to the tigers that they may not harm the cattle that it brings game, that countless men live there and that they may sacrifice mithuns, kill game and bring home the heads of the enemies. The place of this sacrifice became the common playground.[22]

Konyak villages were named after their surroundings. For instance, Chinglong was named after its natural disposition, (Ching=village, long=cliff), translating into village on the cliff. Most of the villages stood either on the top of hills or on ledges below a precipitous summit. The southern Konyak villages were compact with narrow streets which appeared to be arranged with a view to defend against attack. The approaches were steep and usually traversed by moats crossed by removable bridges and overlooked by a morung, while the village itself was surrounded by a strong bamboo fence.[23]

Yimchungrü villages were named after the flora and fauna of the site and in some cases after the Chief or after the founder of the village.[24] They have a tradition that they lived in Kemephu, but they dispersed to different places and came back and met each other at 'Yimkhiungrü' which later on became 'Yimchungrü' (Yim=search, chung=reached, rü=village). After meeting each other, they established Langa. A was sacrificed and burned it to ashes before the "Khiangyap" (morung) was established.

---

[21] Sumi Hoho, *Sumi Lho Yezah (Sumi Customary Laws)*, Headquarters, Zunheboto Nagaland, (Zunheboto: Zunheboto, 2000), p. 24.
[22] J. P. Mills, *The Rengma Nagas*, Directorate of Art and Culture, Government of Nagaland, Kohima, (1937; reprint), 1982, pp. 45-6.
[23] Foreign Department, External, A, July, Nos. 1-4, 1913, Enclosure No. 3, No 250G., dated Kohima, the 25th April 1913, From, J. E. Webster, Esq., I.C.S., Deputy Commissioner, Naga Hills, To, The Commissioner, Surma Valley and the Hills Districts, para. 1 & 6. NAI.
[24] Information gathered from: *Yimchungru Metemneo Fiesta Souvenir*, Kohima, 2007.

After building the khiangyap, another dog was killed and the settler members partook of it as a sign of agreement that none will go back to where he came from - a token to stand by each other through thick and thin.[25]

More elaborate procedures were followed by the Nagas of other areas. When Khiamniungans (who were called Kalyo-kenyu by the British) founded a village, adopted people and people with scars received from enemies or games were not allowed to be a part of this group. The leader cut the 'Thanbai' tree (a tree that turns old/brown in color as soon as it is cut) in one stroke. The first task was the building of the "Kamnoi" (morung) which took three days to finish. Only men went to the site until new houses were built. On the day the wife and children were to come to the new village, an unmarried woman of Lamnya clan would bind her head with a tender thatch leaf, carry a seed-sowing-basket, a horseshoe-shaped blade hoe, weaving material, and decked in all her ornaments, take a walking stick and go to her new house. While the father made fire, she would fetch three bamboo chungas (bamboo vase/hollow) of water, pound a small portion of paddy and put it in the 'Veheu' (basket) to hang above the hearth, to ensure that the paddy in the house did not run out fast.

This Lamnya clan father then killed a black cow without even a single white hair on its body and a pig with a white patch in the middle of its face. The hind legs and back along with the tail were hung in this new house for three days. When this genna[26] (ritual) was complete, all the women and children were allowed to settle in the new village.[27] Among the Zemes, for fear of the new site sickness called "Pungcira" (pung=plot, ci=new, ra=sickness), a giant fire was lit on the selected site

[25] Interview with Muzung 72 Male, Head Dobashi Tuengsang, 12/5/2008, Nukshu 87 Male, Retired Political Assistant (hereafter PA) to Additional Deputy Commissioner (hereafter ADC), Tuengsang, 20/5/2008. Milada Ganguly has documented the village foundation of the Chang Tribe where a dog was offered to Hagg, the god of morung. Changs believed that offering a dog would make the people of the new settlement brave and watchful. Milada Ganguly, *A Pilgrimage to the Nagas*, New Delhi, 1984, pp. 183-184.

[26] Genna can be understood as a ritual, which was observed during a variety of activeties: on the headhunting expeditions, feast of merit ceremonies, erection of stone monuments, hunting and fishing, sowing and harvesting crops, rise of new moon, welcoming of new year, birth of a baby, death of eminent people, apotia (unnatural) death, etc., Joseph S. Thong, *Head-hunters Culture (Historic Culture of Nagas)*, (Tseminyu: Tseminyu Nagaland, 1997), p. 25.

[27] Interview with Beshim 66 Male, PA to ADC, Noklak, 9/5/2008 to 11/5/2008.

of the new village for a whole one year to make it old enough to inhabit. To establish a village, it was compulsory for Hau and Hoi clans to perform the following rituals. In the year of the settlement in the new village, usually after harvest on a new moon, a very important genna called "Bungtak" was performed. It is on this occasion that all ordinances for the village were regulated. This genna was considered so great that women could not even call it aloud by its name, and even men used the name sparingly.[28] Thus, while there were important roles for women in the founding of the village, they still occupied a place inferior to men.

In all, the founding of villages, the system of apportioning land, and systems of inheritance were embedded in custom and usage. Land use was not complex or elaborate and it left a lot of room for manipulability in the long run. The relatively low population density before colonialism explains why there was limited competition for any given piece of land, which gave sufficient space to all members of the village to get access to community or clan land whenever the need arose.

2. Distribution of Land

Every Naga village had its own cultivable land, its water resources on the outskirts of the village, its own livestock for meat, and a wide range of forest around the village for building materials, fire-wood and games, etc. A village normally had its own land surrounding the village which the villagers may hold as common land, clan or khel land, family and individual land.

a. Securing a Patrilineal System of Inheritance: Common Lands

In general terms, land was identified with men in the Naga community. In a village, the land use system was linked with the concept of lineage and village community land utilization traced through male lineage, although both men and women labored on the land. Community land or common land belonged to the whole village, and was normally set aside for growing timber, thatch, grass, cane, etc., or was kept as wasteland which could be used for community work or by individuals

[28] Interview with Heilube 50 Male, Poilwa Village Council Member, Poilwa, 22/4/2008 to 25/4/2008.

with the approval of the community.[29] Many Angami villages reserved a certain area of jhum land either for growing thatching grasses or for maintenance of canes for making bridges which was held as common property of the clan or of the whole village.[30] A Naga village constituted several clans with each clan having their portion of land. Although the right to inheritance rested with a particular lineage, all villagers could utilise the resources. Community knowledge about the land and forest belonging to the village, at large, acts as a check to the misuse by an individual.[31] Therefore all villagers had usufractory rights over clan land.

A person could set a mark around the part he wished to cultivate in this common land, provided no one else had claimed the same plot. He then sought the approval of the villagers to cultivate it for an agricultural year, that is, two calender years, whereas odd bits of jungle not suitable for cultivation were left as common village land in Ao,[32] Lotha[33] and Rengma[34] villages.

When a village was founded, each clan took a portion of the land and held it as common clan land. Holding common clan land was an expression of each clan member's responsibility towards his community. It was a customary responsibility that no member was deprived of his clan's support and that the clan must not suffer as a consequence. For instance, if a man could not pay a fine himself, his clan was obliged to pay for him. The practice was not based on prestige alone, but also associated with the fear that if a man could not pay a fine, his clan must pay for him or else it would be reduced in numbers and the survivors would sell off their surplus

---

[29] Mills, *The Rengma.* p. 143. With the advent of colonial rule, who paid nominal fee to the villagers, liberal rights to use of land and forest produce were granted to outsiders. Coal and timber rights conveyed by the Nagas included the right to cut timber and bamboos between the Borjan and Suntok rivers. This right, the record say, "had always been allowed by the Nagas." Foreign Department, Political, March, Nos. 314-137, 1880. Extract from para. 4 from Memo. By Mr. Philips, referred in para. 3 of the letter p. 4.

[30] Hutton, *The Angami.* pp. 140-141.

[31] "The villagers know the village boundaries very well which are traditionally demarcated by rivers, valleys, mountain range etc., land holding system is passed down through oral tradition and the area demarcation is virtually shown to the succeeding generation." Presented by; Athungo Ovung, LRI Gauhati High Court, "A one day seminar on the study and compilation of the customary laws of the Pochury Nagas with special reference to their land holding system," Meluri, 26 April, 2005.

[32] Mills, *The Ao.* p. 188.

[33] Mills, *The Lotha.* p. 97.

[34] Mills, *The Rengma.* p. 142.

land to individuals of other clans.[35] However, membership of the clan was no guarantee of the right to use land. If a man left his village, he lost all rights to clan land, except among the Sumi where a man could claim ancestral rights in clan land in a village in which his great-great-grandfather lived.[36]

Continuity of lineage was ensured by the system of preserving certain land as common clan property. The system practiced by the Rengmas is an example of how lineage was kept intact. When the father died, the sons could divide all the land bought by their father or ancestral inheritance equally, but a jhum field or two or a piece of land – according to how much they own – was compulsorily left as common firewood reserved land. This common firewood reserved land remained the common land of the male descendents of the deceased father forever. This was carried on by the succeeding heirs when the father's property was divided.[37] The Eastern Rengmas (Pochury) Naga on the other hand, did not have the custom of retaining a piece of land as common at every division, but every clan owned blocks of common land reserved for jhuming to grow cane.[38] Likewise, a large portion of land was held in common by all members of the particular clan among the Lotha Nagas and the met every year to sort out the land which each was to be cut that year.[39] All property was vested in males and descended in the strict order of primogeniture.[40]

Morung (boys dormitory) was the pride of the Naga village. It was an institution in itself, the epicenter of all activities. Every boy entered the morung after reaching a certain age to begin his social life. It was in this place that a boy was instructed in the ways of being an adult. A village may have several morungs owned by each khel/clan but did not necessarily own land. Among the Nagas, the Ao and the Lotha were the communities that had morung land. Ao morung land was normally near the village in which timbers and large clumps of bamboo were grown for

---

[35] Mills, *The Ao*. p. 188.
[36] Sumi Hoho. *Sumi Lhoyezah*. p. 14.
[37] Mills, *The Rengma*. p. 142.
[38] Ibid. p. 143.
[39] Mills, *The Lotha*. p. 97.
[40] Foreign Department, External, A, July, Nos. 1-4, 1913, Enclosure No. 3, No. 250G, para. 9.

repairing the morung.[41] In Lotha villages, rice cultivation was done by morung members and the yield was used for festival related expenditure.[42]

b. Private and Personal Property

Other privileges, such as planting bamboo and special trees in another man's land, were also permitted. There was recognition of property in special trees grown on the land of another person in Angami tradition. It was quite enough for a man to inform the land owner that he was protecting a tree on his land and the tree then became his roperty, for which he could claim damages for destruction or injury. The Ao and Sema allowed a person of the village to plant bamboo on his land, but this had nothing to do with claiming the plot of land in years to come. Certain formalities were observed for the use of the bamboos after the person who planted it died, but normally the usufructory right ended with the deceased.[43]

As was the practice among other tribes, the Sema kept a portion of land as clan land, and if the clan members wanted to divide the land in question, the person who announced the need to divide gets one field for his initiative.[44] It was believed that the proposal for division was regarded as resulting in unpleasant consequences and possibly early death.[45] Nobody could divide ancestral land at will. Ancestral land was inherited by the clan and personal property by the sons of a landowner.[46] The individual property of a man who died without a son was inherited by his daughter(s). In case there was no offspring at all, then whoever took care of the man, and performed his death rituals got a share of the deceased's property.[47]

---

[41] Mills, *The Ao*. p. 188.
[42] Mills, *The Lotha*. p. 26.
[43] In the system of planting and preserving bamboos and special tree species, a person can plant a grove of bamboo or a couple of special tree species and it does not mean unlimited access to other private land.
[44] "Sümi Customary Laws and Practices: A seminar required by the Additional Chief Secretary and Commissioner, Nagaland," Zunheboto 2005, No. 3. B, p. 3.
[45] Lovitoli Jimo, *Marriage Prestations*. p. 91.
[46] Ibid. p-15.
[47] Sümi Hoho, *Sumi Lhoyezah*. p. 14.

c. Women: Gifted Property and Agricultural Responsibility

There was great ambiguity attached to women in most Naga tribes. Women played a crucial symbolic role especially when the village was founded. She was seen as the "rice mother". Women were closely related to wealth and prosperity; and were considered as the 'bridge' in matters of dispute between two warring parties. Mills had written about what the Nagas did when there was a need to cement alliances: the chief's son usually married the daughter of the chief of another village, or, if the chief were of his clan, the daughter of one of his councilors of another clan.[48] Vitso has shown that during the days of headhunting some "outstanding women were chosen as mediators called "*Demi*" to build peace between the warring villages." She further adds that, "in order to safeguard the village, men assumed the role of guards while women took on the task of carrying out both domestic and agricultural works."[49]

Despite this symbolic power, for the most part, no woman could permanently inherit land of any sort, whether terraces, jhum land, building or garden land, or firewood plantations. A father could grant land to his daughter, though it strictly reverted back to his male heirs after her death.[50] A newly married couple could start life by ritually cultivating a portion of their share of land property received from their family, but women were beneficiaries of such land only as wives, mother and daughters.[51] Among the Angami, if a man died without heirs, his first cousins would divide the property equally.[52] Certain rights to use land were accorded to women among the Memi Angamis. If the man died without son(s), all the land purchased by the father in his lifetime could be taken over by the daughter(s). This kind of inheritance was rare and practiced only by the Memi Angamis.

In Ao tradition, if a man with an only daughter were to give land and money to her during his lifetime, those gifts would remain her property even after his death, provided that the daughter, had made even a nominal payment especially for land.[53] The land so acquired could be given away as she liked, but if she did not transfer it

---

[48] Mills, *The Rengma*. p. 139.
[49] Adino Vitso, *Customary Law And Women: The Chakhesang Nagas*, Delhi, 2003, p. 76.
[50] Hutton, *The Angami*. p. 137.
[51] Information gathered from: "The Customary Law And Practices of the Angami Nagas of Nagaland", Shillong, Sponsored by North Eastern Council, 1985, p. 76.
[52] Hutton, *The Angami*. p. 135, Mills, *The Ao*. p. 188, Mills, *The Lotha*. p. 98, Mills, *The Rengma*. p. 143, J. H. Hutton, *The Sema Nagas*, (Bombay: Oxford University Press, 1968), p.156.
[53] Mills, *The Ao*. p. 189.

during her lifetime it went on to her father's male heirs on her death. If she made no payment when her father was alive, then on her death, the land would automatically go back to her father's heirs. Land bought by a woman, perhaps with the money given by her father, went to her son, and if she had none it went to her brother and other male heirs of her father.[54] The system of reverting land belonging to a woman after her death to the male kin made it clear that the status of woman was much lower than men, and entirely determined by relationship to men.

However, there occasional gifts of land to women. The Angamis practiced an exceptional form of gift in the form of land to the daughters which varied in its usage depending on the custom of the region. There were three kinds of such gofts: "Mengu", "Yipe" and "Puozuo Phru." Mengu was a return gift which was a custom practiced in varying form between the Tengima and Chakrima villages. Among the Tengima, mengu was a kind of gift given to a wife's relatives in recognition of the fact that the husband had become rich through her help. The gift was not compulsory unless the woman on her death bed directed that it be given. But a small complimentary mengu, consisting of a deceased woman's hoe and some paddy, was usually given by the widower to his father-in-laws's family. Mengu, as it was practiced by the Chakrima, referred to a gift of land that was given to the bride by her parents at the time her marriage. The custom involved returning the land on her death or if the land in question was sold - things that were brought with the price of the sold land, to the deceased woman's descendants of her father's family. The return of Mengu was done only after the woman's children died and it was the responsibility of the third generation, that is, the woman's grandchildren, to return the due.[55] Yipe was a wet terrace rice cultivation field, or other property, jhum, cattle, etc., given to the bride by her parents among the Kezama group, or to the bridegroom by his parents. It remained the exclusive property of the recipient, but if there was no direct heir, it returned to the giver's family. In the case of cattle given as Yipe, the calf born after the marriage of the recipient becomes the joint property of husband and wife. Yipe could be , which than extinguished all hereditary or revisionary rights attached to it

[54] Ibid. p. 190.
[55] Ibid. pp. 137-8.

except when the proceeds of the sale was used to buy land, in which case the piece of land becomes Yipe in place of the original gift. [56]

The third kind of land gift, Puozuo Phru, was different although it was also a gift of land given to the bride at the time of her marriage. Puozuo=her, zuo=mother's, shiephruo=share, as the name suggests was land that belonged to the mother when she came as a bride. Here is an example to illustrate the practice which is practiced to this day. Vizehole is from Khuzama village in Kohima district and she brought her Puozuo Phru land when she married a Viswema man. When her daughter Vimetsule married a Zadema man, she sold her Puozuo Phru land and gave that money to her daughter. The daughter bought a field with this Pou Zou Shiepruo. As Vimetsule does not have a daughter, she will give this Puozuo Phru land to anyone she deems fit.[57] In other words, there were some forces of absolute property rights enjoyed by women.

The Aos practiced a special kind of land-share between a husband and wife. If a separation took place after harvest, the woman was often allowed to cultivate the new field the next year, by which time they would have become old fields. At other times, the new fields were sometimes equally divided, the man cultivating the half containing the field house and the woman the other half. If they two were divorced while the crops were standing, the man could reap the rice on the new fields and the woman that on the old fields, or vice-versa, but the man was entitled to cut one load of rice from round the field house in the field assigned to the woman, for that portion of the crop contained his "aren" (prosperity).[58]

Both men and women performed agricultural rites, but a closer look strengthens the view that women performed the most. This was clearly not linked with fact that women had greater control over land and agriculture. But the symbolic importance given to women of the peculiarities of the soil and seeds. Possibly her worth was related to her association of procreation. Most tribes had women

[56] Ibid. pp. 139-40.
[57] Interview with Notho Dobashi, Kohima Dobashi Court, son of Vizehole. Kohima, 10/01/2011.
[58] Ibid. pp. 276-7.

performing agricultural rites, women were initiators of agricultural ceremonies relating to sowing, reaping or harvesting. In the Lotha tradition, certain ceremonies had to be performed by the "Puthi" (Priest) called "*Thurven*" "accompanied" by his wife.[59] Among the Chakhesangs, a day's genna was to be observed by the whole village, but, the ritual had to be performed by women. One woman from each house had to go to the field early in the morning and sow a few seeds and offer a prayer invoking the blessing of the wealth spirit.[60] An old woman usually performed the task of the First-reaper (lophugu), among the Rengmas. As she performed the genna on the stipulated day, all the villagers awaited her inside the fence, wearing their best clothes and beads as it was believed that "a happy appearance ...please[d] the very feminine spirit of the crops." She then came home with the first harvest of the village.[61] The first-reaping ceremony was also held as under auspicious circumstances as was the first-sowing ceremony. To perform the reaping ceremonies, the Ao the husband and wife would leave the children and go down to their field, taking with them an egg and a basket each to propitiate the spirit that the "harvest not be over soon."[62] Tradition in the Zeme community goes that, at the harvest time, a young girl of the Hau clan observes three months genna after she cuts one or two strands of paddy and brings it home while the whole village waits for her in their houses. As long as the harvest was not over, this genna girl stayed inside the house feeding only on porridge. The girl's health deteriorated until the villagers then observe a one day genna, and on that night every household ate chicken, egg and salt as a sign of breaking the fast of the girl and letting her return to normal life. A day's genna was again observed at the time of her death.[63] As an agricultural society, the Naga linked sacrifice closely to agricultural growth and fertility.[64] This explains the significance of every community performing gennas attached to agriculture.

Every alternate year, the village elders held a meeting to decide which side of the village fields should be cut, and the felling of jhum started only after the elders' decision. Cutting fields in a village was a community affair so that the fencing, path

---

[59] Mills, *The Lotha.* p. 47.
[60] Adino Vitsu, *Customary Law.* p. 34.
[61] Mills, *The Rengma.* pp. 84-5.
[62] Mills, *The Ao.* p. 123.
[63] Interview with Heilube 50 Male, Poilwa Village Council Member, 22/4/2008 to 25/4/2008
[64] Aglaja Stern and Peter Van Ham, *Hidden World of the Nagas.* p. 10.

clearing, taking turns to man the neighbour's field, etc., were performed by collectice labour. A different method was applied to other communities when performing agricultural genna. The offerings were made to propitiate the spirit for a bumper harvest and to thwart the calamities that might befall them. As discussed above, the first sower and the first reaper were so important that any agricultural activity relating to sowing and reaping could not be done without their initiative. There were rewards given to persons who performed gennas, such as among the Sumi, the Awo-u for performing the genna as the first sower and the first reaper who got two free days of village labour in a year, one for each genna performed.[65]

Every community had its own way of rewarding the person(s) who performed the genna. In Ao tradition, there was this sacred boulder called Changchanglung on Warumong land where a yearly sacrifice was performed. Every year, two persons were selected to perform the propitiating ritual at the appropriate time upon this boulder, and for services they performed, they were allotted a plot of land near the boulder to cultivate for one year. [66]

The patriarchal nature of Naga society kept women away from practical knowledge of the physical environment, and disadvantaged her in seeking information about the traditional knowledge of inheritance, disputes and problems related to land. This enabled male dominated land use and operations and placed women as a complacent inheritor of bequeathed gifts that again finds their way back to her father's clan, or to her husband and son(s) as the situation may be, after her death. Yet, community life and agricultural activities were not possible without the women's participation, or in other words, it rested on the strength of the womenfolk. Nevertheless, women could not establish the independence of decision-making relating to land, as they were always treated as daughters, sisters, wives, or mothers and not as a proprietor. Pou Zou Shiepruo was an exception that was practiced by the Angamis.

---

[65] Hutton, *The Sema.* p. 151.
[66] Mills. *The Ao.* pp. 188-9.

Gifts of land to women were particularly common in the case of men who had no son(s). In these cases, the woman could make use of the land but could not sell the land and when she died it went back to her father's nearest heir. Women seemed to have enjoyed certain privileges in the society in various capacities, but that did not give her the opportunity to inherit immovable property. The gifts of land made to women were thus a "right to access to land and not the right to ownership of land."

3. Practice of Cultivation and Labour use:

The dominant agricultural practice was jhum. This traditional agriculture is found in many parts of the world, in continents as diverse as America, Asia, and Africa. Jhuming (shifting) cultivation constituted the earliest form of agriculture and provided for the basic needs of humans in diverse settlements. It also placed them in harmony with 'nature' of which they were an integral part and on which they depended for survival.[67]

a. Jhum Cultivation and Collective Labour

Jhuming was intermingled with cultural customs and related to a whole way of life. Gennas and festivals of the tribals were all linked with jhum, and each month was earmarked for one genna or the other. Throughout the year, different activities were programmed in such a way that the work to be carried out would fall between other agricultural practices. This system of regulating various kinds of works, helped in maintaining predictability and rhythm in the lives of the people. The regulation of village lives, was enabled largely through customary law in the absence of any written law.[68]

Since agriculture was the main source of sustenance, Nagas tilled their land the whole year round. The Naga attachment to land and disregard for money was clearly acknowledged by the British in the early days when Nagas were employed on the Mannipore (hereafter Manipur) road works: "These people called Nagas cannot

---

[67] P. S. Ramakrishnan, 1980, as quoted in Shimray, *Ecological Setting and Economic Systems of the Nagas.* p. 12.
[68] Adino Vitsu, *Customary Law.* p. 34.

stay for even ten days, they run away and they do not want the money, seeing they can get three Taccas for a trip between this and Luckimpoor and that they can make two or three trips in a month. But they do not even like to do this, they only desire to remain at home and cultivate their "joom"[sic], it does not therefore appear clear that they will value the rupees."[69]

In an expedition to the Mon area, the District Commissioner, Naga Hills recorded that people practiced jhum cultivation for two years and then let the jungle grow for 8-10 years. In some villages, eg., Kongan, the jungle was simply burnt, and the seed sown without any hoeing or removal of stumps. The Totok fields, on the other hand, were carefully hoed, and the earth prevented from slopping by transverse timbers.[70] Jhums were cleared in November and December and the burning continued throughout December and January and into February. Sowing began in early March and continued at intervals, while harvesting went on from July to November. Millet, job's tears, maize, beans, kachu (arum), varieties of green leaves, tobacco, onion and poppies were cultivated in gardens.[71]

Apart from jhum cultivation, Nagas practice two types of terraced cultivation. The first was permanently terraced cultivation and the second was the dry terraced cultivation. The manner of preparing the field in both the cases was the same, but the former was watered the whole year round while the latter was left dry and cultivated only during the monsoon. This was due to scarcity of water near the terrace fields and that is the reason why it was essentially constructed in areas where the soil could retain rain water. Rain water and springs were the only sources for practicing dry terrace cultivation. Wet terrace cultivation was made possible by accessibility, sources of water from waterholes or rivers waterholes or rivers. In both cases, water canals were dug to stream in the water to the fields. Each of the agricultural

---

[69] Foreign Department, F.C., October, Nos. 23-28, 1841, To, T. H. Maddock, Esq., Secretary to the GOI in the Political Department, Fort William. From, Captain G. Gordon, Political Agent, Manipur, (translation of letter of the Regent to Captain Gordon, dated 17th September 1841).

[70] The Naga being a careless sower is not reflected here only, Mills have talked about how careless a sower an Ao was, he wrote that an Ao is a "careless sower and a careless weeder, but the long gentle slopes with the thick covering of soil give them excellent crop." Mills, *The Ao*. p. 107.

[71] Foreign Department, External, A, July, Nos. 1-4, 1913, Enclosure No. 3, No. 250G, para. 18, dated 25th April 1913, From, J.E. Webster, Esq., I.C.S., Deputy Commissioner, Naga Hills, To, The Commissioner, Surma Valley and Hills Districts.

operations, such as ploughing, tilling the field, sowing the seeds, transplanting etc, was done according to a particular season of the year preceded by the observation of certain gennas. It was believed that if certain gennas particular to the occasion were not performed, some natural calamity would befall the persons or the village.[72]

Nagas tilled their own fields the whole year round by forming a work group of peers, and taking turns to work in the group members fields. They could also solicit help from relatives and friends to help each other in the field from time to time. Apart from this kind of exchange labour, Pochury and the Sema communities practiced different kind of labour tied to kinship, where a person was adopted by a chief or a wealthy man of the village and hence like a son. These forms of labour mobilsation are discussed next.

b. Labour and Kinship

In the labour and kinship system, it was believed that the adoption of "sons" was a display of wealth from which the 'father." These sons worked in his field and supported in all kinds of work as and when the father needed it, in return the father provide them with wives, food and land. This system was called "Ikherari" by the Pochurys.[73] Ikhekari referred to people who were poor or fugitive and who were adopted by the person who became his master. In this kind of adoption, the relation was like that of a master and a serf. A Pochury destitute never became the adopted son of another man in his own village. Another kind of adoption was practiced where a man could call an elderly man "father" and there on called each other "father' and "son" and would attend each others feasts.

In the Sumi system, there were two kinds of keeping sons, "Aqu-axe" and "Anuli-kishimi." Aqu-axe (aqu=feed, axe=paying for a wife) can be understood as "a person who has been bought'' but not a bonded slave. In this system, whoever becomes aqu-axe, was provided with food and shelter, including a plot of jhum land to cultivate. Once the person was under the obligation of aqu-axe, it becomes

[72] Adino Vitso, *Customary Law*. p. 33.
[73] Mills, *The Rengma*. pp. 145-6.

hereditary and was passed on from generation to generation until the aqu-axe was paid back.[74] Anuli-kishimi (annuli=children, kishimi=have become) on the other hand were those people in the village without a house or a plot of land and who were so poor that they had to go to the Chief or influential persons of the village and ask them if they could become their anuli-kishimi (one who has become a son). As soon as they were initiated into anuli-kishimi, they started calling the person who adopted them as "Ipu" which means "My Father." They thus lived under the shelter and protection of the father who adopted them and every year a plot of field was given out to them for cultivation by their Father. During the starting of a jhum cycle, the anuli-kishiu approached the Father with a piglet or a cock, or went fishing and took the catch of the day along to ask the Father for a particular valley or hill which he wished to cultivate. When the anuli-kishiu gets married, the Father provided him with clothes, grain and necessary household items but not as much as in the case of aqu-axe, where the wife was literally paid for by the Father. The, aqu-axe thus becames the father's clan but not the anuli-kishimi.[75] The Chief took in aqu-axe and anuli-kishimi with an understanding that he would work in the Chief's fields and will help the Chief in war. The rights of a Chief over his anuli-kishimi and the right to work in his field was split up at his death between his married sons, or all sons who were capable of exercising the use of labour of these adopted people which included being able to look after them as their father did.[76]

Adopting a son was related to gaining certain prestige by a wealthy man, depending on how much he could provide as a "father." To say that the relation was that of perpetual servitude cannot be correct, but to say that, the "son(s)" had the liberty to pay up the father is not either true. In any case, the son could redeem himself if he could accumulate enough wealth to pay back the father. In the first place, especially in the case of the Sema custom, the man becomes a "son" because he was poor, and he had been living under the patronage of the father which means that he had no real property and it would take an exceptional effort to garner enough for a pay back his debt. On the other hand, in the case of the aqu-axe, a person could assimilate into the father's clan, which was tantamount to losing of his original

[74] Lovitoli Jimo, *Marriage Prestations.* p. 95.
[75] Ibid. pp. 98-9.
[76] Hutton, *The Sema.* pp. 144-5.

identity. But it is problematic to call this form of labour, no matter which category of "son" a man might fall in. The fact that the father gave the son food, house and land, also meant that they tilled their own fields except that the son would have to assist the father whenever he needed his work. A slave on the other hand was a "property" of the master (as will see the case of Chipta, the slave from Susu in Chapter 3), therefore the practice of the father-son relation can be looked at as more of dependent bondage than a slavery.

At the time of paying up the father-son dues, the custom was that, the father would not take more than what the son could pay, similarly the son would not ignore the father even if the father-son dues were cleared. The customary belief was that, if the father put too much burden of paying him back upon the son, he would be cursed; likewise, the condition of the son who ignored or act in vengeance against the father was inauspicious.[77]

There were other forms of labour extracted by the chief as in the case of prisoners-of-war. At first, they practically occupied the position of slaves in the household of their captors, but as time went by, they were given land to cultivate by their captor. In such cases, the land was regarded as the property of the descendents of the original prisoner. If they wished to return to their own village, they would have to return all the property acquired by them to the clan, the kindred, or the descendants of the original owner, however rich the families of prisoners might had become by that time.[78]

c. Batchers

In a village, every khel had its own field-working group of "batchers" (batch=peers) organized according to age, but including both the sexes. A person entered a group as soon as s/he was old enough to look after herself/himself and left the group as soon as s/he has a son/daughter old enough to work with their own gangs. The batchers elected a leader among themselves who decided whose field

[77] Hokuto Zhimomi, *Sümi Kughuko*. p. 87.
[78] Hutton, *The Angami*. p. 140.

came next in rotation. The batchers were democratic, in a sense that a chief's son, like everyone else, also worked and obeyed the leader of the group. Without the batchers system, it was practically impossible for a man to cultivate more than a small patch of ground and so every member of the village was entitled to have the batchers' help. As the batchers worked on the rich man's fields, they expect a liberal supply of meat and rice. But, the poorest in the village also get their work done without expecting anything in return.[79]

An essential feature of the batcher system was the communal singing which accompanied each phase of cultivation. Sometimes a well-to-do-man of the village could hire the batchers' for a day and feed them in return. They were also paid in some amount of rice which they would store for use during festivals. Batchers played a very important role in village life, especially during the festivals when each batcher group had a feast of their own apart from celebrating together in a community. There was no objection to men and women of the same clan being in the same field company, for the songs and conversations were decent.[80] Among the Sema community, after marriage women often leave their batchers and join the all women or widowed group of batchers.[81]

Batchers had a fixed timing for work, break and meal that in a way regulated their sense of time and health. People mostly died of old age and less of disease. The kind of careful and proper usage of language in a group, which signified the adherence to certain moral and physical norm, constituted the traditional customs and practices that bound the pre-literate society together. These deep rooted work ethics practiced from generation to generation became, in many years to come, the much sought after labour force for colonial expansion in this part of the hills. However these traditional modes of labour use transformed or indeed deformed under colonial rule. This work turns to some aspects of this in the next section.

---

[79] Hutton, *The Sema*. p. 153.
[80] Mills, *The Rengma*. p. 75.
[81] Lovitoli Jimo, *Marriage Prestations*. p. 87.

4. Early Colonial Encounters and Disruptions

With the arrival of colonial officials in the area, village life underwent several changes, which can be understood in at least two ways: first, new settlements were open to push the of the British in the areas where Nagas could be employed for manual labour' second, the eviction of "insurgent" Nagas which in most cases led to the destruction of their houses and voluntary desertion.

The British interest in opening up new villages was largely promoted by the need for coolie labor in the Naga Hills. The remarks of the officer on duty revealed that urging the Naga to take up a new abode was not an easy task. Captain Jenkins, in 1832 wrote to Chief Secretary to Government of Assam, "the hill men are so attached to the abodes of their ancestors that they would most reluctantly abandon their native hill for any other mountain ranges, but the government would retain none to offer them, and the plains would, for them, be merely the scene of a lingering and miserable existence."[82] Yet the plains, to which the British wanted to bring the Nagas to establish a new village, were "fertile in the extreme, and in any future war may be rich in all resources necessary for the efficiency of an army: provisions, cattle, coolies."[83] There was recognition of the hopelessness that the Nagas alone were the key to the conversion of "the rich resources of its forest" and yet, at the same time, if the Nagas were not brought to settle in the plains, they would pose a "danger that in war we might lose the services of this, to us, the invaluable race of porters.[84]

The route from Manipur into Upper Assam (1832) despite being rudimentary proved "perfectly available" and troops could be moved in either direction at very short notice.[85] What presented a problem was the availability of porters and supplies for the armies. The Hills surrounding Manipur abounded in pasture, and there were clear promises of sheep thriving and multiplying quickly, for which it was proposed that the government should send a flock of liver she-sheep with a proportionate number of mules (around 2000) to add to the resources of Manipur to meet the

[82] Foreign and Political Department, Political Consultation (hereafter P. C.), 14th May, Nos. 110-119, 1832, No. 110C, p. 325, para. 15. NAI.
[83] Ibid. No. 110B, p. 321.
[84] Ibid. No. 110C, p. 323, para. 14.
[85] Foreign Department, P.C., 15 October, Nos. 114A-114J, 1832, No.114A, para. 16. NAI.

contingency of European troops being sent there. This would give the local inhabitants the opportunity for reaping the advantages of wool production. Thus, the British were planning to let the Raja of Manipur establish Naga villages "for the sole purpose of looking after the sheep" where they would be instructed to manufacture blankets.[86] As far as commercialization of resources was concerned, the officials were planning to take over the salt wells belonging to the Nagas and throw this part of the country open to the enterprise of the traders[87] even before bringing the Naga Hills under administration.

In 1841, Lieutanant Bigge, on his tour of the foothills, tried to settle few of his men on the east bank of the Dhunsiri, allowing them to occupy land they chose, exempt entirely from all rent or taxation until it seems necessary.[88] He also proposed to restore certain lands that were held by the Katakis[89] in the plains. However, if that could not be done, other lands could be given and without making any definite commitment, allow them to hold lands free or subject to small payments of ivory or, timber or light services on roads.[90] The British took all these measures to protect their interests in the plains. In 1842, Major F. Jenkins expressed his opinion that Nagas having entered in agreement with Captain Brodie, would stop the "outrages upon our ryots on the plains" which would enable the colonials to recover a "very large extent of a most fertile country" which had to be abandoned because of the fear of the hills people.[91]

Subjugation through Terror

The British always applied different policies to the hills region compared with the plains of the Naga Hills. As will be seen in Chapter 3, even as the government was making liberal use of Naga lands, especially in the areas bordering the plains, it was simultaneously carrying out punitive measures against the "insurgent" Nagas which

[86] Foreign Department, P.C., 19 December, Nos. 85-93, 1833, No. 88, para. 163. NAI.
[87] Foreign Department, P.C., 16 January, Nos. 53-58, 1839, para. 53. NAI.
[88] Foreign Department, P.C., 1 March, Nos. 55-57, 1841, para. 34. NAI.
[89] Katakis were persons who managed revenue free lands known as "Khats" that belonged to Nagas. These khats were granted to the Nagas by the Ahom Kings.
[90] Foreign Department, Foreign Consultation (hereafter F.C), 19 July, Nos. 101-106, 1841, N0. 104, para. 3. NAI.
[91] Foreign Department, F. C., 17 August, Nos. 185-191, 1842. NAI.

in most cases led to the destruction of their houses and utimately led to the desertion. In order to reduce the hostility of the Nagas, in 1866, Lieutenant Colonel J. C. Haughton, Agent to Governor General, proposed a conciliation, when he said that the government should proclaim "sovereignty over them, protect them from outward aggression and reasonable cause of complaint, subjecting them only to such rule and taxation as they are able to bear."[92] On the contrary, when in 1868, Razepiamah attacked a British subject village, Lieutenant Gregory gave the order of severe punishment, "So far as Razepiamah is concerned, their place shall know them no more. Not a hoe must be raised anywhere on Razepiamah lands, not a hut built, not a grave dug there, we may think fit to re-occupy the locality with our own Naga subjects under a new name."[93] Likewise, in 1879, those who took part in the siege of Kohima were forced out of the villages and were not allowed to cultivate their fields, while villages were destroyed.[94]

By 1881, those living under colonial rule, were witnessing harsher punishments when their villages were razed and deserted. In 1881, a letter from C. J. Lyall, Esq., C. S. I., Officiating Secretary to the Chief Commissioner of Assam confessed the difficulty in knowing "what is passing in the minds of the insurgents, and to discover whether they are holding out through a stubborn or hostile determination to resist our government." In order "to teach them that we are the stronger", and since Nagas had no "armed bodies" to systematically implement orders, "burning their houses was the option, and forbidding the people to re-occupy their houses or to cultivate their fields till they submit."[95] There were occasions where the villagers left the village before the British could destroy it. In 1886 Merangkong deserted the village before the British arrived. The expedition party could not induce the villagers to come back and make their submission, therefore the village was burned and standing crops belonging to the village were confiscated.[96] In most cases after the destruction of the village, people were ordered to rebuild their village on new unfortified sites, as was the case of the villages that took part in the siege of

[92] Foreign Department, Political, A, January, Nos. 46-51, 1866, No. 49, para. 14.NAI.
[93] Foreign Department, Political, A, April, Nos. 260-3, 1868, No. 261, para. 4. NAI.
[94] Foreign Department, Political, A, March, Nos. 331-395, 1880, No. 348A. NAI.
[95] Foreign Department, Political, A, June, Nos. 423-433, 1881, No. K. W. No. 2. NAI.
[96] Foreign Department, External, A, August, Nos. 211-213, 1886, No. 213, para. 2. NAI.

Kohima.[97] On the other hand, settling an old site with new residents was also done. The site chosen for Mokokchung sub-division was formally occupied by a village long since abandoned, known as *Sangtam*,[98] so also Hanye village was permitted to be established upon the extinct Lotha village on the plains side of the Rongazu-Ralung ridge by Hovishe of Shotomi.[99]With the arrival of the British, performance of gennas was replaced by the Magistrates' Court where people "had grown up rushing to the court with every complaint, and the courts have lent far too ready an ear. The chief's power was bound to disappear if the aggrieved party could appeal to an alien law administered by a magistrate uncombined with indigenous custom.[100] The British had achieved some integration successfully, for by the end of World War-I, Nagas were no longer celebrating their victory over their enemies but the enemies of their rulers. The tribes that were under the political control of the British sang praises about the defeat of their rulers' enemies. The colonial control had changed even the cultural paradigm of Naga culture.[101]

Conclusion

From the accounts of the colonizing administrator/ethnographers, we derive a picture of pre- colonial Naga territory as one in which the members of each tribe depended on each other. Given their engagement in agricultural activities round the year, there seemed to be less time for interactions between villages, though inter-village marriages, trade, etc., were an undeniable feature, which probably accounted for the variety of village practices and customs despite great similarities as well. Before the British arrived, all activities were carried out by observing the genna which was implicitly obeyed. Moral controls, food restrictions, work allocations, and things that were considered vital to the well being of the community were defined as the

---

[97] Foreign Department, Political, A, April, Nos. 218-229, 1880, No. 219. NAI.
[98] Foreign Department, External, A, February, Nos. 155-167, 1890, No. 158, para. 3. NAI.
[99] Political Department, Political Branch, B, January, Nos. 360-385, 1920, Tour diary of DC Naga Hills, Tour diary of J. H. Hutton, Esq., I.C.S. DC, Naga Hills for the month of May 1920, 8 May, p. 58. NSA.
[100] Mills, *The Rengma.* pp. 103-40.
[101] Abraham Lotha, *History of Naga.* p. 58. During the First World War Nagas went to France as labour corps. Yet, they were lost amidst the British charm. This resonates with Ranajit Guha's Elementary...where he describes the peasants revolt where, "all along the struggle the peasants took the names, battle cries and costumes of his adversary, which in the first place, because of these emulating and borrowing, made the nature of the revolt negatively constituted." Ranajit Guha, *Elementary Aspects of Peasant Insurgency In Colonial India*, (New Delhi: Oxford University Press, 1983), p. 75.

responsibility of an individual towards the society. These customs were enforced by elders, clan leaders, priests and in some areas chiefs who performed both civic and spiritual duties to help each other in the affairs of the village operating under customary practices. As Vitso has put it, "it shows how customary regulated people's lives law in the absence of any written law."[102]

The primary motive of the whole project of "civilizing" the Nagas was to make them useful British subjects,[103] subordinate them to the needs and demands of the imperial ambition, whether by opening up new settlements along the foothills where Nagas could be maintained as manual hands, or by burning down one village after another in the hills to subjugate them. The policy of dealing with the Nagas was alternatively soft on the plains and rough on the hills; it showed a great deal of leniency to those Nagas who wished to settle on the plains and much harsher treatment to the Nagas in the Hills through punitive expeditions. Needless to say, neither the tactic of persuasion nor the more penalizing aspects of the British policy towards the Nagas necessarily were in the long term interests of Nagas themselves.

[102] Adino Vitso, *Customary Law*. p. 34.
[103] Abraham Lotha, *History of Naga*. p. 48.

Chapter 2

Colonial Occupation of the Naga Hills

There, clear of any village but that of my own hewers of wood and drawers of water, on the slopes of what is described as a most beautiful country, fertile to degree, finely wooded with oak and beech and fir, and well watered, I will build the permanent station.[1]

Lieutenant Gregory

Introduction

When the East India Company (hereafter EIC) realized that the defeat of the Napoleonic France (1815) had deepened the enmity between England and France and that the French were active in the east (Burma), and EIC had to take effective measures to stop the French power before it becomes a menace to their power in India. Not only that, the Company found out that Russia was harbouring interest in its neighbourhood and middle east, it became a threat to the British power in India. This was fueled by the defeat of the Napoleonic France, as it deepened the enmity between England and France. England realized that the French were active in the east (Burma), and EIC had to take effective measures to stop the French power before it becomes a menace to their power in India.[2] The possible attack by Burma from the frontiers, namely free tracts of Naga Hills, prompted the Company to make haste to occupy Samaguting in 1866, which they established as an outpost until March 1851, but abandoned after they adopted the non-intervention policy in the Naga Hills.

The re-occupation of Samaguting had another strong pressure. By this time, the American missionaries were increasing their area of work appreciably. Even with

---

[1] Assam Secretariat Proceedings, General Department, 1866, File no. 305 Bengal, Sl. 2, para-43, Guwahati, Assam State Archives (hereafter ASA).

[2] Gina Shangkham, *British Policy Towards The Nagas, 1839-1880,* 1979, MPhil, New Delhi, Jawaharlal Nehru University (hereafter JNU), MPhil, Dissertation, p. 39.

its centralized administration backed by military forces, the Company could not develop friendly relations or force submission from the tribes as the missionaries did. This position can be best explained by what Gunnel Cederlof, who discusses the clash of interest in 1820s of Burma and EIC over the hill ranges that lay between the Irrawady in Burma and Brahmaputra in Assam, in order to legitimize their military advances by the right to self-preservation, the EIC based its policy on revenue and military operations, going hand in hand, with the revenue officers mostly being one step ahead of the troops.[3] This was the policy that guided EIC's expeditions sanctioned by the government. Whereas in the missionary system, as Sidney Rivernburg, a missionary in the Naga Hills wrote, "When I go out to preach, a scripture portion, hymn book, pills, quinine, chlorodine and painkiller are my weapons of warfare,"[4] which simply reflects the contrasting nature of the EIC and the missionaries regardless of the fact that one was focused on is in the process of physical conquest and the other was interested to spreading the Gospel. The situation became a sort of conflict because both had the same goal, to try bring the Nagas under their influence.

The "Raids" was one of the important reasons for the EIC to establish its stronghold in the Naga Hills. The classification of the territory for administrative purposes followed British notions of which areas required force, and while ones can be neglected. The Naga Hills were divided into three regions; controlled areas, politically controlled areas and the areas beyond political control. The controlled area was where direct administration was carried out under house tax, politically controlled area was where the government could punish raiders, and beyond politically controlled area was where the government followed the non-intervention policy. [5]

Nari Rustomji refers to the third category as inhabited by people who were "free to commit raids and take heads to their hearts delight within their own habitat,

---

[3] Gunnel Cederlof, "Fixed boundaries, fluid landscapes: British expansion into Northern East Bengal in the 1820s", *The Indian Economic and Social Review,* 46, 4 (2009), 513-40, p. 515.
[4] Richard M. Eaton, "Conversion to Christianity among the Nagas, 1876-1971", *The Indian Economic and Social Review*, 21, 1, Jan-Mar 1984, Vol XXI, p. 31.
[5] Piketo Sema, *British policy and Administration in Nagaland 1881-1947*, (New Delhi: Scholar Publishing House, 1991), p. 123.

where a blind eye was turned upon their frolics."[6] But if we refer to Ajay Skaria's 'Being Jungli: the Politics of Wildness' we are made to understand that "Raids" as practiced by the Bhils in the Khandesh region of western India, is best understood as particular claims to power, rather than being driven by subsistence needs alone, and where it could be a political act meant to repudiate or challenge other Chiefs.[7] Naga raids could also be seen from a different angle, it could not possibly be that they were a group of blood-thirsty people who delighted in collecting heads alone. Headhunting was a complex social and religious practice among the Nagas. The right to wear ornaments was given only to the warriors and the ones who took head(s) of an enemy.[8] By taking head(s) it was believed that "life essence is brought back to the village", when a head was brought to the village it was "put in a sacred place where apparently the life essence diffuses to the villagers, their crop and their stock."[9]

This chapter tries to analyse the gradual physical and ideological conquest of the Naga Hills, through a variety of shifting and changing policies, which evolved out of the relative successes and failures of the Company in the Naga Hills. Tactic of terror (the punitive expeditions), policies of rule through taxation (house tax policies), policies of rule through taxation (house tax policies), and administration through conciliation or non-intervention were all tactics tried with varying degrees of success. In every punitive expedition that the Deputy Commissioner undertook, he gave a verdict to one case or the other, using a mixture of novel legal assertions and absorption of the traditional practices of the Nagas.

During the 1832-1851 expeditions were carried out in the Naga Hills in an attempt to control the Nagas. During this period, an outpost was opened on an experimental basis at Samaguting, a stockade at Mezoma, and for a short time at

---

[6] Nari Rustomji, *Imperilled Frontiers, India's Northeasten Borderlands*, New Delhi, 1983, p. 27.
[7] P. J. Marshall (Author), *Eighteenth Century in Indian History*, (Oxford University Press, 2005). (Ajay Skaria, "Being Jangli: The Politics Of Wildness", Studies in history, XIV, 1998, p. 299).
[8] Milada Ganguly, *A Pilgrimage To The Nagas*, (New Delhi: Oxford & IBH Publishing Co., 1984), p. 186.
[9] Aglaja Stirn and Peter Van Ham, *The Hidden World Of The Nagas: Living Tradition In North East India And Burma*, (New Delhi: Timeless Books, 2003), p. 122.

Khonoma.[10] In 1851 after subduing Kekrima, the government withdrew from the Hills until Samaguting was established as district headquarters in 1886. Owing to the increasing raids of the Trans-Dikhu tribes into the EIC controlled area, Wokha sub-divisional headquarters was established in 1875 and it was shifted to Mokokchung in 1890 so that trans-Dikhu area could be administered easily, leaving Wokha under the charge of a Tashildar. In 1923, Melomi-Primi (Pochury in present Phek District) was formally included in the eastern boundary of the district of Kohima.[11]

The chapter comprises four sub-themes. The first theme looks at the British entry into the Naga Hills driven by the necessity of guarding the frontier and lured by the mineral resources. It will also trace the government policy before and after 1866 until Kohima was made the permanent headquarters in 1881 and the expansion from then on. The second theme deals with the fines and house tax. Every punitive expedition undertaken by the colonial officer was followed by settling with that particular village he visited to collect house tax, the paying of house tax was systematically done only after 1866. Fines were imposed on "crimes" the tribesmen committed against the "British subject." The third theme looks at the evolving policy of mobilizing labour and the control of wages as a means of producing complaint subjects. The actual power of the British depended on the power of the Naga coolie. Owing to the rough terrain, which only the local inhabitants could manage and negotiate, the Naga was a much sought-after coolie. One big hurdle that the British faced when it came to coercing the Naga to work was the Naga preference for building rather than poterage. The last theme presents an overall view under of the "general resistance" to these colonial measures that caused some changes and redoubled policy efforts. A couple of classic examples of Naga resistance has been cited suggesting their retention of their identity through their action.

---

[10] B C Allen, *Gazetteer of the Manipur and the Naga Hills*, Vol. IX, (Shillong: Assam Secretariat Press, 1905), p. 10.

[11] Annual Administration Report On the Naga Hills District for the year 1922-23, Appointment and Political department, Political branch, September, Nos. 97-98, 1923, Office of the Commissioner, Surma Valley and Hills Division, Memo. No. 99, T. P. Camp Shillong, the 1st June 1923. Also see *Gazetteer of India Nagaland, Kohima District,* (Kohima: Government of Nagaland, 1970), p. 43.

Formation and Administration of the Naga Hills District

Captain Jenkins has recorded in one of his letters to government that on his being deputed to explore a route to the Naga country in 1831-32, with an escort consisting of 700 men from the Manipur Levy, and his whole party numbering "1,300 all together" they were attacked by the people of Popolongmai.[12] This was the first meeting of the Nagas and the British. Captains Jenkins and Pemberton were crossing this route with a view of opening a road between Manipur and Assam. Powerful Naga villages entered into a coalition to oppose the opening of any route through their country. On the other hand, the British Officers and the Manipur government differed in opinion as to the policy to be carried out after the road was made. These factors led to the failure of the expedition.[13] But exploration from Upper Assam to Manipur led to a new phase where the Naga area attained strategic importance.

There were three sites in upper Assam between Sadiya and Jorhat - Jeypor on the Boree Dihing, Boorhath[14] on the Disung and Rungpoor on the Dikhu.[15] The Assam government many a times considered these places as advantageous positions for permanent occupation by an advanced force,[16] particularly Jeypor which borders Rungpoor, especially because of its proximity to the Moina country.[17]

When the British officials found out that Boorhath had not only a good population, but had tea, iron and salt wells throughout the whole tract of the lower hills and, with coal and petroleum being discovered in several places, they began to plan on how to utilize these resources on a large scale. They took upon themselves the burden to "instruct and humanize; and raise these unfortunate races to the scale of civilization,"[18] veiling their material interests in larger civilisational designs. They saw huge prospects in the salt haths. They contemplated ways of getting hold of them

[12] Political Department, Assam Commisioner's Papers, File No. 659, Serial No. 1, 1873, Nagaland State Archives (hereafter NSA).
[13] Foreign Department, Political, A, December, Nos. 99-102, 1867, p. 11. National Archives of India (hereafter NAI).
[14] Boorhath is Naga village.
[15] Dikhu flows into Naga Hills.
[16] Foreign Department, Political Correspondence (hereafter P. C.), 15 October, Nos. 114A-114J, 1832, No. 114B, p. 382, para. 28. NAI.
[17] Ibid. p. 418, para. 28.
[18] Foreign Department, P. C., 16 May, Nos. 53-58, 1839, No. 53, para. 34. NAI.

and opening them to traders for enormous benefits, which would turn Jeypore into one of the best places in Assam.[19] Nagas traditionally manufactured salt using firewood in the vicinity of the salt wells. This, the colonizers termed as a practice owing to "ignorance and poverty"[20] and they rejoiced in the thought of managing these excellent coal resources belonging to the Nagas to produce salt after they took charge of it.

Boorhath offered the colonizers a strategic gain not only with its rich human and mineral resources, but it also offered the possibility of defending the whole of Assam with a small force if there was any attempt of aggression from Burma.[21]

Naga raids in the plains along the frontier were however a threat to the EIC's vested interests in Assam Tea Plantations. Equally threatening was the possibility that if this region was left unguarded, Burma's intrusion could not be ruled out. Strategic concerns along with material benefits led the Company to launch ten military expeditions against the Nagas between 1835 and 1851.[22] In 1851 the GOI had to review the policy adopted towards the Nagas. It was found that for nearly twenty years, the government had failed to influence the people and instead found that the record was of "fruitless military expeditions and civil negotiations equally ineffectual, of tribute imposed on chiefs who never paid it, and of outposts pushed far into the Naga country, but only leading to more military expeditions to avenge the murder of the sepoys stationed at them."[23] This introspection was made as soon as British forces subdued Kerima. Kerima, an Angami village challenged the British on February 8,

---

[19] Ibid. Jeypore is a administration station in Assam, which is just on the border of Naga Hills, near Boorhath

[20] Ibid.

[21] Foreign Department, P. C., 16 January, Nos. 52-54, 1839. NAI. At this period the Colonial government was apprehensive of the aggression of the Nagas in the neighbourhood of Manipur in retaliation to very severe measure adopted towards them the previous year by Raja Purander Singh, the Raja of Manipur at the same time they were also involved in an expedition against the Nagas of North Cachar, and on the extreme frontiers in the Garo and Singpho districts disturbances any day could not be ruled out, and on top of it all there was a prospect of a Burmese war, which might slow down the process of settlement of the colonizers in Upper Assam, From, Agent on the North East Frontier, To, H. T. Prinsep, Esq., Secretary to the Government Of India (hereafter GOI) in the Political Department, Fort William. Foreign Department, P. C., 16 January, Nos. 52-54, 1839. NAI.

[22] B. L. Kesav Narayan Dutt, *A Handbook To The Old Records Of The Assam Secretariat,* (Shillong: Education Department, Government of Assam, 1958), p. 30.

[23] Political Department, Bengal Government Papers, File No. 214/522, Sl No. 1, Notes About The Angami And Other Naga Tribes, 1871, p. 3

1851, offering a trial of strength by giving a spear as a specimen of Naga weapon to Lieutenant Vincent British prestige and the necessity to teach the Nagas a lesson led Lieutenant Vincent to accept the challenge and on February 11, 1851 the British attacked Kekrima. Naga spears were no match against the sophisticated modern firearms of the Company and hence, hundreds of Nagas were killed. The war was won but the futility of these military expeditions led to the discontinuance of British policy among the Nagas, and accordingly in March 1851, the government withdrew its troops from Dimapur to an area in North Cachar.[24] This is known as the Non-intervention Policy in the Naga Hills.

The Non-intervention Policy failed completely because in that year alone (1851) 22 (twenty two) villages requested the government for protection against the Manipur Forces[25] and the Kukis,[26] especially by the Nagas of North Cachar (who suffered the most from this policy), and against the Angami raids on the British protected villages.[27] The EIC decided that the aggression upon "their peaceful subjects" could not be ignored and they believed that the presence of a European Officer might stop the Naga raids. And in 1852, they started a more "pacific policy," by transferring the Junior Assistant Commissioner from Nowgong to North Cachar, where the administration station would be closer to the Nagas who "made hostile incursion into the British territory."[28] In all the bureaucratic arrangements, agreements were made between the government and Nagas to stop incursions, but they were not honored by the Nagas, who because of their independent nature owing submission only to their Chief/headmen of the village,[29] did not take the imposition of authority upon them favourably and retaliated with newer raids.

---

[24] Piketo Sema, *British Policy*. p. 7.
[25] Ibid. p. 8.
[26] The Kukis of North Cachar are described as "a brave people bidding defiance to the Nagas" and because of their defiance towards the Nagas they were subsequently offered a complete remission of their house tax for 25 (twentyfive) years, provided they settled in the Lungting River which flowed through the eastern portion of north Cachar. The object was to place a colony of Kukis between the inhabited half of that sub-division and the Nagas, so as to form a barrier of defense. Commissioner's Office (Assam), File No. 424, No. 77, 28 September, 1861, para. 5. ASA.
[27] Kesav, *A handbook*. p. 33.
[28] Political Department, Commissioner's Office (Assam), File No. 424, No. 77, 28 September, 1861, para. 4. ASA.
[29] "Every village seems to be an independent community owing submission to its own headmen." Political Department, Commissioner's Office, File No. 403, 1861-1863. To, Officiating Secretary to the Governor General of Bengal, From, Secretary, Government of Bengal. ASA.

In 1864-65, the policy towards the Nagas again came under review when Lieutenant Colonel H. Hopkinson, Agent to the Governor General, North-East Frontier, and Commissioner of Assam suggested the appointment of a British Officer who should be posted in Samaguting. He was of the opinion that it was self-defeating to pursue the policy of excluding the whole tribes from contact with the British protected areas because of the misconduct of a few. He expressed concern over the fact that Assam was exposed on all sides, and if the company withdrew after every "petty outrage" committed by the natives, the EIC will be driven out of the region in no time.[30] Taking hold over the Hills became a crucial issue because the prestige of the company was threatened. He was determined and wrote to the Secretary to the Government of Bengal, "I have little doubt that by a free donation of money, arms and ammunition, and other evils, we might make some tribe so powerful as to be able to subjugate all the other tribes." This "power" he intends to implement from behind without revealing the Company's identity.[31] On the other hand, missionary activities in the Hills were gaining ground, and he made no secret of encouraging EIC Officers to use missionary tactics to win the confidence of the Nagas "without incurring expenditure on such a scale as should alarm the government."[32]

The Non-intervention Policy was seen by some as a mockery of the Company's ambitions. The Commissioner of Assam likened the military outpost in Assam to an "umbrella is against rain", that "exercises the moral influence of a scarecrow," quite harmless when one drew near.[33] It became urgent to push the forward policy and thus in 1866 the sub-divisional headquarters of Asalu in North Cachar was abolished, and a new district with its headquarters at Samaguting (which formerly functioned as outpost) was formed within an area lying west of Dhansiri and on both banks of Doyang. Since the policy of burning down villages and destroying crops led only to reprisal and perpetuated bad blood,[34] the new policy was formulated in such a way that people had option to pay a house tax of Rs. 2/- and thus become a protected subject or they could remain outside the realm of the company and have

[30] Political Department, Assam Secretariat Proceedings, File No. 305, Bengal of 1866, Sl. 1, para. 10. ASA.
[31] Ibid. Sl. 2, para. 22.
[32] Ibid. Sl. 3, para. 24.
[33] Ibid. Sl. 2, para. 17.
[34] Foreign Department, Political, A, August, Nos. 136-150, 1866, No.136, para. 2. NAI.

"peaceful relation" as long as they maintain peace both with the government protected villages and the government. Captain Gregory was appointed to take charge of this new district and was to carry these policies forward.[35]

On February 6, 1874, Assam was separated from Bengal province, and the districts of Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Garo Hills, Khasi and Jaintia Hills, Naga Hills, Cachar and Goalpara were formed under Assam. In April 1874, Captain Johnstone, who was acting as the Political Agent of Naga Hills, accepted two villages, Meziphema and Sitekema accepting their "fealty as subjects of the Queen" by paying a house tax of Rs. 2/- annually. Whether bringing the Nagas under protection was exercised with "prudence and without greater risk than the object was worth" was precariously discussed by the colonial higher ups. The Secretary, to the Chief Commissioner of Assam wanted to know, "if Captain Johnstone was of the opinion that these villages are worth protecting in the interests of our own territory, that they can be conveniently and substantially protected, and that they are within easy range of Johnstone's power to control." As usual the government was apprehensive that after taking account of the localities and state of affairs that the cost and consequences of this extension of British protectorate had been miscalculated, and that no advantage was to be gained, and Johnstone would possibly be obliged to take steps to withdraw from an embarrassing and perhaps untenable position. The Secretary distinctly said that the Government of India's desire neither was to accept fealty, nor to take revenue from the independent villages. The government would rather not extend protecting obligations unless they were satisfied that it was necessary to sustain what has already been done. A short time after issuing of these orders, the Chief Commissioner reported that Captain Johnstone had taken a third village Pherima, under British protection, on the same terms as the other two.[36]

The "man on the spot" such as Captain Johnstone clearly had the power to make crucial decisions with or without the sanction of the government or his immediate superior. This made it possible to carry out certain policies without much

---

[35] Piketo Sema, *British Policy*. p. 11.

[36] Foreign Department, Political, A, December, Nos. 65-70, 1875, From, Secretary to the Chief Commissioner of Assam, No. 8754, dated the 11th November. NAI.

official correspondence, thus evading certain complications which were then brushed away with mild reprimand. Thus began the gradual subjugation, occupation and pacification of the Naga Hills. Captain Butler, a British Survey Officer, was killed during a survey operation in the Lotha Naga area, which necessitated the establishment of administrative headquarters to control the Lotha tribes and so in 1875 a sub-division was established at Wokha. Likewise, to control the Angami villages, Samaguting headquarters was now shifted to Kohima in 1878.

Nagas resented the tax payment and, they felt that they were no longer the masters of their own lands. The presence of the British officials with their forces in their midst roused deep feelings of resentment and they finally resolved to fight. They formed a league of thirteen villages against the foreigners including,[37] Sachema, Phesama, Puchama, Piphima, Sephama, Khonoma, Merema, Lakema, Jakhama, Viswema, Kigwema, Jotsoma; Khels of Tolloma and Khoma, Choyama Khel, Kohima; Khels of Chutonoma of and Cheswejuma, the resistance was led by Khonoma.[38]

It was in this expedition on October 15, 1879, that Political Agent Damant was killed. After his death at Khonoma, this combine of thirteen villages besieged the British garrison at Kohima hoping to wipe out the Company from their Hills. The siege lasted from 16 to 27 October. Nagas later entered into negotiations and agreed to surrender if free passage to Samaguting was allowed. Colonel Johnstone, Political Agent of Manipur came to the rescue within an hour or two before the agreement was made. The Nagas withdrew, Khonoma was razed to ground. On March 27, 1880 when Khonoma surrendered and withdrew their guerilla warfare the war came to a close. In February 1881, Kohima was retained as the permanent Administrative District to the Naga Hills.[39] From then on, expeditions against different Naga tribes began in earnest.

---

[37] Gina Shangkham, *British Policy Towards the Nagas.* pp. 76-7.
[38] Foreign Department, Political, A, August, Nos. 616/40, 1881. NAI.
[39] Piketo Sema, *British Policy*. pp. 19-20.

The officials were now concentrating on the unconquered areas. In their plan to carry out "present and future administration" they outlined several programmes. It led to complete overhauling of what the tribal region had been. It proposes to introduce centralized administration which seeks to; "extend the British protectorate, exact tribute, civilize the people, revise assessment, count the houses in the Hills, maintain revenue registers, appoint a Headman, systematically enforce contributed labour, destroy village defenses, issue arms licenses, extend European medical treatment, encourage vaccination, establish village schools, conserve forest land, restrict jhuming, and finally, promote direct personal intercourse between the rulers and the ruled by all means possible."[40] To make these "civilizing" agencies work, EIC divided Naga Hills District into three tracts; the western tract – area inhabited by tribes who pay house tax; the central tract – area under political control but who did not pay house tax; and the most eastern tract – area beyond political control.

Fines and House Tax

Intervention in judicial matters was a part of the official expedition. In 1842, Captain Brodie settled some disputes amongst the Konyak tribes and fixed for the chiefs to pay annually in cash and kind according to the degree of offence they committed even in the past. A fine was levied in cash of Rs. 100/- per annum on a particular chief[41] and from another chief a fine of buffalo and a gong was imposed as well as imposing responsibility for the payment of an annual tribute of Rs.10/- from all the villages which were dependent upon his authority.[42] It is seen that by, 1844, Naga villages were already in communication with the British were paying cloths to the British. The worth and use of it was not ascertained, yet it can only be understood as a token. Below is shown a table of cloths paid since the year 1844.

Prior to 1866, there was no formal tax such as the house tax. As soon as Samaguting became the district headquarter, the Commissioner of Assam asked for the Samaguting people to start paying house tax from the first year at the rate of eight

[40] Home Department, (Original), Est. A, February, Nos. 56-59, 1882, p. 3. NAI.
[41] Foreign Department, Foreign Correspondence (hereafter F. C.), 17 August, Nos. 185-91, 1842, para. 8. NAI.
[42] Ibid. para. 9.

days work in the year for each house, the equivalent of Rs. 2/- per annum (the rate paid by the Nagas of North Cachar).[43] This labour was to be paid in winter, when Nagas were "idle."[44] In this project, village chiefs were located who could be induced to collect house tax, offering him 20% of the amount collected for his service. This headman was also required to distribute labour demand among the household.[45]

Table – 1: Cloths paid to the British by the Nagas by 1844

Sl. No.	Name of the Chief	No. of cloths paid	No. of cloths due
1	Tokopheng GB	5 cloths	NA
2	Lasanee GB	3 cloths	NA
3	Gajobee GB	10 cloths	NA
4	Kola GB	6 cloths	NA
5	Tongaba GB	4 cloths	4 cloths
6	Cangkhia GB	9 cloths	3 cloths
7	Chemaka GB	3 cloths	NA
8	Razaphema GB	5 cloths	NA
9	Khonoma GB	NA	190 cloths
10	Mezoma GB	NA	45 cloths

Note: (Sl No. 1-7 are Rengma Villages, Sl. No. 8-10 are Angami Villages). NA= Not available

Source: Foreign Department, Foreign Correspondence, 17 August, Nos. 185-91, 1842, NAI.

Rebelling villages such as Khonoma were tried by the courts to the extent possible, and some were even prevented from rebuilding their houses upon the old sites. Sir C.S. Bayly, Chief Commissioner of Assam, after subduing Khonoma in 1880 wrote that his "special points of programme on Khonoma" would be to "give away the lands of Khonoma to the faithful village of Mozema, stop their cultivation which will bring the ultimate starvation of the village, disarm them, collect revenue in

[43] A levy of rupees two as house tax per house on the Nagas who came under the British protectorate was according to the British official "best suited to a semi-savage people living in a sparsely populated country." Foreign Department, Political, August, Nos. 273 -275, 1874, para. 6.

[44] Assam Secretariat Proceedings, File No. 305 Bengal of 1866, sl. 4, para-119 & 122. ASA. On 27th June 1866, A. Eden, the Hon'ble Secretary to the Government of Bengal wrote to the Secretary to the GOI, Foreign Department, that the proposed eight days labour "should be paid in the cold weather immediately after their harvest." The correspondence also added that lest the people do not pay the labour, "the attachment of property to the value of Rs. 2/- should be enforced." According to the colonial officials Nagas were "idle after harvest," whereas, in reality these winter months, namely, November, December and January were the only months in a year where people get to stay at home and do their personal work.

[45] Lipokmar Dzuvichu. *Roads and Rule*. p.78.

rice and forced labour."[46] As anticipated Khonoma surrendered along with fire arms, whole village defenses were completely destroyed, and a revenue was imposed of Rs. 1/- which later on was revised to Rs. 2/- per house. Punitive expeditions were regular features of the administration, as it was the only means by which "independent Nagas could be taught" to respect those who have submitted themselves to the government.[47]

In February 1882, C. J. Lyall, wrote to the Officiating Secretary to the GOI, "the Naga Hills are, as is well known to the GOI, a charge demanding very special qualifications, intact, resource, energy, and physical endurance." Therefore R. B. McCabe was chosen as the man most fit for the post, and most capable of discharging the serious responsibilities which will be entrusted upon him.[48] Thus, McCabe was appointed the Deputy Commissioner of Naga Hills District on February 18, 1881 and held the office upto 1894.[49] In this period, he went on an expedition in Kohima district - areas that were not yet under the Company's control, and to the Ao and Sema area.

Citing the "very special qualification" of a person as a criterion to hold the post of the DC, Naga Hills, sounded like the government was turning to conciliatory measures – turning "benevolent." Yet, these merely colonial camouflaged the real show of power stern hand. In other words, while lauding the intimate language of the people special and intimate knowledge[50] of the people, of eligible officers like McCabe, this was merely the velvet glove which covered his iron fist. McCabe destroyed Rotomi village and brought its people under submission. The village in question was to be reached only on June 17, 1883, but the Deputy Commissioner set out with 25 sepoys, by 14th and by 15th reached Philimi a neighbor of Rotomi. At Philimi, four gaonburas came to meet the Deputy Commissioner, where upon he immediately "handcuffed" them for the "good behavior" of the village and for using them as intermediaries between the Deputy Commissioner and Rotomi. On the

---

[46] Foreign Department, Political, A, March Nos. 331-395, 1880, No. 341. NAI.
[47] B. C. Allen, *Gazetteers Naga Hills and Manipur, Vol. IX*, (Shillong: Assam Secretariat Press), 1905, P. 24.
[48] Home Department, (Original), Est. A, February, Nos. 56-59, 1882, No. 56, para. 3. NAI.
[49] Piketo Sema, *British Policy*. p. 39.
[50] David Vumlallian Zou, *Colonial Discourse and Local Knowledge Representing North East India*. New Delhi, JNU, MPhil Dissertation,2002, p. 83.

destruction of Rotomi, the Deputy Commissioner himself said, "the punishment inflicted on Rotomi was severe. They lost between fifty and sixty men, their houses and dhan (grain) were destroyed, and their cattle carried off." But, he further added, "under the special circumstances of the case, I do not think that justice was administered with too stern a hand."[51]

The government was not sure "whether retribution was carried too far" in terms of the large sacrifice of life among the Nagas, to which was added the further punishment of burning of the village and grain, and carrying off of the cattle. The Chief Commissioner's office replied, "half and half measures was useless, and worse than useless - they must either be severely punished or not punished at all." It further went to add that "the mere fact that they were persistent enough to resist until 50 of them were killed, proves that the offending village was more than usually audacious and determined."[52] The Deputy Commissioner's justification to his action was, "how can we expect their warlike and savage instincts to die out when, like the Israelites of old, every man has to work with his spear and his dao in hand ready."[53] These exchanges reveal the forceful subjugation policy of the British towards the Nagas.

The Chief Commissioner of Assam, while informing the Deputy Commissioner's of Lakhimpur, Sibsagar, and the Naga Hills to be cautious of the proposed expeditions, was apprehensive that feud among the Nagas would threaten the peace of the plains. He made it known that it was desirable that the political influence of the Deputy Commissioner over the tribes near the border should be extended and strengthened, especially in the case of the Naga Hills.[54] In connection with this mission McCabe, on December 30, 1885 went to Melomi. Melomi had

---

[51] Foreign Department, A, Political, E, November, Nos. 275-285, 1883, No. 278. No. 1, dated Camp Wokha, 28th June 1883, From, R.B. McCabe, Deputy Commissioner, Naga Hills, To, The Secretary to the Chief Commissioner of Assam. NAI.

[52] Foreign Department, A, Political, E, November, Nos. 275-285, 1883, No. 278. No. 1, dated Camp Wokha, 28th June 1883, , From the Chief Commissioner's Office, Assam, No. 1703, dated 20th October 1883, p. 6. NAI

[53] Foreign Department, A, Political, E, November, Nos. 275-285, 1883, No. 278. No. 1, dated Camp Wokha, 28th June 1883, No. 28, No. 292, dated Kohima, 29th September 1883, p. 10, para. 4, From, R. B. McCabe, Esq., C.S., DC of Naga Hills, To, W.C. Macpherson, Esq., C. S., Assistant Secretary to the Chief Commissioner of Assam, Shillong. NAI.

[54] Foreign Department, External, A, May, Nos. 175-181, 1885, No. 175, From, The Chief Commissioner of Assam, To, The Secretary GOI, Foreign Department. NAI.

complained about the Manipur Sepoys. About hundred of them, who came to their village, had looted them of cloths and other articles, and carried off several men as hostages, pending the payment of Rs. 300/-. The complaint was seen as an opportunity to win confidence and the Deputy Commissioner promptly returned Rs. 300/- that the Manipur Sepoys had taken from Melomi. What followed was a dramatic description of Melomi men going "mute with astonishment", and how after they had "somewhat recovered", expressed surprise that there could exist any people as honest as the British. The Deputy Commissioner recorded that this incident will, no doubt, have a wonderful effect on all these villages, providing the "rectitude that characterizes British Administration", and will make them all the more willing in the future to submit their disputes to government arbitration.[55]

With the areas around Kohima been subjugated, the Company was drawing up a proposal for a modification of the trans-frontier area; a portion of the country lying between the eastern boundary of the Naga Hills and Sibsagar district and the line of the Dikhu, Tezla, and Nanga rivers and of the mountain ridges which join the existing frontier near Chajubama in the South. Within these areas, three outposts manned by the police at Sibsagar outpost were planned to be abolished. The maintenance was estimated at about Rs. 14,500/- which would be covered by a house tax.[56]

McCabe objected to the proposal to make an annual promenade in winter, when punishment might be inflicted on all villages that had disobeyed orders during the rains. Since it would follow too long after the offence was committed , the result being that the motives of our actions might be misconstrued, and the tribes "would simply regard us as a superior class of looters and murderers to themselves."[57] In 1885, McCabe went on a tour to the Sema country. The objectives of this expedition were two, to punish the Sema village of Nungtang for the murder of a British subject and to let the Aos know about the fact of its political submission to the British

[55] Ibid. No.179.
[56] Foreign Department, External, A, March, Nos. 14-25, 1886, No. 14, para. 18(B). NAI.
[57] Foreign Department, External, A, March, Nos. 14-25, 1886, No. 15, para. 4. From, The Secretary to the Chief Commissioner of Assam, Judicial Department, To, The Secretary to the GOI, Foreign Department, para. 5. NAI.

government.[58] As planned, the Deputy Commissioner marched to Nungtung on January 16 and as usual sent message to the headmen of the village to surrender the men who killed Seleku man. It was found that instead of meeting the Deputy Commissioner's demand, the whole of the Nungtung village had bolted their houses and moved all their property to the jungle, leaving an offering of three pigs, a maund of rice, and a few limes placed on the side of the path, the "usual presents" which every Naga village makes to the touring Deputy Commissioner. The headman of the Nungtang village refused to come and meet the Deputy Commissioner, as a result the Deputy Commissioner "set the village on fire and went on." However, the Deputy Commissioner was not happy about the punishment because he thought that since the Semas did not lose even a single man, they "will consider that the triumph is on their side." The contention was that this village had on several occasions murdered British subjects and escaped punishment. The interpretation was that as the villagers refused to come in, or to submit, the burning of the village seems to have been the only remedy left.[59]

As he continued his "promenade" into the Ao area, McCabe had expressed that in order to make Ungma men (Ao) move at his command, he was "obliged" to destroy one of the village drums after which, as he said, "implicit compliance to his demand" was obtained, this was on January 23, a week after he started the punitive expedition. But Ungma men had their way of getting back at a given opportunity, this they did by sending Longsa, another Ao village, back to their village, saying that the "Shahebs" had nothing to do with them. The fact was that, the Deputy Commissioner had called Longsa men to come and report for the case pending against them, thus making McCabe marched to Longsa. At Longsa, the Deputy Commissioner exacted a fine of 17 cows, 2 mithuns, 86 daos and 20 spears since they possessed no money, this punishment was to express disgust at such barbarity of taking heads. Longsa men had killed two Borodubia men the previous year.[60] In any case, the imposition of daos and spears was the British way of de-militarizing the Nagas.[61]

---

[58] Ibid. No. 14. para. 5(2).
[59] Ibid. No. 20, para. 4 & 5.
[60] Ibid. No. 20, para. 10 & 11.
[61] No record was found as to what happened to the spears and daos that were taken as fines.

The Deputy Commissioner had to stop at Susu, which was the last stop of the expedition, because he had many "feuds to settle." The case against Susu was that, the villagers had forcibly carried off a run-away slave from Namtidol mauza, in Sibsagar district. In fact, Chipta, the slave, was the "property" of Miri Chiba of Susu, who ran away and took shelter at Namtidol where he married a Kanchung woman. The Susu men had gathered about his information about him and carried him back by force to Susu, but again did Chipta escaped. Now, the Namtidol men confronted Susu men saying that if they do not come and take Chipta back, who was now living in Mamchang, then they (Namtidol men) would sell him to Kanchung. Upon hearing the case, the Deputy Commissioner gave the option to the headmen of Susu to pay a fine of Rs. 200/- or return Chipta to which they immediately paid the fine as it was not within their power to get Chipta back. Three other cases were also heard by the Deputy Commissioner Kalingmen Vs Lunchung, Kalingmen Vs Naogaon, Naogaon Vs Lungchung. In all these cases, the Deputy Commissioner to put in his own words "ascertained that both parties were equally at fault."[62]

These cases reveal that, the old system of traditional village judgment where the "Tatar' (Councillors in Ao community) held court, was slowly shifting to the Deputy Commissioner s jurisdiction. At that time, the value of the slave was Rs. 100/- but to get the equivalent amount of Chipta's absence from the village, the Deputy Commissioner applied the tactic of catching the headmen, who were the representatives of the village by doubling the value amount, which the headmen did not even try to negotiate but readily paid, which speaks clear about the influence the Deputy Commissioner was exercising already. In the second group of cases, the Deputy Commissioner had candidly stated about putting both the parties at the same level of fault.

In February 1886, three Khonoma men (traders) were murdered on the borders of Manipur, the Angamis retaliated by marching to the Manipur frontier. They attacked Shipoomi, burnt their village and carried away a large amount of property. Thirteen persons were killed in this raid that belonged to Shipoomi, Neruhabama and

[62] Ibid. No. 20, para. 13 & 14.

Saziphomi. In order to settle this case, McCabe, on February 24, 1886, left Kohima with a local escort of fifty men of the frontier police to hold a local investigation into the murder of the traders and the Shipoomi raid.[63] It was found out that Shipoomi was not the culprit, but the men of Thetchulami had killed Khonoma men. The Deputy Commissioner made his intention clear: that a guard would be maintained at Thetchulami until the murderers were given up. As for the Khonoma men, who had raided Shipoomi in retaliation, the Deputy Commissioner ordered the arrest confinement of 37 (thirtyseven) prisoners and sentenced three of the ring leaders to seven years rigorous imprisonment, 42 (fortytwo) prisoners to rigorous imprisonment for two years and imposed a fine of Rs. 1,650/- on Khonoma. The leading villages which took part in the raid were fined, namely; Viswema Rs. 1,845/-, Mima Rs. 805/-, Kedima Rs. 700/-, Kegwema Rs. 1000/-, Jakhama Rs. 890/-, and Kekrima Rs. 1650/- .These fines were to be paid half in cash and half in dhan (valued at the market rate per maund), and in labour to government (estimated at 4 annas a day per head). All the accused were convicted under sections 109, 302 and 436 of the Indian Penal Code (IPC). In settling this particular case, the Deputy Commissioner added that, Angami people have been "for many years enjoyed the protection of our government, and they understand the lawless nature of their conduct in this raid."[64] Under the Indian Penal Code, 1860, Act No. 45 of 1860, Chapter-II, Illustration-b, a police-officer has powers to apprehend a person who had committed murder.[65] In Naga Hills, it was in 1872, by the notification of August 6, 1872, authorization of the extension of the provisions of Act XXII of 1869 to the Naga Hills, under section 5 of the same Act was issued in detailed rules for the "administration of civil and criminal justice and police" in the Naga Hills Agency.[66] This makes IPC a new thing in the region. But, since the DC was vested with the powers of the subordinate judge,[67] he invoked the IPC, which otherwise was not introduced in the Naga Hills.

---

[63] Foreign Department, External, A, Nos. 18-21, 1886, No. 19, para. 7, From, The Officiating DC, Naga Hills, To, The Secretary to the Chief Commissioner of Assam, Shillong.
[64] Ibid. pp. 32, 33, 35.
[65] Net Lawman Legal Documents, *Indian Penal Code, 1860*, http://www.netlawman.co.in/acts/indian-penal-code-1860.php
[66] Piketo Sema, *British Policy*. p. 165.
[67] Political Department, Bengal Government Papers, File No. 214/522, Sl. No. 1, p.9. ASA.

Burning the villages for not complying with the Deputy Commissioner's order was a lesson that almost every village had to learn, but imposing restrictions such as on fishing rights were not frequent as taking a fine of mithun or free labour. In April 1885, some Deka Haimong Nagas, who went to trade in the plains, were attacked by men of Naogaon on the banks of Jhansi, in the neighbourhood of Amguri, and one Deka Haimong was killed and another severely wounded. Again on the same night, Naogaon attacked Deka Haimong and killed 5 (five) persons, wounded several, and burned down the all the houses. The inhabitants fled to Boro Haimong and Molungting, and after some days, attempted to rebuild the village. The Naogaon men again attacked them, burned down the village, and destroyed all properties in the neighbourhood. The incident needed the intervention of law and the Deka Haimong men subsequently applied both to the Deputy Commissioner of Sibsagar and to the Deputy Commissioner, of Naga Hills for redress, pointing out the orders issued by government in the promenade of 1885, and asking for protection against their oppressors. Deputy Commissioner, Naga Hills sent Dobashis from Wokha with written orders for the bariks[68] of Naogaon, but the Dobashis returned with the reply that the men of Naogaon refused to comply with the Deputy Commissioner's order and threatened to kill the Deputy Commissioner's messengers and use violence against them. Naogaon men sent back an answer that they would not listen to any orders of the government. This act challenged the authority of the government and with the sanction of the Chief Commissioner to undertake the expedition against the village,[69] Naogaon was burned on the night of June 7, 1886. In addition to the destruction of the village, they also carried out confiscation of the standing crops and annulment of any rights which the men of Naogan claimed to the Jhansi fisheries and placed a guard of 40 Frontier Police within the village enclosure to enforce obedience to the order of the DC and to prevent anyone from settling on the village site until such time the bariks submit and the ring leaders in the Amguri and Deka Haimong outrages were given up.[70]

---

[68] Bariks members of a village who look after the guests, visitors, etc., in the Ao community. *The Customary Laws And Practices Of The Ao Of Nagaland*, (Sponsored by North Eastern Council), Guwahati, 1979, p. 175.

[69] Foreign Department, External, A, August, Nos. 211-213, 1886, No. 212, From, The Officiating DC, Naga Hills, To, The Secretary to the Chief Commissioner of Assam, para. 11, 12, 13. NAI.

[70] Ibid. para. 19.

Every village experienced different punishments according to the severity of the fault committed in the eye of the government. Mezami (Sukhai), was beyond the frontier of the area of political control north-east from Kohima. It was found that Sukhai had committed several other raids in Zulhami, and Chipokita, both of the Angami group and under political control area. The Deputy Commissioner "begged to request" the Chief Commissioner's permission to go for an expedition against the "Mezami Raja", with the double object of punishing him for past raids on villages under the protected area and to prevent recurrence in future.[71] He stressed, "if the political control is to be anything but a mere fiction, the government is bound to take action against the Mezami Raja and show him that our authority within the line must be respected." A force of 40 rifles of the 42nd Gurkha Light Infantry, with one native Officer, and 80 rifles of the Frontier Police with two native officers, was led by the command of Lt. Macintyre, Commandant of the Naga Hills Police (1887).[72] After subduing Sukhai, the Deputy Commissioner imposed a joint fine of 2 mithun, 10 cattle, 100 spears, and 30 daos on the chief and his subject villages.. On top of that, the chief of Sukhai was taken as a political prisoner to Kohima for two months, putting in Deputy Commissioner's own words, "my object is to bring this petty chief to a sense of his own insignificance, while at the same time making him a hostage for the good behavior of his people."[73]

In an effort to establish their superiority, the officials sometimes missed the fact that with the kind of armory and amenities they were equipped with, their boast about a "petty chief" being taught a lesson, was an empty one. Yet the colonial authorities believe that this group of people were, "as natural beings, [those] who could best rebel without knowing why."[74] Another Sema chief Hoshepu of Hoshepu village admitted that raids were only on villages beyond political control, but it would have been "impolitic" to establish a distinction between villages of similar race outside and inside of that imaginary boundary. Therefore, the DC thought it expedient to inflict on him a separate fine of 5 cows and 20 daos.[75] In Kichilimi village, when

[71] Foreign Department, External, A, October, Nos. 1-6, 1887, No. 1, para. 8. NAI.
[72] Ibid. No. 4, para. 6.
[73] Ibid. para. 12.
[74] Ajay Skaria, *Hybrid Histories: Forests, Frontiers and Wildness in Western India*, (New Delhi: Oxford University Press, 1999), p. xii.
[75] Foreign Department, External, A, October, Nos. 1-6, 1887, No. 1, para. 13. NAI.

inquired about the killing of Sasilimi villager, the gaonburas made no attempt to deny. They justified it as a fair retaliation of a murder committed a few months earlier by the latter. Kichilimi was ordered to pay a fine of Rs. 100/-, 7 cattle and 30 daos, and Sasilimi to pay 5 cows and 20 daos.[76]

Lopphemi was accused of killing Nunkum men some years back. The headman of Lopphomi replied that it was in retaliation for the killing of their ten men by Numkun. Because of taking law into their own hands, the DC imposed a joint fine upon Lopphemi and Chichami (for its involvement in the raid) 10 cows, 50 spears, and 30 daos which were to be paid before the DC left the village the next day which if not complied with will face the consequences of the village being destroyed. The imposed fines were paid in the morning but not in full number. Since the fine imposed depended on how people can pay, that is, in cash or kind, the DC looking at the number of daos and spears that the headman's followers at the moment were carrying, thought it right that they could have paid the fine than make an excuse. He therefore warned the headman but the headman expressed his inability to pay as asked for. The DC, even as he was leaving the village with a warning, had sent out a party to seize the cattle which he had spotted hidden the other day. In lieu of the whole fine, 15 of the best cattle were taken.[77] The total cost of the expedition and subsequent tour has been about Rs. 700/-. The value realized by the sale of cattle in lieu of money fines was Rs. 844/-.[78]

Years of administration in the Naga Hills did not change the way the British subjugated the new village that were brought under control. In 1909, Mozungjami (Tuensang) was indicted of killing British subjects, and was told to pay 30 mithuns as fine. The Pelasi khel took the initiative by sending the envoys with 10 mithuns to effect a compromise with government, and government agreed to keep the 10 mithun already brought as an installment, to consider the matter fully settled only when the total number of 30 mithuns had been in two installments.[79] Whenever the village was

---

[76] Ibid. para. 19.
[77] Ibid. para. 32.
[78] Ibid. para. 39.
[79] Foreign Department, July, No. 1-4, 1909, No. 1, No. 1728-J, dated Shillong, the 15th May 1909, From, R. B. Hughes-Butler, Esq., C.I.E., Officiating Judicial Secretary to the Government of Eastern Bengal and Assam, Political Department, To, The Secretary to the GOI in the Foreign Department, para. 2. NAI.

razed, fined or any punishment inflicted, the government blamed it on the, "recalcitrant and defiant attitude" assumed by the tribesmen and their refusal to comply with the orders of the government and hence the punishment. The most important policy that the officers pursued was the idea of keeping the British prestige high among those they were subduing, and so they took it as, "politically suicidal on the frontier to give an order and fail to carry it out."[80]

As mentioned earlier, the Nagas started paying house tax to the government only after 1866. There was no regulation that people had to pay certain amounts in a certain year. The government readily recognized the traditional system of land ownership of the Nagas and accordingly, the government did not assess the land of the Nagas for taxation.[81] This house tax was realized as soon as the village was brought under administration through the persons entrusted with the duty of collecting the revenue, called Lambadars among the Nagas, which takes the place of land revenue.[82] The term "estate" was used in various senses in different districts. In Goalpara an estate meant a large Zamindari, with a rental collection of lakhs of rupees, in Sylhet it implied a cultivator, and in Assam it meant the area to which separate collector was appointed. In this connection, it is seen in the 1874-75 annual report on the administration of land revenue in Assam that, in the Naga Hills estates, a sum of Rs. 570/- had been realized in the year 1873-74 and Rs. 619/- in 1874-75.[83]

Below is a table (Table-2) showing land revenue realized in the three estates and house tax collected during the year 1913-1923 for selected years. The three estates of the district comprised of Mission Compound, Impur, Merapani Cotton Factory, Wokha and a land occupied by Reverend J.E. Tanquist, a lease that was issued during 1915-16 and revenue realized the same year.

---

[80] Ibid. para. 3.
[81] Piketo Sema, *British Policy*. p.107.a
[82] W. W. Hunter, *Imperial Gazetteer Assam*, Vol, VI, Oxford Press, 1908, p. 83.
[83] Annual Report on the Administration of Land Revenue in Assam, 1874-75, Shillong, 1875, p. 23.

Table – 2 Land Revenue from 1913 to 1923

Year	Land Revenue	House Tax
1913-14	95- 8	84, 373-8/-
1914-15	95-8	87, 866-8/-
1915-16	105-8/-	88, 238/-
1917-18	105-8/-	79, 995/-
1918-19	105-8/-	80, 435/-
1919-20	62/12/-	80, 654/-
1920-21	62/12/-/	81, 303/-
1922-23	72-12-0	81, 881/-

Source: Annual Report on the Administration of Land Revenue in Assam, 1874-75, Shillong, 1875. NAI.

The falling off in the total collection of house tax in 1917-18, the report mentioned, was due to the "large number of exemptions granted to the volunteers of the Naga Labour Corps."

The question which the colonial government kept as a priority was, "can the tax be levied from the inhabitants to cover all expenditure, direct or indirect, that would be incurred for its administration and protection."[84] The government in order to bring the Nagas under their administration took to punitive expeditions where irreparable damage was done to the villages, but the administration did not do anything significant to enhance the life of the people. Administrative expenses were recovered in the form of fine: both cash and kind, as well as in labour. In other words, the British government did in the Naga Hills what Fieldhouse had said about colonialism, it was nothing more than "exploitation by the foreign society and its agents who occupied the dependency to serve their own interests, not that of the subjected people," where there is, "very little local investment and almost no attempt to develop the pre-capitalist sector of the domestic economy."[85]

[84] Foreign Department, External, A, Nos. 103-105 (Notes), 1907, p. 11, para. 15 (2). See also letter addressed To His Excellency the Right Honourable the Governor-General of India in Council, By, Morley of Blackburn. Foreign Department, External, A, February, Nos. 1-4, No.1.

[85] D. K. Fieldhouse, *Colonialism 1870-1945: An Introduction*, (London: Weidenfeld and Nicolson), 1981, pp. 7 & 9.

Labour and Wages

"A Naga is a fine upstanding savage, a real fighting man, and a remarkably good shot with the javelin he always carries, this was how George Dunbar a colonial officer described the Nagas as he took a "number of Naga coolies" to the Abor expedition in 1911-12."[86] In the Naga Hills, punitive expeditions were all carried out with the strength of the Naga porters who were coerced following subjugation, into carrying the load to the next targeted village, where they were in turn relieved by the village they reached. Turning Nagas into porters and coolies was a conscious maneuver of colonial officials who knew that the success and efficiency of the military campaigns on the Northeast Frontier would depend more on the efficiency of the coolies than of the soldiers.[87] The long months on district expeditions practically made the Naga coolie irreplaceable for transportation in the absence of carts, bullocks, boats or roads.[88]

A spear and a dao are the weapons[89] that Naga men carry to carry a load was tantamount to menial labour, which probably had adverse effect on his perception of being a man. Refusal to carry baggage had irked officials since the early days of the Company's intervention with the area. In 1840, when the Nagas were made to supply coolies for making the Manipur road Captain Gordons, Political Agent of Manipur wrote to the Regent of Manipur that, "the carrying of baggage caused much distress to the Nagas, and they on that account ran away, and I cannot, therefore, carry it. The Sechadars have been directed to be diligent in the performance of their work" to which the Regent replied that he will see to it that the Naga coolies carry baggage, as he had "no wish to impede the company's work."[90] Nagas were referred to being "wild and like birds", running away in spite of the officials providing them buffaloes,

---

[86] George Dunbar, *Frontiers*, (?;reprint), 1984, p. 153. In 1917-18 there was an exceeding heavy demand for the coolies in the Naga Hills, on this the DC, Naga Hills had commented that the "Sema and the Lotha tribes have responded exceptionally well and that they are far the best coolies for expeditionary work." General Administrative Report 1917-1918, Gen, B. June/18=20-G56, 1918, pp. 20-21. Between the year 1918-19 when the Kuki Operation was on, "480 Naga Coolies comprising of 150 Sema, 150 Angami, 180 Ao" accompanied the expedition. Annual Administrative Report 1918-19, Gen, B. June/19=76-77, p. 23.

[87] Lipokmar Dzuvichu. *Roads and Rule*. p. 80.

[88] Ibid. p. 98.

[89] Verrier Elwin (ed), *The Nagas in the Nineteenth Century*, (Bombay: Oxford University Press, 1969), John Butler in his "Rough Notes on the Angami Nagas" J. A. S. ,1875, Vol. XLIV, No. 4, had written that : "the only National, offensive weapons, used by the Angami, are the spear and dao..." p. 544.

[90] Foreign Department, Political, 26 October, Nos.126-7, 1840, No. 27. NAI.

tobacco and salt,[91] which indicated that distribution of these articles could not induce the Naga to be a porter.

In 1866, when the government had established direct administration in the Naga Hills, the government found out that one of the greatest problems was procuring Naga labour. Lieutenant Colonel J. C. Haughton, Officiating Agent to the Governor General, North East Frontier, expressed this problem to A. Eden, Secretary to the Government of Bengal and asked about the possibility of exemption of the Nagas from coolie labour. C. H. Damant, Political Officer had made an interesting observation that, "for road work, which the Nagas appear to like, any number of coolies can be obtained, but they do not come so freely to work as porters."[92] Little did Damant knew that the same would apply to Nagas when it come to earth/land work when during the first World War, Nagas were employed in "digging trenches", in France where Colonel Lord Ampthill reported that, "this they are doing very well and in a quite contented spirit."[93] What made the Naga a willing coolie when it came to earth work rather than being a porter may have had to do with his agricultural proclivities and his aversion to being a beast of burden.

Even after the direct administration of the company, procuring coolies for an expedition was not easy. Places like Kohima were well under the administration by 1880, but when the Political Officer requisitioned for them, Kohima refused to furnish coolies in the morning. A provoked Political Officer fired two shells at the village, after which four khels furnished coolies but other khels refused. The village was occupied with troops for further action, but the villagers had left it, or were lurking in the adjacent jungle. The troops occupied the village all day and as a punishment a

---

[91] Foreign Department, F.C., 11 October, Nos. 23-28, 1841. NAI. At the Hookumjooree station, near Naga villages, a manager reported: "by presents and good treatment, many of these wild people have been induced to help in the labour of clearing the jungle. A few cowrie shells and a buffalo feast have established a very amicable feeling." Jayeeta Sharma. " 'Lazy' Natives, Coolie Labour, and the Assam Tea Industry", *Modern Asian Studies*, 43, 6(2009), pp. 1287-1324, Cambridge University Press, (first published online 23 December 2008), 2009, p. 1293.

[92] Annual Administration Report 1878-79, No. L-153, dated Kohima, 18 June, 1879, From, C.H. Damant, C.S., Political Officer, Naga Hills, To, S.O.B. Ridsdale, Esq., C.S., Chief Commissioner of Assam, p. 15, para. 53. NSA.

[93] Foreign and Political Department, Internal, B. June, Nos. 294-295, 1918, Enclosure No. 294, p. 5. NAI.

quantity of rice was seized.[94] In the expedition undertaken by the Deputy Commissioner McCabe in 1886, it was reported that Bora Haimong supplied coolies very late,[95] and Naogaon Nagas were not leaving their houses and were hiding in order to evade being made to carry loads.[96] Ungma men, whenever called for support in putting up camps or supplies, would answer 'hai, hai!' but no one moved. A log drum was destroyed, to show them that obedience was necessary.[97] When the entourage reached the Sema area as elsewhere, coolies were not forthcoming and they were compelled to frequently halt for the night.[98] Though it was only a matter of time before the Nagas gave in to the pressure for coolies, every Naga village detested the idea of being forced to work as porters or coolies. Though the reports suggests that fear of long standing feuds made some villagers averse to entering a particular village, the basic fact remain that a porter or coolie for transporting the expedition baggage or being employed on the roads was "forced labour" and not something that a Naga engaged in at will . The load a coolie normally carried was rations of dal, ghee, and salt for twenty days and rice for four days, along with the supply of 150 rounds ammunition per person.[99]

Throughout the Hills the price paid for a day's labour on the road was five annas and four pice, in the plains coolie from Gologhat were engaged for Rs. 7-8/- per mensem, the later rate which the Officials consider fair because they come from Gologhat to work. In the Naga Hills, the officials felt that the price paid to Nagas was most exorbitant, and this dissatisfaction was based on their perception that the Naga area is densely populated, the Deputy Commissioner in the Administrative Report, Policy Agency 1873-74 stated; "we ought I think to have had no difficulty in arranging for an ample supply of labour at a fair rate. I believe such an arrangement will not have been without advantage to the Nagas themselves as...", the Deputy Commissioner added, "I cannot think that people who know little of the value of the

---

[94] Foreign Department, Political, A, March, Nos. 331-395, 1880, No. 345. NAI.
[95] Foreign Department, External, A. March, Nos. 14-25, 1886, No. 16, para. 4. NAI.
[96] Ibid. para. 7.
[97] Ibid. No. 20, para. 10.
[98] Foreign Department, External, A, October, Nos. 1-6, 1887. NAI.
[99] Foreign Department, External, A, March, Nos. 14-25, 1886, No. 20, para. 3. The DC of Lakhimpur was of the opinion that the "practice of impressing men to carry the baggage of officials is open to objections in many respects, and the sooner it is done away with, the better." Home (Judicial), October, Nos. 58-67, 1882, para-7. NAI.

money and only make use of it to purchase luxuries, are really in the end benefited by being overpaid, and so enabled them to live in idleness instead of acquiring industrious habits. I shall lose no opportunity consistent with good policy of enduring to equalize the rates of labour in the Hills and plains."[100]

Nagas were infact, already alienated from their land in search of wages to pay the tax that had been imposed. To pay the tax, Nagas worked on the railways, as load carriers, in the coal mines at Borjan and as seasonal labour in the tea plantation in the plains. Especially Semas and Aos, went down in the cold weather to work in tea gardens in order to earn cash for their tax.[101]

The systematic contribution of labour was fixed after the Khonoma battle. The government made it compulsory that all the thirteen villages that were brought under control were to pay fifteen days free labour by each adult male annually to the state.[102] Even as the government fixed specific days of free adult male labour annually to the state, apart from free coolies that had to be supplied to the Political Officer whenever he needs, the government considered that the punishment inflicted in some instances was disproportionately light. Since it was the first year in which any attempt was made to bring the Nagas under colonial laws, and they termed it as "judicious to administer them as leniently as possible."

Exaction of impressed labour by the government drawn by the parwanas in systematic order covering the period 1913-1923 is shown below in Table 3 and 4. Impressed coolies by officers on tour are not shown. The table is drawn from Annual Report on the Administration of the Naga Hills District for the year the period from 1913 to 1923.

---

[100] Foreign Department, Political, A, August, Nos. 273-275, 1874, No.274, para-20A. NAI.
[101] Lipokmar Dzuvichu. *Roads and Rule: Colonialism and the Politics of Access in the Naga Hills, 1826-1918*, JNU, MPhil, Dissertation, 2005, p-87.
[102] Foreign Department, Political, A, August, Nos. 616/40, 1881. NAI.

Table – 3 Exaction of impressed labour in Kohima (Sadar), 1913 to 1923.

Year	Regi-ment	Civil Dept	Milt Dept	Civil Police	Medl	PW & CWD*	Trigo. Survey	Post & Tele.	Misc.	Total
1913-14	47	903	1832	**	123	3230	304	NA***	335	6744
1914-15	22	266	1169	21	3	581	NA	NA	249	2311
1915-16	NA	503	435	349	63	807	NA	180	299	2636
1917-18	NA	555	9362	31	51	23	NA	NA	72	10094
1918-19	NA	442	43762	18	231	255	NA	NA	7628	52336
1919-20	NA	NA	1005	NA	87	1164	NA	NA	38	2294
1920-21	NA	NA	6070	NA	164	499	34	NA	170	6937
1922-23	NA	NA	2492	NA	114	64	156	3	293	3122

Note: *PW & CWD = Public Works and Civil Works Department, Trio. = Trigonomertical, Post and Telegraph, Misc = Miscellaneous. **clubbed as Military Police and Civil Police. ***NA= Not Available

Source: Annual Report on the Administration of the Naga Hills District for the year the period from 1913 to 1923. NSA.

Table – 4 Exaction of impressed labour in Mokokchung sub division, 1913 to 1923

Year	Regi-ment	Civil Dept	Milt Dept	Civil Police	Medl	PW & CWD	Trigo. Survey	Post & Tele.	Misc.	Total
1913-14	NA	NA	9772*	*	NA	9407	NA	NA	2835	22014
1914-15	NA	NA	8313	NA	NA	3355	NA	584	1586	13838
1915-16	NA	NA	5244	NA	NA	3316	NA	640	1231	10431
1917-18	NA	NA	3867	NA	NA	3452	NA	478	1342	9139
1918-19	NA	NA	994	NA	NA	910	NA	438	1283	3625
1919-20	NA	NA	3073	NA	240	2891	NA	84	1864	8152
1920-21	NA	NA	2088	NA	213	2903	NA	47	1044	6295
1922-23	NA	NA	881	NA	345	3036	NA	15	876	5153

Note: *, **, *** same as in Table – 3

Source: Annual Report on the Administration of the Naga Hills District for the year the period from 1913 to 1923. NSA.

In 1913, the Chinglong punitive expedition was undertaken. The Chinglong and their allies proved more resourceful and offered more stubborn resistance than was anticipated. They lost heavily, but a well directed attack by them on the "baggage guard" was successful to the extent that three sepoys and nine coolies were killed and several men wounded and three rifles carried off. This created fear in the minds of the coolies which is best described by the Deputy Commissioner, "it is exceedingly unfortunate that this transport consisted of Ao Naga coolies, who, though excellent carriers, are wanting in pluck. Had Sema coolies been employed from the first, it is

improbable that any untoward incident would have occurred." He further added that "Semas are more capable of defending themselves against an enemy similarly armed to themselves." Chinglong was set on fire on February 5, but since it could not be brought to submission the "original program" was to carry out and "adequately" punish all the hostile villages, provided that Sema coolies had been substituted for the demoralized Aos, because as carriers it was clear that an advance would be very dangerous if not impossible.[103]

The Totok expedition followed Chinglong, and arrangements were made to call in 700 Sema and 100 Lotha coolies to replace the Aos. The changing of coolies in the middle of expedition, as well as the supply of escorts to the Abor and Mishmi surveys, made such a heavy demand on the provincial forces, which was equally taxing on the coolies because expeditions were carried out by making Nagas as transport coolies. It was also one of the major factors that pushed the coolie recruitment in the year 1913-14 in the Mokokchung sub-division.

Reading from the Chinglong expedition, the rate for coolie transport seems to have changed according to the preferential demand of the government. The rate of pay throughout was 4 annas a day and free ration. The ration given at first was a seer of rice with 1/3 chatak salt and ½ chatak chillies, to which it was later added 1 chatak salt dal and a little tobacoo. To the Semas the allowance of rice was 12 chataks rice with 2 chatak dal, 1/6 chatak chillies, 1/3 chatak salt, ¼ chatak sugar, and 1/8 chatak tea. The Nagas were taking to tea and it proved to be most useful, especially where fresh meat was not available. The Deputy Commissioner made a point that in the future, a little ghee would be added to the ration, and a liberal distribution of rum and tobacco, as it would make the labourers more comfortable.[104]

---

[103] Foreign Department, GOI, External, A, July, Nos. 1-4, 1913, No. 1. No. 2717-P, From, The Hon'ble Major W. M. Kennedy, Officiating Chief Secretary to the Chief Commissioner of Assam, To, The Secretary to the GOI, Foreign Department, Shillong, 5th June, 1913, para. 2.

[104] Ibid. Enclosure No. 3, From, J. E. Webster, Deputy Commissioner, Naga Hills, To, The Commissioner, Surma Valley and Hills Districts.

General Resistance

The Nagas evidently detested the idea of British penetration into their territory and interference in their lives. In 1883, when McCabe was leading the expedition against Rotomi, as they were about to enter the village, "a dense mass of Nagas" - approximately 500 to 600 in number, armed with spears, daos, and cross bows, was seen in front of the village. The expedition troop waited to see if any men with branches of trees (the Naga sign of a wish to make a truce) would come forward. This pause in hostilities was taken as "sign of fear" by the Nagas, because the Hatigorias gave a tremendous shout and brandished their daos above their heads, and thereafter three men came a few hundred yards down the slope towards the DCs camp, and called out – "come on, you Assamese, with your firesticks, and we'll take your heads with our daos."[105] Reacting to this incident, the Commissioner's office remarked that, the mere fact that the Nagas were persistent enough to resist until 50 or 6o of them were killed proved that the offending village was more than "usually audacious and determined," and that, as mentioned elsewhere, generally this kind of resistance should be either very severely punished or not punished at all, and in the case of the Nagas it was the former that prevailed.

With the British administration taking more severe action against the Nagas, the Nagas on the other hand turned more vociferous in turning against the deliberate cruelty of the British, who under the guise of extending administration, were perpetrating extreme disciplinary measures upon the Nagas. A. Porteous, Officiating DC, Naga Hills, reported to the Secretary to the Chief Commissioner of Assam in 1889 about the tactics of the Mazungs in burning one village after another until their last stronghold of the Mazungjami was reached. This, he said, was a new feature in Naga warfare, and one which in itself self called for admiration. He further added that, it showed the firm determination of the Nagas not to submit, and in such a case, there remained no means of compelling submission without actually occupying Naga territory.[106]

[105] Foreign Department, A, Political, E, November, Nos. 275-285, 1883, No. 278, para. 17. NAI.
[106] Foreign Department, External, A, Nos. 12-14, 1889, No. 210, para. 5. NAI.

The defiant attitude of the Nagas when called for submission was shown in ways that were contrary to expectation. Although the Nagas were aware of the consequences that followed their non-adherence to the government's directive, they were nevertheless adamant to not comply with orders as soon as they were served. In 1908, when the sub-divisional officer, Mokokchung, summoned the headmen of the offending villages, Naing, Yongia, Tangsa, Kamahu, Longra and Yazim to Mokokchung to explain their conduct of an assault committed upon the men of the British village of Santong, the goanburas of Yazim and of the lower khel of Kamahu were the only ones who appeared. No representatives of the other villages came in, and the messengers reported that they flatly declined to do so. A fine of 20 mithuns was recommended in one case and in another case 25 mithuns, to which the sub-divisional officer Mokokchung, urged that the fine should be recovered by an armed force visiting the village.

A fine of 25 mithun was imposed upon Yazim alone for being the "bully" of the group.[107] This was a typical penalty norm that the government followed, and the fines of mithuns were sold to the "friendly" villages by the Deputy Commissioner while returning after the expedition.[108] In 1920, there was a talk among all villages of the neighborhood that the Lukrimi khel of Thachumi, always ill-disposed towards the government – killed a pig and took oath that "they will never again supply any coolies to government or obey any order given to them," and was said to have repeated the oath by killing a bull and distributing its flesh among them. The government without hesitation suspected that "they sound like Semas."[109]

---

[107] Foreign Department, External, A, Nos. 12-14, 1908, No. 12, no. 3177-J., dated Shillong, the 16th (received 23rd) July 1908, From, JE Webster, Judicial Secretary to the Government of Bengal and Assam, To, The Secretary to the GOI, Foreign Department, para. 4. NAI.

[108] Selling the confiscated mithuns (bos frontalis) or in that matter cattle to the "friendly" village was a scene after the expedition. 30 "methna" (cattle) was collected from Yachumi and some were sold to the friendly Yachumi Chief and some to the neighbouring Satami. Foreign Department. External, May, Nos. 147, 1906. The DC sold a mithun in Mokokchung by "auction" and he was regretting that if they would have given longer period of notice it might fetch more money. Foreign Department, External, A, April, Nos. 1-4, 1910.

[109] Political Department. Political Branch. Officer on special duty (Records). Shillong. 12 May. File No. III M-3. File No. Pol. B. Progs. Jan/1920. Nos. 903-925. 1920, Tour Diary of J. H. Hutton, Deputy Commissioner, Naga Hills. NSA. The incidences of the Kekrima offering a trial of strength by giving a spear as a specimen of Naga weapon, Rotomi giving a tremendous shout and brandishing their daos above their heads, Mazungs burning their house one after the other, Lukrimi khel of Thachumi taking oath against abiding by the government orders by having a feast, etc., all these identifies with what Ranajit Guha, talks about, verbal and non-verbal use of weapon by the non-literate peasants against their opponents. By this he meant to explain as to "how in rebellion, as in real life, human communication operates eclectically by a mixture of signs." Ranajit Guha, "*Elementary Aspect of Peasants Insurgency, In Colonial India,* (Delhi: Oxford University Press, 1983), pp. 231 & 238.

Nagas rebellions against the British were driven by the Naga desire to defend their prestige. They depended on the tactics they knew best: in the case of the Rotomi, they brandished their daos in the air instead of showing green leaves offering a truce and came openly and verbally challenged the British to a fight. There were incidents of Lukrimi khel of Thachumi, where pig a and buffalo were killed to reiterate their stand against the British and the burning of their own houses by the Mazungjamis. A group of villages flatly declined to turn up at the Sub-Divisional Officer's office when summoned, against the British rule, and through their protest, the Nagas were in a way retaining their identity. Killing animals, distributing meat among themselves and holding feasts exclusively to take an oath against the imposition of alien rule, in a way gave new meaning to the traditional symbol of community feasts which usually were celebration of victories in war and game.

Conclusion

In their quest to guard the frontier of the Assam plains where their tea empire lay, the British chanced upon the Naga Hills and when they found that these Hills not only held strategic importance but also human and mineral resources, they were quick to set their goals. Their mode of expansion ranged from punitive expeditions to the exaction of fines as punishment and orders to pay house tax in order to show submission. A system of codifying laws was also developed in the process as the people who were subdued increasingly turned to the Deputy Commissioner for dispute settlement as have already shown in the preceding pages. The British did not try to bind Nagas e through the introduction of any uniform law. British policy in the Naga Hills Not only succeeded in keeping tribes apart but also succeeded in undermining the traditional authority in the tribes – making them turn increasingly to the new authority to settle tribal disputes. To what extent did the British preserve customary law in the Naga Hills, and to what extent was it replaced – these questions are dealt with in the next chapter.

Chapter 3

The Limits of the Law: British Interpretations of Customary Practices

Custom is the embodiment of those principles which have commended themselves to the national conscience as principles of truth, justice, and public utility

Sir John Salmond[1]

Introduction

According to Black's Law Dictionary, customary laws are "customs that are accepted as legal requirements or obligatory rules of conduct, practices and beliefs that are so vital and intrinsic a part of a social and economic system that they are treated as if they were laws."[2]

Customary practices is something that is related to mutual interdependence in a society. Community participation in gennas, agriculture, festivals and feasts in the Naga Hills reflects the cohesiveness of the community, as much as the intertribal antagonisms were also bonding of individuality with the community where all are called to perform the duty an indication of community honour and identity. These bonds and antagonism were built on naturally agreed codes of conduct, rather map on some form of positive law British rule ushered in a different notion of law though the British also positioned themselves as interpreters of customary law.

Chapter 2 have already shown that there was by the late 19th century and increasing tendency for inter-village disputes to be settled by the Deputy Commissioner's court, which is turn interpreted customary law back to the people.

---

[1] Sir John Salmond quoted from, Brain E. McKnight (ed), *Asian Studies At Hawaii: Law and the State in Traditional East Asia, Six Studies on the Sources of East Asian Law,* (Honolulu: University of Hawaii Press, 1987), p. 37. Sir John Salmond is an English Legal Thinker and the author of "Jurisprudence, London: 1924."

[2] Bryan A. Garner (editor In Chief), *Black's Law Dictionary*, (Minnesota: West Group, 1999), 7th Edition.

This chapter will look at some specific moments in this process. Beginning with the regularisation of an administration and the introduction of penal law, the British went on to impose a judge made customary law, which not only assigned material rights to the natural resources of the Naga Hills to new groups and parties but also undermined traditional norms' of authority and power within tribes.

Introduction of British Law in the Naga Hills

Nagas were governed by a set of customs and traditions which varied in subtle degrees in each village, though they were mostly based on the consensus of the people. Usually the village had a Chief(s) or Village Councilors who looked after the affairs of the village. When the British entered the Naga Hills and lived among the people they were surprised to find that even without a single set of written rules people enjoyed the highest form of democracy. John Butler wrote, "their government is decidedly democratic...they do not collect any revenue, neither can they issue any orders with any chance of being disobeyed, if the measure or act is not popular."[3]

"Customs" and "traditions" formed the fundamental basis of tribal society. When it came to weaning away the subjects, the British usually struck at the most essential elements of power pertaining to that particular society. Mahmood Mamdani, while referring to British rule in Africa has defined this pattern as a "dual process - part salvage and part sculpting", suggesting further that the colonial power "keenly glimpsed authoritarian possibilities in culture and creatively sculptured tradition and custom as and when the need arose."[4] The parallel can be seen in the functioning of the British rule in the Naga Hills when the Magistrates were advised to administer justice in the spirit of the codes and not in letters. "All disputes regarding rights in land, channel, canal, bridge, &c., and all questions of inheritance, were decided by the Deputy Commissioner as far as the general principles of equity permit in accordance with Naga laws and customs....experience has proved that this is the only system by

[3] John Butler, *Travels in Assam*, (Delhi: Manas Publications, 1994), pp. 146-7.
[4] Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, (Princeton University Press, 1996), part one, chapter two, p. 49.

which a satisfactory termination to disputes can be effected."[5] Thus was pronounced in the orders, but the Deputy Commissioner's verdicts were contrary, example; in the case verdict of Kalingmen vs Lungchung, etc., mentioned in chapter 2, the Deputy Commissioner created a verdict that, "ascertained that both parties were equally at fault."[6] This benevolent paternalism was the hallmark of British colonialism wherever they settled to expand their colonial interest – when Natal was annexed in 1843, the colonial secretary directed that within the "locations" of their control, customary law would hold provided that it was not "repugnant to the general principle of humanity, recognised throughout the whole civilised world." Because the colonial power helds itself to be the representative of the "civilised" world and the "custodian" of general principles of humanity," this proclamation – reproduced in some form in every colony – underlined the legitimacy of its claim to modify and even remake the customary.[7]

As custodian of the administered people, the "rule of right" was predicated on those customs and usages which had already been in long acceptance among the people and who had been using it with "prestige and authority". "The national conscience may well be accepted by the courts as an authoritative guide, rather than to attempt the more dangerous task of fashioning a set of rules for themselves by the light of nature."[8] Whether through physical subjugation, or the securing of material or mental allegiance, the colonial officers were shrewd enough to understand the necessity of coercing the Nagas to accept their system of governance. The colonial experience of enforcing their system upon the Nagas during the early did more harm than good which made them turn towards diverse methods to bring the Nagas under their fold.

The outcome of the subjugation of Khonoma (1879) saw the introduction of a new system of taking over the customary practices of land use. For the first time in

---

[5] Foreign Department, External, A, Sptember, 1885, Nos. 36-38. Delhi, National Archives of India, (hereafter NAI).
[6] Foreign Department, External, A, March, Nos. 14-28, 1886, No. 20. Para. 10 & 11. NAI.
[7] Mahmood Mamdani, *Citizen and Subject,* chapter three, part one, p. 63. Mamdani pointed out that, Natal Code of Native Law 1891 statute whereas per S.5 of the legislation the "Supreme Chief" was the "Officer for the time being administrating the government of the colony of Natal," was a "draconian legislation" that far exceeded those of any pre-colonial despot.
[8] Brain, E. McKnight (ed), *Asian Studies At Hawaii:* p. 37.

the Naga Hills, villages were forcefully commanded to be abandoned and directed to be occupied and rebuilt as and where the colonials thought fit. All the villages that took part in attacking the British stockade at Kohima were punished according to the degree of their involvement. It was this incident that introduced the mandatory election of Headmen of a village, therefore the introduction of a new social structure. Where the village was not destroyed and where the site was not "dangerously strong," a fine in rice and labor was exacted instead of removing the site of the village.[9]

Since the Khonoma village took the lead in the attack on C. H. Damant, Political Officer, Naga Hills, and his party that subsequently led to the attack of Kohima, the punishment inflicted was more severe as compared to others involved in the same war. The punishment included a list of prohibitions that were to be obeyed in degrees reflecting the extent and force of the participation of different villages and Khels in these attacks. Khonoma village, the main leader of the attack was ordered to:

1. Evacuate the village, followed by destruction of Chakha Forts, and its occupation by the British troops

2. Village sites and all land pertaining to the village was confiscated and the village site was never to be re-occupied

3. Semama Khel was re-located where the political path[10] crosses the Zubza river. The new site of Semama village (which was a khel of Khonoma now made into a small village) was pointed out by Lieutenant H. Maxwell, Assistant Political Officer, to Lohetzo GB of Semama khel, it was called Zubzama.

4. Merrima[11] and Tebboma khel were settled on the unoccupied lands of Phesama village.

---

[9] Foreign Department, Political, A, August, Nos. 616/40, 1881, NAI. All material on the Khonoma incident is taken from this file.

[10] Lipok Dzuvichu, *Roads and Rule: Colonialism and the Politics of Access in the Naga Hills, 1826-1918*, JNU, MPhil, Dissertation, 2005, p. 68. The political path ran across Samaguting, Piphema, Nerhema, and Wokha. In 1878, Lieutenant H. Maxwell declared the path was "sacred and dedicated to peace."

[11] Foreign Department, Political, A, April, Nos. 218-229, 1880, No. 219, para. 11. NAI. As Merima Khel of Khonoma killed C. H. Damant, that person who killed the officer and the interpreter who betrayed the slain officer were to be surrendered.

5. Khonoma village lands were left fallow until further orders, which was to be disposed of at the pleasure of government. (Probably to be settled with the villages of Mezuma and Jotsoma).

6. Upper fort of Chakha was to be occupied by the British troops until the season of cultivation has passed for the year (1879), and if possible, until the monument was completed, and these terms were fully complied with. A monument was to be erected on the summit of the Khonoma Hill, and placed in charge of the Nagas of Mezuma, who were held responsible for it not being damaged in any way.

Sachema Village was erected on the site fixed by the Political Officer, Phesama village remained unoccupied and was laid waste, with the new village to be erected on the spur below the Phesama hill, near the natural pond. Puchama village was built as indicated by the Political Officer Naga Hills or any person deputed by him, while Piphima Village was erected on the site of the old police stockade, or near Piphima river which was most convenient for villagers. Sephama Village was destroyed but allowed to be rebuilt, with a condition that all fortifications in the neighbourhood be removed.

As for the Khels of Jotsoma who took part in the war, Tolloma and Khoma, these khels were "permitted" to rebuild on the old site of the village, as they had submitted first and had given assistance during the expedition. In the Case of the third Khel of the same village, Choyama Khel, rebuilding of the houses was "not permitted" and the village was directed to shift to the site below the north-east near the Zubza River.

Cheswejuma Khel of Kohima was warned against giving shelter to the men of Chutonoma Khel, failing which their village would be liable to be attacked and burnt. Chutonoma Khel of Kohima was ordered to be vacated and to be built on the new spot indicated by the Political Agent – with the exception of certain relations of Vatake, who served as the Dobashi of the Political Agent, Manipur. It was also ordered that lands belonging to the Chutonoma Khel, which were required by the Political Agent

for the station at Kohima, be confiscated or never restored. Merema, Lakema, Jakhama and Viswema, were the only villages that were not ordered to be re-located.

The British meted out punishment two types of fines upon the thirteen villages that took part in the siege of Kohima: a) an immediate fine and b) a long term one. Under the immediate punishment, all fire arms were to be surrendered, and contributions made from a maund to 600 maunds of rice, and between 150 and1200 coolies provided for conveying supplies for the troops, as well as a fine ranging from Rs. 200/- to Rs. 500/-. The long term punishment included the establishment of a permanent coolie corps of 15 days free labour by each adult male annually to the state, free village labour to the Political Officer whenever the he needed it, and the establishment and collection of a house tax of Rs. 1/- and 1 maund of rice to be paid starting from the year 1880.

The Naga system of authority which was vested either in Chiefs or Councilors/Elders, subject to certain customs and traditions, was changed to that of an "elected leader," and all the policies that the British intend to carry out upon the Nagas were now left mediated by these elected headmen.

The British implementation of law when it came to land use was twofold; firstly, in the hills region where there were no mineral, forest or commercial bounty , they acted as the guardians of customary law by settling disputes and giving verdicts by interpreting customary practices of the people, In areas where monetary benefits were available they applied direct laws with which the local people had to comply. For instance, in giving away uncultivated lands as wastelands, the British totally ignored Naga customary land ownership and the system of using land according to their agricultural cycles, directly applying an alien rule by taking away lands that were kept fallow for another cycle of jhum cultivation.

Grant of Wasteland and Tea Plantation Monopoly

Designating a plot of land as 'wasteland' or 'unoccupied' or 'uninhabited' was a common tactic of the British administration. In Assam, 'wastelands' that the Boro considered their livelihood were given out to tea garden labourers to create 'bastis' and settle down.[12] When the province of Assam came under survey in the early 1830s, the necessity of demarcating and defining the lands comprising revenue-free grants at once became apparent.[13] But various difficulties presented themselves and no attempt was made in the decrees of 1834-38 to lay down boundaries. Later, it was found that some persons were holding revenue-free lands in excess of the areas awarded in 1834-38. The Naga practice of keeping the land fallow for years together which they later return to cultivate was ignored, the British assuming that these uncultivated lands were held by no one, and were left open to the public to take up on the terms prescribed by government.[14]

The British policy towards wastelands, and the problem it produced, also induced several Nagas to leave their own villages. In his report of the December 9, 1868 on the attack of the Lushais upon the Naga villages in Manipur, J. W. Edgar, then officiating as Deputy Commissioner of Cachar, first brought to the notice of the government that many of the Nagas had left Cachar and settled in Manipur during the first year of tea-planting, as a result of the oppression shown by the grantees of wastelands in whose grants the Naga villages had been included. In his detailed illustration of this statement, Mr. Edgar cited a certain man by the name of Patten who was the manager of the "Jerighaut Tea Garden." Patten burned down a certain "Jooggoongpoonge" village which was inhabited by the Nagas in 1864, for the reason that the "Nagas did not work for him." This report led to an inquiry as to whether Naga villages in Cachar had been included, in any case, in tracts granted as waste

---

[12] Walter Fernandes, *Changing Land Relations and Ethnic Conflicts: The Case of North Eastern India*, North Eastern Social Research Center, Guwahati, 2005, p. 8.

[13] "The ancient revenue system of Assam remained in force for the first ten years of our British occupation of the country in 1823. In 1833 the first settlements were commenced, slavery was abolished, and all the various taxes under different names were consolidated into a simple ryotwari tenure." From, Colonel H. Hopkinson, Assistant Governor General North East Frontier and Commissioner Assam, To, The Officiating Secretary to the Government of Bengal, Revenue Department. Department of Agriculture, Revenue and Commerce, Government of India (GOI), May, Pros. Nos. 60-65, 1873, No. 4584, dated the 30th October 1872, No. 63. NAI.

[14] Ibid. No. 60. NAI.

lands. It was found out that they had indeed been included, and that "lands which had actually been surveyed and were under cultivation and paying revenue to government were treated as wastelands." The grantees took up their land allotments with the intention of making the villagers work on tea gardens, and when the Nagas declined to work, they were generally ousted. The adjacent hill-men whom the planters invariably tried to enlist as labourers had no alternative but to leave Cachar, since they had distaste for performing hired labour.

The "improper inclusion" of the Nagas and their village in the wasteland grants, which could not be fixed upon any particular authority came in for criticism by the Home Department. It was felt that high revenue authorities must be made more responsible to prevent the recurrence of such cases: thus, "the wasteland rules should be modified so as to render a survey of the lands before sale imperative, and the sale itself subject to confirmation by the board of revenue or the local government, no land occupied by resident villagers, or over which they exercised clear rights, being liable to be sold."[15]

The government did show signs of concern about avoidable mistakes such as "improper inclusion" of Naga villages in the wasteland category which deprived many rightful Naga land owners. But there was active encouragement of new groups of people who wished to colonise the Naga Hills. For instance, A. Porteous, Officiating Political Agent of Manipur, introduced a court-fee system to check the unnecessary flow of petitions. Rates were fixed at as much the same as in British India, except for process fees, fixed at half the rates in force in India. While court fees were imposed relating to other cases, "petitions filed by the hill-men, by slaves in application relating to their freedom, *and by applicants for settlements of wastelands* were entirely exempted."[16] This explicitly showed that the colonial government was intentionally opening up ways and means for outsiders to have access to certain

[15] Land Revenue Settlement, July, 1873, Pros. Nos. 20-29. Appendix A, No. 4798 1/2, dated 14th, Record 19th November 1872. From, the Government of Bengal. In response to D. J. McNeile, Esq., Officiating Secretary to the Board of Revenue, To, Secretary to the Government of Bengal, Revenue Department, (letters to the Bengal Government, dated 7th March and 30th August 1870). NAI.

[16] Foreign Department, External, A, May, No. 40-44, 1894, No. 42. May 1. Diary of Mr. Porteous, Esq., ICS, Officiating Political Agent in Manipur and the Superintendent of the State. NAI.

areas of land which they conveniently called "wastelands" to advance their interest in "tea gardens."

Application for occupation of certain tracts of the Naga Hills were coming in thick and fast. In order to protect their rights, the Nagas had no choice but to appeal to British courts. For example; even as one complaint was filed (1918) against a new Tea Company that has come up near Dimapur, a Golaghat pleader requested the Deputy Commissioner for 600 acres in the Naga Hills in addition to the 600 he had in Sibsagar and adjoining it. The company had no doubt about the grant of land in this district, and had gone to the extent of clearing a good deal and erecting buildings.[17] On verification of the site asked for by this new Tea Company, it was found that there had been encroachment over the boundary which the company had deliberately done to get high ground for building bashas (temporary accommodations). The court remarked drily "The pleader tried to pretend it was a mistake of the Amin but this is unlikely as it would mean mistaking a jungle pool for the Lohurijan stream."[18]

Tea gardens which were registered with Naga Village names, even when they belonged to an outsider, speak a lot about the real nature of expropriation. In the Assam District Gazetteer 1906 in the statement 'A' list of gardens, serial No. 28 bore Jakaba (Konyak Naga Village), belonging to Singlo Tea Co. Ltd., situated at Abhaipur Assam, serial No. 51 bears Wokha (sub-division Naga Hills), belonging to Looksan Tea Co. Ltd & Messrs R.B Pringle & J. S. Fraser, situated at Ghiladhari Assam.[19]

It was not only tea cultivation that thrived on the wastelands: in the report of the Commissioner of Assam Valley Division, of September 18, 1918, it was noted that an area of 7 bighas 3 kathas 5 acres of land, originally belonging to the Nagas of Kongan was taken up by the Assam Bengal Railways, "on the assumption" that it was

---

[17] Political Department, Political Branch, File No. III M-3 of 1918, 1918, File no. Pol. B, Gen/19-540-553. Copy of Tour Diary of H. H. Hutton, Esq., I.C.S., Deputy Commissioner of the Naga Hills from January 31st to 9th August 1918, 28th May, p. 11, Kohima, Nagaland State Archives (hereafter NSA).
[18] Ibid. 29th May, p. 11.
[19] B. C. Allen, *Gazetteer Assam, Sibsagar*, 1906, p. 255.

government wasteland. When the Commissioner Assam Valley Division submitted the plan, the details showed that the Nagas were paid a compensation of Rs. 195-12-4. The Comptroller of Assam was not satisfied with the details and asked for yet another report, he was then informed that, "the land was not acquired under the sanctioned Acquisition Act for the Railway, but that it was treated as Government land and the Assam Bengal Railways had been allowed to occupy it free of compensation." When the Commissioner Assam Valley Division was asked to give proper information on these points, the reply was that, "the Deputy Commissioner Sibsagar was unable to ascertain when the land was originally made over to the Railways and that there was nothing definite to show why the land was not acquired under the Act." The Deputy Commissioner further added that, "probably" at the time when the Railway was constructed, government regarded the land in question as wasteland and hence no steps were taken to acquire it formally.[20]

Transfer of Forests

The pressure of administering larger areas than practical was typical of colonial rule in Nagas Hills and Assam. It is said of Africa that, "in the matter of ownership of African territory, as in so many other colonial questions, the law was in advance of the reality. Europeans, moreover, claimed more land than they governed."[21] Similarly, series of Naga lands were transferred to Assam citing the inconvenience of governing from Kohima, the headquarters of Naga Hills. However, the r Naga Lands real interest was to bring over Naga Lands under tea cultivation. Lands that were found suitable for tea cultivation were on any convenient pretext transferred to Assam where it could merge with the already existing plantations.

With the coming of the Assam Bengal Railways, timber was in high demand for railway sleepers, and the forests in the foothills answered the requirements. Thus on 9-12-1889, a large tract of forest land was transferred from the Naga Hills to Sibsagar and Nowgong districts, 856sq kms to Nowgong and 1929sq kms to Sibsagar.

---

[20] Revenue, March/20, No. 383-90, 1920, Assam Schedule II, Form No. 21, (Approved in letter No. 323G., dated 13.1.15), Revenue Department, File No. S. 210 R of 1919. NSA.

[21] Bruce Fetters (ed), *Colonial Rule In Africa. Readings from Primary Sources*, (Madison, The University of Wisconsin Press, 1979), p. 5.

In 1891, the Deputy Commissioner, Naga Hills represented that the size of the district had increased considerably and it was physically impossible to look after the plains area of the district and recommended that the whole of the Mikir and the Rengma Hills should be transferred to the adjoining district of Assam, which took place in 1898. With the extension of Railway line, the plains portion of the Naga Hills, particularly Nambor forest area became necessary to be opened for the plains people to settle as it was not considered advisable to administer the plains of the district from Kohima which was too far off.[22]

Citing "inconvenience" for governing a huge area as an excuse, the colonial government yet again transferred Naga forest land to Sibsagar in Assam. Assam-Bengal-Railways and the prosperous tea estates falling beside each other in this fertile region created such an exciting industrial prospect that more and more petitions for grants of land were submitted to the government. Since the High Court was not operative in the Naga Hills, in order to turn over this lucrative area of Naga Hills to Assam, the Indian High Court Acts, 1865 (28 & 29 Vict., Cap. 15), which was beyond the Naga Hills system of administration was invoked. Secretary to the GOI, Home Department, J. P. Hewett wrote to the Registrar of High Court of Judicature at Fort William in Bengal, Appellate side, "it will be necessary to make an order under Section 3 of the Indian High Court Acts, 1865 (28 & 29 Vict., Cap. 15), if this tract (part of Mokokchung) is to be brought legally under the ordinary civil jurisdiction of the Calcutta High Court and thus within the scope of civil extent clause of the Courts Act." The officials were discussing that since Mokokchung sub-division was brought under district administration and incorporated in the Naga Hills only in 1890, so the transfer of the Mokokchung sub-division of the Naga Hills to Sibsagar District could be done within the jurisdiction of the High Court. He added that the tract which was approximately 67 sq kms in area, and was considered "uninhabited", was then being administered under special regulations applicable to the circumstances of the "rude hill tribes" beyond its borders. He further added, that, "it is beginning, however, to assume industrial importance by reason of its being situated on the confines of prosperous tea estates near the alignment of the Assam-Bengal-Railway." Therefore

[22] M. Alemchiba, *A Brief Historical Account Of Nagaland*, (Kohima: Institute of Culture, 1970), p. 129.

the Secretary thought that, "it has become expedient to amalgamate the administration in all respects with that of the adjoining regulation district In Sibsagar."[23]

The proposal to transfer the above mentioned tracts belonging to the Nagas had the consent of the GOI, but the notification incorporating the area in the Sibsagar district for revenue and general purposes was under question. Prior to this proposal, Mokokchung sub-division, which was not brought under direct control until 1866 nor incorporated in the Naga Hills District until 1890, had never been subject to jurisdiction or superintendence of the Court as defined by the Indian High Courts Act, 1861. The problem arose in connection with an offence committed on the railway between Lumding and Dimapur when the Commissioner, Assam Valley Districts, pointed out that there was no sanctioned law where the culprits could be booked. The Secretary to the Chief Commissioner of Assam, declared that, "the exercise by the Deputy Commissioner, Kamrup, of criminal jurisdiction in offences committed on the railway between Lumding and Dimapur is not ultra vires." He further added that; "under section 134 of Act XX of 1880 (The Indian Railways Act), Chief Commissioner has authority to notify that any person committing any offence against this set or any rule made under this rule shall be triable for such offence at any particular place", and further stated such trails would be placed at Gauhati..[24]

Because of these anomalies, bringing in "Ordinary Laws" in certain tracts transferred from Naga Hills to Sibsagar and Nowgong became necessary. The Secretary to the Chief Commissioner of Assam, reiterated that tracts of Naga Hills transferred to Nowgong and Sibsagar was done with the Chief Commissioner's notification[25] and that, similar notifications related to transfer from the Mokokchung subdivision to Sibsagar "appear to be required." The government claimed that "Rules for the Administration of Civil and Criminal Justice and Police in the Naga Hills were

---

[23] Foreign Department, April, Nos. 45-46, 1901, Correspondence of Secretary to the GOI, Home Department, J. P. Hewett to Registrar of the High Court of Judicature at Fort William in Bengal, Appellate side. No. 1436, dated Simla, the 17th September 1900, para. 2 & 3. NAI

[24] General Department, Foreign – A, March, 1903, File No. 1-25. From, Secretary to the Commissioner, Assam Valley Districts, referring to Notification No. 5646R, dated the 9th December 1898. NSA.

[25] Ibid. Notification No. 5646., dated the 9th December 1898, as amended by his (Chief Commissioner) Notification No. 988R., dated the 24th February 1903.

framed under section 6 of the Scheduled Districts Act, XIV of 1874," and published with the Chief Commissioner's Notification No. 81J, dated the 28th October 1882, but proper implementation had not always occurred. The official inferences was that, since there was a very sparse population in the tracts that were transferred "very few civil or criminal cases are likely to occur in them, and no harm can result from the ordinary civil and criminal law of the province remaining in force over the whole of these tracts for a short time."[26] In the Annual Report of 1885, the Deputy Commissioner of Naga Hills wrote, "speaking generally, I may state that there is no such thing as organised crime in these hills, and the number of offences against the person and against property is usually small."[27] It is no surprise that the officials found it convenient to administer Naga Hills without invoking sanctioned laws and managed the law within the administrative set up itself.

On the July 6, 1907, when the Government of Eastern Bengal and Assam submitted a draft modification notifying the Inner Line of the Sibsagar district, it was done because there was much to gain. There were several coalfields lying to the South-West of the district beyond the Inner Line within the Naga Hills. The Lieutenant Governor was strongly of the opinion that it was convenient to bring this coal-bearing area under the ordinary district administration. He averred that under the ordinary district administration it would "encourage enterprise which promises to be of great benefit to the district and to the province as whole" but he also wanted to avoid "undesirable complications with the Naga tribes claiming the land,"[28] after the place was thrown open for mining. Again on 29-9-1923, Digar mauza was transferred from Naga Hills to the West Cachar Hills sub-division. The usual excuse of the difficulty of access from the Kohima to the plains was made, with an additional concession to the inhabitants who were racially closer to those of North Cachar than to those of the rest of Naga Hills.[29]

---

[26] Ibid. From, Secretary to the Commissioner, Assam, To, the Secretary to the GOI, Foreign Department, Shillong, 24th February 1903. NSA.
[27] Foreign Department, External, A, September, 1885, Nos. 36-38. NAI.
[28] Foreign Department, GOI, Secret, E, December, Nos. 102-108, 1907, Assam, para. 142. NAI.
[29] M. Alemchiba, *A Brief.* p. 29.

The British government made all effort to deal the Nagas living in the hills and the plains differently A case that proves the differential application of customary and statutory law in different regions...[30] In a dispute about a boundary between two villages, and their lands to the East of the main Chungkikung ridge. W. C. M. Dundas, Sub-Divisional Officer Mokokchung, ordered that, all the land above this boundary to the west up to the main ridge to belong to Mekukla, and that below, would belong to Changki. The demarcation of the boundary was left to Salamu Dobashi.

The case was decidedly using the customary practice of demarcating boundaries based on the natural surroundings such as rocks, rivers, etc which left less room for dispute. This kind of settlement would have a clear boundary line as long as the rivers or streams did not change their courses. This is an instance of case settlement that drew on existing practices. The colonial authority portrayed itself as protector of the customary practices of the Nagas.

On the other hand, the colonial government was taking away Naga rights by transferring certain tracts of land and forests to another state. Nagas had little to say because they were ignorant of the laws the government was using to make it legal.

Reserved Forests along the Boundary

Colonial policy was always forged against the background of British economic interests. The government encouraged "plains people" to settle in the plains portion of the Naga Hills in Nambor forest area as the Assam- Bengal Railway line was opened, since it was not considered advisable to administer the plains from Kohima, and there was a need to establish settlements in these areas, although Nagas who belonged to the region were constrained from making use of the area on the same terms as the plains people.

---

[30] 15/1/1909: Mekukla Village Vs Changki. The order was that, "the boundary will begin on the rocky saddle between Longlangba and Kungkumin hills, thence between the Lungkumin until below Haitzi saddle thence between the Lungkumin (Chiek) stream, thence down the stream, i.e., the river spur retrieved between Longlangba stream and Kungkumin stream and east of the line crossing the Haitzi saddle." NSA.

Thus, villages in the Rengma Naga Hills, nearest to the eastern Nambor forest, were "warned as usual" against jhuming, in the "government reserves", and the warning was successful, since thereafter, "no encroachment occurred." Strict prohibition on jhuming was imposed and permission to cut timber and firewood was to be obtained from Deputy Commissioner, while at the same time the "civil authorities were made to induce these people to take to permanent cultivation, where it is practical." In the year 1881-2, the Conservator of Forest inspected the forests in the neighbourhood of the road leading from Nichuguard to Kohima, particularly those at Kohima, and suggested the conservation of forests near Kohima for timber and other produce, and also to secure the water supply for the inhabitants of that station. The remaining forests between Nichuguard and Kohima were to be left out without further interference "since the Nagas had adopted a certain forest conservancy of their own to ensure the supply of their ordinary wants." It was felt that conservation of forests in the plains of the interior at the foot hills would hinder trade because, it was "much more advantageously carried out in the plains at the foothills" and since the quality would be inferior it was better left alone. The resolution of the year ending 1881-82 was that, Nowgong and the Nambor forest in the Naga Hills were respectively put under the control of Assistant Conservator of Darrang and Sibsagar. Every Forest Officer was made directly subordinate to the Deputy Commissioner of the district in which he worked, and the district forests were placed in his care, thus abolishing the double agency and simplifying administration and accounts.[31]

With the forests being reserved customary rights such as fishing were curtailed. The restriction was imposed after the Desoi forest came under Reserved Forest, as the river flowed through it, affecting the four Ao Naga villages, Longu Khaba, Japu, Semsa (Lekam), Lakhu badly. On being approached by the villagers, the Deputy Commissioner reported that, "as I presume fish are forest produce, I have dealt with these claims under section 7(V) of the Instructions for Forest Settlement Officers, Assam."[32]

---

[31] Home Department, Forests, February, No. 5 to 8, 1883, Report on the Forest Administration in Assam for 1881-82, Sibsagar Division, para. 199. NAI.

[32] General Department, Revenue – A, Nos. 14-48, File No. Rev, A, September/02=14-48, 1902, No. 19, No. 2235G, dated Kohima, the 10th March 1902. From, Captain W. M. Kennedy, I.S.C., Officiating Deputy Commissioner of Naga Hills, To, The Secretary to the Chief Commissioner of Assam. NSA.

Below is a table drawn from Sibsagar District Gazetteer showing Naga Hills Reserved Forest during the period from 1900 to 1904.[33]

Table – 5 Naga Hills Reserved Forest during the period from 1900 to 1904

Name of the reserved forest	Area in sq kms	1900-01	1901-02	1902-03	1903-04
Nambor	387	1695	7455	7793	4146
Diphu	66	NA*	NA	274	700
Rengma	54	NA	NA	NA	NA
Doiang	95	178	259	NA	NA

*Not Available

Source: Sibsagar District Gazetteer, 1906

Forests and other natural resources that constituted the natural environment of the Nagas belong to all the villagers. The British, by taking over their forests and imposing various restrictions, deprived the villagers of their access to control of land and forest. By demarcating forests as "Reserved Forest" the villagers were turned into trespassers who were ultimately punishable under law. With the imposition of regulated laws, the villagers who had lived on their land and forests as owners becomes strangers who were controlled and made to comply with the rules. In March 1902, Chiptak Yamba, Gaonbura of Lakhu village, claimed:

> I ask for permission on behalf of my village to be allowed to fish in the Desoi river and its tributaries flowing through the proposed reserved forest. We have exercised this right from time immemorial. We do not use poison. We catch the fish in traps, erecting dams when necessary. We dam the river when we cut our dhan (grain) in October and the dams remain for about fifteen days, during which time we fish, after that we open the dams and use them no longer that year.[34]

[33] B. C. Allen, *Gazetteer*. p. 276

[34] Ibid. No. 23, Claim No. 1 (Class V), in the reclaim of the villagers of Lakhu to fishing rights in the proposed reserved forests in the Desoi Valley, p. 9.

To this claim, the Forest Settlement Officer sanctioned the exercise of strictly restricted fishing rights "prescribed by the Local Administration." In keeping with the "proclamation" of Desoi as reserved forest in 1901, he added that:

> no right shall be acquired in or over the land, except by succession or under a grant or contract in whom such right or power to create such right vested when this proclamation was published, and on the above land no new house shall be built, or plantation formed, no fresh clearings for cultivation or any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture.
>
> on the formation of an area within the reserved forest, all private rights over the land or to the product thereof and all rights-of-way, rights to a water-course or to use water, rights to pasture, and all other rights whatsoever, will be extinguished, save and except such as are admitted by the Forest Settlement Officer, and sanctioned by the Local Government.
>
> every person claiming any right, or making any claim referred to or mentioned in paragraph above, will present to the undersigned, within three months of this proclamation, appear before undersigned and state, the nature of such right or claim.[35]

By the year 1914-15, a huge alteration in forest reserves was made and the reserve area now covered 28, 004 acres or 44sq miles, raising the total area of reserved forest from 1, 572, 387 acres to 1, 600, 391 acres. The areas all along the border of Naga Hills and Assam were converted to Reserved Forests.

---

[35] General Department, Revenue – A, Nos. 14-48, File No. Rev, A, September/02=14-48, 1902, No. 19, No. 2235G., dated Kohima the 10th March 1902. From, Captain W. M. Kennedy, I.S.C., Officiating Deputy Commissioner of Naga Hills, To, The Secretary to the Chief Commissioner of Assam. NSA.

Following are the Reserved Forests under Sibsagar District in Assam along the Naga Hills borderline in the year 1917.

Table – 6 Reserved Forest Area as shown on 30th June 1917[36]

Sl. No.	Name of the Reserved Forests Sibsagar District	Areas in acres/sq miles
1	Dhansari	68, 480 acres (107 sq miles)
2	Rangapahar	10, 611 acres (17 sq miles)
3	Diphu	46, 294 acres (72 sq miles)
4	Rengma	34, 400 acres (54 sq miles)
5	Doyang	60, 875 acres (95 sq miles)
6	Kakadanga	10, 969 acres (17 sq miles)
7	Desoi	6, 914 acres (11 sq miles)
8	Abhaipur	16, 637 acres (26 sq miles)

Source: Forest Administration in the province of Assam for the year 1917. NAI.

Many Naga villages had close relationship owing to marriage, kinship, etc., this is also reflected in the above case where the four Ao Naga villages, Longu Khaba, Japu, Semsa (Lekam), Lakhu, who used to all fish together in the Desoi river until the colonial interest took over. The case used below shows the similarity of judgment in creating an individualistic community; Longu Khaba, Japu, Semsa (Lekam), Lakhu all shared the Desoi river for fishing but when the right to fishing was restricted the headman of Lakhu pleaded only for the right of his village thus segregating the community/neighbourly life that was shared before, likewise the breaking of the community unity by seeking the court's decision which could be the initiation to creating the individual property rights in the long run is shown below;

In a case of 1909 between Vukhushe of Emilomi and Punushe of Litzami, the question of common fields came up.[37]The case involved two fields namely, Aghagasato, and Siphagazuto, common to both parties. Aghagasato was near Litzami,

[36] Progress Report of Forest Administration in the Province of Assam for the year 1914-15 to 1917. NAI.
[37] 10/3/1909: Vukhushe of Emilomi Village Vs Punushe of Litzami Village. NSA.

and Siphagazuto was near Emilomi. In 1909 Vukhushe had cut the latter and Punushe the former. Vukhushe's only objection was that he had a little land exclusively on Aghagasato but he would not swear on it. The verdict given by W. C. M. Dundas, Sub-Divisional Officer Mokokchung was that, lands in Aghagasato, and Siphagazuto, were common to both Vukhushe and Punushe, and Vukhushe had no land of his own on Aghagasato. Vukhushe was to cultivate Siphagazuto, and Punishe Aghagasatoand if any further dispute arose the Sub-Divisional Officer said that he would give Aghagasato exclusively to Punushe, and Siphagazuto to Vukhushe.

This case reveals that land was held in common by different persons from different villages reflecting the close relation shared between the neighbouring villages owing to kinship or marriage. The British government observed in 1889 when on an expedition against the Sema of Seromi, that the fact that there were no defenses around the village showed that the Seromi had no neighbor from which they feared attack. Its secluded position and the fact of it being surrounded by a group of other Sema villages which were off shoots of the parent village, namely, Seromi, explains the sense of security.[38] This age-old sharing of resources was now dissolving under the opportunities offered by the courts. On the other hand, it also shows the reverence to oath. The complainant abstained from taking an oath to claim certain portions of the land. Taking an oath in the Naga tradition was the final step a person would take to establish the truth. Oaths were of various kinds and were not lightly taken by the wager. When a person takes an oath s/he takes the lives of her/his kindred as evidence to prove innocence[39] or declares that if s/he swears falsely s/he will meet a violent death before the next harvest, either being killed by a tiger, or by drowning, or by falling from a cliff, or by a wound from her/his own spear or dao, or in some such way,[40] or that if a person swears the oath falsely s/he will die before s/he can reap a harvest from the land he dishonestly gained,[41] or as done in the oath in land dispute where each eats earth from the field in question prays that s/he may swell up and die

[38] Foreign Department, External, A, May, Nos. 209-212, 1889, No.210, para. 27.
[39] J. H. Hutton, *The Angami Nagas*. (Kohima: Directorate of Art and Culture, Government of Nagaland, (1921; reprint), 2003), p. 144.
[40] J. P. Mills, The Rengma. p- 150.
[41] J. P. Mills, *The Lotha Nagas*, (Kohima: Directorate of Art and Culture, Government of Nagaland,(1922; reprint), 1980), p. 103.

if s/he speak falsely.[42] In this case mentioned above the complainant's abstinence from oath to claim his land held by the other shows his adherence to customary law inspite of his appealing to the court for settling his case.

Chief(s) and their [Elective] Authority

... Chiptak Yamba, Gaonbura of Lakhu village, mentioned above in the Desoi Reserved Forest, was the headman of the village who was pleaded with the British administration for permission to be allowed to fish in the Desoi river. By the late nineteenth century, the power of the chiefs had been curbed considerably. As will be seen from the following cases related to chiefs revealed the restricted the restricted power exercised by, them and the challenges to their authority as the British administration penetrated into their territory. An incident recorded by R. B. McCabe, the then Deputy Commissioner of Naga Hills in one of his tours through the Konyak country depicts how the Chiefs exercised their authority over their subjects. The incident was described as an alleged plot against the life of Mr. Muspratt, the Sub-Divisional Officer of Wokha, on the occasion of his visit to Kanchung in November 1887.[43] The question arose as to who were the five men who were at Kanchung while Mr. Muspratt visited that village in November last, and had assumed such a threatening attitude towards that officer? Although we do not learn cases was resolved, we learn a great deal about the clash between older and newer generations in the region. On learning that the accused five acted on the request of the Kanchung village to oppose the settlement of the new village of Wamoken, the Chief of Juktung testified that those men had no authority to represent his village. Indeed, Kanchung village came under his authority because it was a tributary to Juktung village. The Chief expressed his wish to "lie at peace with the Sahabs", and "as the Empress had assumed control over the hills up to the left of the Dikhu, he freely withdrew all claims of tribute from Kanchung and Tamlu" who was also his tributaries. When the darbar was being held after the case was settled, a Tablung man was brought before the Deputy Commissioner charged with having insulted a sepoy sentry. The Chief of Juktung at once drew out his dao, seized the prisoner by the hair and asked the Deputy

[42]J. P. Mills, *The Ao Nagas*,(Kohima: Directorate of Art and Culture, Government of Nagaland, (1926; reprint), 2003), p. 197.
[43] Foreign Department, External, A, July, Nos. 121-129, 1888, para. 11. NAI.

Commissioner's permission to allow him to behead him. The request was not granted, but what "surprised" the Deputy Commissioner was the "submissive manner in which the prisoner bent his head to receive the anticipated blow."[44]

According to colonial interpretations total authority rested with the chiefs who took heads at the slightest provocation. "Kuma of Yamrup is a very attractive type of Chang autocrat. If dead silence did not reign on the verandah he would get up and smack all offenders' heads."[45] Disobedience to the chief was punished by the destruction of the offender's house among the Rengmas,[46] but, these cases shown above are an extreme display of human insensitivity which accompanied leadership. No doubt, the "Aos admitted their association with the practice of headhunting but sometimes over emphasized and exaggerated it and they seemed to enjoy the white men's disgust and fascination."[47] Whether "severing of head" was an act of authority of the Chiefs or whether it made an intriguing profile for the colonial records remains debatable.

Among the Semas, it was the customary practice that the Chief "purchase a wife for his adopted son."[48] The adopted son's property goes back to his "father" when he died. In the case from 1908, Vukhushe claimed that his father Shikhu had adopted Ithashe, the father of four defendants, and purchased him a wife. Ithashe died the same year (1908), and by Sema custom, Vukhushe, then son of Shikhu became the sole heir of the property left by Ithashe. Ithashe left half share in three cows with Inashe of Lotzami, half share of one cow with Khuikhe of Emilomi, 4 pigs, 1 dao, 1 spear, 1 dhan (paddy) house full (40 baskets), 1 dhan house 10 khangs, 1 jhum on Aremto, 2 jhums on Siluto and 1 jhum on Litzabokhizhi, total of 4 jhums. In this judgment, W. C. M. Wundas the Sub-Divisional Officer Mokokchung, ordered the

---

[44] Ibid. para. 14. NAI.
[45] Office of the Officer on special duty (Records), Shillong, Political Department, Political Branch, File No. B, Progs. Jan/1920, 1920, Nos. 903-925. Tour diary of K. Cantlie Esq., I.C.S. DC, NHs for the month of June 1919, p. 57.
[46] J. P. Mills, *The Rengma Nagas*, (Kohima: Directorate of Art and Culture, Government of Nagaland, (1937; reprint), 1982), p. 139.
[47] Lanusangla Tzudir, *From Headhunting to Christianity: Question of Cultural Identity in Ao Land*, New Delhi, JNU, MPhil Dissertation, 2003, p. 23.
[48] Refer aqu-axe in the labour tied to kinship in chapter 1.

defendants to pay Rs. 12/- and two pigs, as a fine for going against the customary law practiced by the Semas.

Another kind of authority the Sema Chiefs enjoyed was the right with free labour of the village. In a dispute about the share of free coolies that was due to the Chiefs, Sakhalu, chief of Sukhalu was entitled to free coolies ten times in a year from the whole village of Sukhalu and the same on a nominal payment of salt (about a handful or less) eight times in a year. Kohazu a chief of Sukhalu was entitled to free coolies six times and salted coolies three times. The judgment given was that, should Sukhalu die before Kohazu the later will get coolies in Sukhalu's place and Hotoi (or Sukhalu's direct heir) in Kuhozu's place pending his absolute succession to the Chieftainship on Kohazu's death.[49]

Cases like this were not rare among the Semas: vehement opposition by was shown by chiefs of different villages in the case of Nikehu of Kukiye who got permission from Mr. Barnes, Deputy Commissioner, Naga Hills, to make a new village of Tezimo near Tubya. When Nikehu claimed that he could procure men from the villages of Ghukiya, Sadeka (Satakha) and so on to settle in the new village, the chiefs of those villages protested strongly because each of them would be losing a working hand in their field as the villagers worked a certain number of days on the chiefs' lands.[50] As the Deputy Commissioner was more than willing to interpret and cases shows uphold the customary practices of the Semas which in other words was helping them retain chiefly powers to a certain extent. Sema villages were usually ruled by an autocratic chief who directed the village in war, decided all matters or relations with other villages, and determined which lands the village would cultivate.[51] This power was visibly shaken by the fact that the chief themselves were seeking British intervention in settling their case. The British in turn upheld customary practices of the people, thereby helping the chief(s) retain some of their

[49] 8/3/1916: Sukhalu of Sukhalu Vs Kohazu of Sukhalu. NSA.
[50] Political Department, Political Branch, File No. B, Progs. Jan/1920, 1920, Nos. 903-925, Office of the Officer on special duty (Records), Shillong, Tour diary of K. Cantlie Esq., I.C.S. DC, NHs for the month of May 1919, 22 May, p. 41. NSA.
[51] Richard Eaton, "Conversion to Christianity among the Nags, 1876-1971", The Economic and Social Review, 21, 1, Vol XXI, Jan-Mar (1984), p. 34.

traditional rights. This made the "chief feel that the government esteemed him to be a man of greatest importance in society,"[52] whereas by doing so the British were saving themselves the trouble of organizing village administration. Instead, chief(s) would carry out the task for the colonial government, such as the collection of house tax.[53]

The Konyak Chief of Juktung's decision (above mentioned) to give up control over certain villages that were his tributaries, and the act of meting out judgment instantly to an erring individual displayed an autocratic power enjoyed by the Chief. Although severing the head cannot be looked at as just, it was not merely symbolic either, although to an extent, with the advent of the British and its administrative measures, the chief's power were waning . The "voluntary renunciation of tribute" by the Chief of Juktung (case of 1888 discussed above) was remarked by McCabe as the "most satisfactory", as the claim to levy it within the area of political control must sooner or later have led to awkward complications, as was the norm. The Deputy Commissioner added that the authority enjoyed by the Chief seemed to be of a very despotic character, and noted that the Chief's orders were obeyed with the utmost alacrity. McCabe said that, "existence of a supreme authority of this character in a Naga community is very rare, but at the same time is one well-deserved of encouragement, as it facilitates the extension of British control."[54] Likewise, the judgment passed in the case of Vukhushe of Emilomi Vs Sons of Ithashe of Litzami, retained the power of the Chief as the giver and his subject as the receiver which bound generations to the Chief's authority.

Each Naga community had its own kind of village administration. Not all Naga villages were under the Chiefs; where there was no chief(s), the village was governed by Elders. In the Ao village, the village council variously called Tatar Putu Menden/Samen Menchen/Susang, acted as the executive and judicial authority that maintained discipline in order to ensure peaceful life and order in all matters that

---

[52] Piketo Sema, *British Policy And Administration In The Nagaland 1881-1947*, (New Delhi: Scholar Publishing House, 1991), p. 31.
[53] Lipokmar Dzuchu, *Roads and Rule*: p. 78.
[54] Foreign Department, External, A, July, Nos. 121-129, 1888, para. 14.

concerned the village.[55] Village Elders and a SEKI[56] looked after the welfare of the people in the Angami Village.[57]

Nagas were faithfully committed to the traditional social system - a virtue that the British shrewdly grasped to hasten the process of their consolidation. Befriending the Chiefs was a way of allowing the Chiefs to single-handedly manage the whole village without investing as much as would be necessary in a more democratic set up. When the British introduced the system of electing the headmen of a village, the end purpose was that it would take time to convert the Nagas from their "democratic and independent habits" into a state of "subordination to a council of elders." This is where they envisaged introducing what was called a "village or tribal system", where the headmen would be paid 20 per cent of the revenue collected from house tax. This plan was introduced with a hope that the "headmen's" authority would increase and they would be able to "control and guide the villagers", with the assistance of the government when necessary "in support against disobedience and disrespect" shown by the villagers.[58] In the absence of the codified legal norms, Nagas were left to take on the norms drawn up by the British. To be sure, the British attempted to prop up such local authority by granting village chiefs red blankets as symbols of their recognized, legitimate authority.[59]

Paying house tax was one way of proclaiming one's identity: it qualified a family as belonging to a particular household in a particular village. The case referred to below, involved a woman who was putting up a claim to land in the court.[60]

---

[55] Sponsored by the North Eastern Council "The Customary Laws and Practices of the Ao of Nagaland", Guwahati, 1979, p. 168.
[56] Sponsored by the North Eastern Council, "The Customary Laws and Practices of the Angami Nagas of Nagaland", Shillong, 1985, "Seki is a term used to this day among the Angami Nagas, it is a term which refers to the oldest man in the village who is respected by all the villagers," p. 100.
[57] Ibid.
[58] Peter Robb, *The Colonial State And Construction Of Indian Identity,* (New Delhi: Oxford University Press, 2007), pp. 141-142.
[59] Richard Eaton, *Conversion to Christianity*. p. 21.
[60] 25/8/1909: Wife of Halimo of Yekhum Village Vs Defendant (Name cannot identify because the record paper is very old) of Wokha Village. NSA.

The complainant claimed that a field belonged to her deceased husband. She said that her husband Halimo had died eleven months earlier and had never mentioned selling any property. The defendant said that Halimo came to Wokha some months ago and bought a dog for Rs. 3/4/-, and that he (Halimo) sold him a jhum for 2/4/- and putting in Rs. 1/- of his own bought a dog for Rs. 3/4/-. The complainant however claimed that her husband had taken Rs. 10/- with him to Wokha and bought a dog for Rs. 3/4/-, and bringing back the remainder Rs. 6/12/-. The point was that, the deceased Halimo was a wealthy man and J. Needham, Sub-Divisional Officer Mokokchung, therefore saw no reason why he should have sold his jhum without telling his relations.As neither the complainant nor the defendant took the oath, the Sub-Divisional Officer attached the land on behalf of government, to be sold in auction and the sale proceeds to be given to the Charitable Dispensary, Wokha. 25.8.1909. Wife of Halimo of Yekhum Vs Defendant (Name cannot identify because of Wokha.

As have already shown, the taking of oaths were not lightly done among most Naga tribes. The case raised several other important questions. It is rare that a property would not have a claimant in Naga society since, even if there is no direct descendant, a family, clan, village or for that matter distant relative from another village, could lay claim to the property of the deceased. Which establish the point that there was no chance of giving up landed property to an auction.

The case of the widow also foregrounds the question of women's related to land. It has been shown that, women played a leading role in agriculture apart from domestic work. A woman is seen as the, first-reaper among the Rengmas,[61] and the first-sowers among the Lohtas.[62] The role played by the Chief's wife among the Sema tribe in the founding of the village has been noted [63] In many cases women were also seen as mediators of truces, cementing alliances between villages especially when there were inter village frictions. No doubt, women played a crucial role in maintaining social cohesion, and economic development of the tribe. Choosing to go to the Deputy Commissioner to support her claim would have been a way of reaching

[61] Mills, *The Rengma*. pp- 84.
[62] Mills, *The Lotha*. p. 47.
[63] Sumi Hoho, *Sumi Lhoyezah*, Zunheboto Nagaland, (Zunheboto: Zunheboto, 2002), p. 24.

beyond the local community in search of justice. Yet she stopped short of realizing this justice by refusing the oath.

And as discussed in the beginning of this chapter, customary law implied the relationship of reciprocity where the people voluntarily create a duty upon themselves in expectation of the same from the other, taking oath, to a Naga, may have to be translated in being disrespectful of the other if s/he were to swear one.

Beyond The Traditional Boundary

As Administrative Officers went on their tours, many disputes were settled and alliances were made, thus familiarizing the Nagas with the new regime of power, and its legal system. Early colonial officers such as Major F. Jenkins kept a strict eye in the early stages of the colonial expansion in the Naga Hills, on the "intercourse with the Naga chiefs, periodically taking notice of any breach of the agreement." Dating back to 1842 the British succeeded in making the Nagas permit the establishment of "three tree plantations being cleared in their hills". Not only was the use of land permitted but the labor by which clearing was done was "almost entirely performed by the Nagas." It was noted, by Captain Brodie who went on tour in this part of the Konyak country in 1844 that the Nagas "allowed Europeans to reside constantly amongst them without the slightest apprehension of danger." He cited the example of Mr. Sanders, a government representative who supervised the coal mines worked by the Nagas to drive home the point that it was safe to be amongst the Nagas. Indeed, he implied by this that "there is no reason to doubt but these hills will soon be everywhere as accessible to us as the plains."[64]

The penetration of the colonial administration among the Nagas opened up various possibilities for those who wished to thrive in the new system. People were learning new legal procedures and norms. The founding of a village for instance, which, in the 1830s, when the colonials were entering Naga Hills, had nothing to do with permission or procedures from any authority outside their own village, was now only possible by seeking the approval of the colonial administrative authority. Nagas

[64] Foreign Department, (F.C.), 17 August, Nos. 185-191. 1842, para. 1 & 4.

were by the early twentieth century living in complete contrast to what used to be when, as the Commissioner of Assam in 1878 put in, "every village is a fortress, into which the intrusion of strangers is warmly resented."[65] Naga village in the twentieth century were places where outsider like Gurkhalis, Musalmans, Marwaris, etc., resided along side by side, owing to expanded government employment and commerce.

Permission to establish villages was granted by the Deputy Commissioners. For instance, Tizoma village was established at, a site near Chipham by the Chief of Satakha with British permission,[66] and Hanye village was permitted to be established upon the extinct Lotha village on plains side of the Rongazu-Ralung ridge by Hovishe of Shotomi.[67] Settlements of various kinds were taking place in the Naga Hills. Mentions are made in the tour diary of the Deputy Commissioner, Naga Hills, where a case of Gurkhalis without passes were being settled at Nichuguard to clear a lot of forest land encroaching the railway boundaries at Dimapur.[68] However, a Gurkhali who married a Lotha settled at Okhotso (Wokha) on condition that his children followed their Lotha mother's custom. It was found that the condition laid was not being followed therefore J. P. Mills the Deputy Commissioner of Naga Hills, ordered him to leave Okotso. This case of ousting the Gurkhali led to a quarrel because the Christians were upset about the prospect of losing their milk supply and the Christians blamed the non-Christians dobashi Chongsemo for creating the conspiracy of ousting the Gurkhali milkman.[69]

Amalgamation of Colonial Law and Customary Practice

Contradictory to the colonial commitment that, "domestic institutions" of the tribes should not be interfered with when they were brought under political control

---

[65] Lipok Dzuvichu. *Roads and Rule.* p. 6.
[66] Political Department, Political Branch, 1918, File No. III M-3 of 1918, Pol. B, Gen/19=540-553, Officer on special duty (Records), Shillong, Copy of Tour Diary of J. H, Hutton, Esq., I.C.S. Deputy Commissioner, Naga Hills from January 31 to March 10, 1918, 4th August, p. 22. NSA.
[67] Tour diary of J. H. Hutton, Esq., I.C.S. Deputy Commissioner, Naga Hills for the month of May 1920, 8 May. NSA.
[68] Political Department, Political Branch, 1920, File No. Pol. B, Progs of January, 1922, File No. 122-153. Copy of Tour Diary of J. H. Hutton, Esq., I.C.S. Deputy Commissioner, Naga Hills from January 1921, p. 20. NSA.
[69] Ibid. p. 49.

unless "absolutely necessary,"[70] the regime always found a way out of interfering with customs and usages. The introduction of a "mandatory election" of the Headmen and appointment of Dobashis were the two important features that brought about a shift in the traditional authority system of the Nagas. The name Chief, which was hereditary, and Headman, which was lately elected, now became synonymous as the government stretched it hands to control local power. In 1874, village Chiefs were recognised by the British government. This recognition automatically bound the Chiefs to abide by the policy of the government in all matters of their relations with the tribes beyond British control as well as their obligation to pay house tax. Knowing full well the commanding position enjoyed by the village Chiefs in the tribal community, the authorities at Calcutta from the very beginning of their relations with the Nagas advised the Political Agents to first befriend and communicate directly with the Chiefs in dealing with the tribes. In doing so, an agent was to make the Chief feel that he esteemed him to be a man of the greatest importance in his community. The Chief and his subjects had no participation in formulating the policy regarding their own affairs. The Chiefs only received directions and paternalistic supervision from the district officers.[71]

The Dobashi system was instituted to promote Anglo-Naga relation in 1842.[72] Those were people who spoke Assamese apart from their mother tongue and who could act as interpreter, between the colonial officials and the natives were called dobashis. The system proved useful and by 1860 it was retained as a regular office under Deputy Commissioner. The dobashis were paid colonial employees who were primarily used as a link between the native population and the administrative officers. They were proposed by the people and selected by the Deputy Commissioners; the younger ones stayed at his headquarters and the older ones in their areas, they heard and decided cases which the village would not settle. An appeal could always be brought against dobashis decisions to the district officers.[73]

---

[70] Foreign Department, External A, August, Nos. 211-213, 1886, From, The Secretary to the Chief Commissioner of Assam, To, The Deputy Commissioner of Naga Hills, No. 213, para. 6. NAI.
[71] Piketo Sema, *British Policy and Administration.* p. 32.
[72] Ibid. p. 30.
[73] Ibid. p.35.

The Dobashi system became an indispensible part of the colonial administration. So looking for an efficient language expert one became part of the duty of colonial administrators. H. C. Barnes expressed disappointment when he wrote in his tour diary while in Phozanagwami (Sangtam) village, "I failed to get any young fellows to train as dobashis, the distance to Kohima is too great, they say."[74] A similar view was shared by K. Cantlie who complained, "more dobashis are badly wanted" while he was on tour to Dimapur.[75]

The chief/headmen were appointed by the Deputy Commissioner in order to subordinate them while incorporating customary practices of the Nagas in the cases were decided.For example, when the men of Mangrung (Satemi) were accused of committing a crime although the evidence that it was committed them was not at all conclusive, the Numkun Gaonburas who accompanied the Deputy Commissioner admitted they might have been mistaken. The Deputy Commissioner then made both sides swear friendship on behalf of their respective villages, "which was done in their fashion by placing some earth on the dao, which is then taken and held between the teeth."[76]

Along the introduction of the Magistrate's court, new forms of punishment for defaults were emerging. On February 28, 1884, in Bura Haimong, Salachu Chiefs arrived with the Mauzadar at the Police camp near Amguri, and made a complete confession of having committing a murder. The Deputy Commissioner asked them to pay a fine of Rs. 50/- which they did on the 8th of March, "having left hostages in his hands during the interval."[77] In the following three case of 1887, first case involving Labango and Achamo, the second case involving Changse men, Thangbama, Ijamo, and Renso, who were all convicted for murder, shows that, transportation, rigorous imprisonment, whipping, were slowing coming into the verdict of the court. The trail

---

[74] Political Department, Political Branch, Officer on special duty (Records), Shillong, File No. Pol. B, Progs. Jan/1920, Nos. 903-925, 1920, Tour Diary of H.C. Barnes, DC, NHs for the month of November 1918, p. 14. NSA.
[75] Political Department, Political Branch, Officer on special duty (Records), Shillong, File No. Pol. B, Progs. Jan/1920, Nos. 903-925, 1920, Tour Diary of K.Cantlie, DC, Naga Hills, for the month of June 1918, p. 57. NSA.
[76] Foreign Department, External, A, November, Nos. 64-66, 1887, No. 65, para. 12. NAI.
[77] Foreign Department, A, Political E, April, No. 110-112, 1884, No. 110, May 28, para. 2. NAI.

of first case was concluded on July 23, 1887, and ended in the conviction of the two men, Labango and Achamo. Labango was found beyond doubt the leading spirit in the murder, and his crime, both from his age and influence, demanded the severest sentence, especially given the fact that he had for some years been "living in a community where murder was lightly regarded." At the same time the fact that he was a British subject[78] was taken into consideration and the sentence passed upon him was 15 (fifteen) years transportation. In the second case of the Changse men, Thangbama, Ijamo, and Renso, the Deputy Commissioner imposed a sentence of 5(five) years rigorous imprisonment to all the convicted, and in the third case a boy of 17 or 18 years, got a whipping of 20 stripes. A similar punishment, but of 30 stripes, was inflicted upon Achamo, who was not a British subject, and, being a mere lad had acted, who the Deputy Commissioner was convinced, commited the crime wholly at the instigation of Labango, the main accused.[79]

By early 1900s the government had started sanctioning new orders in terms of land acquisitions made by the non-Naga community where no customary laws were incorporated. When this kind of settlement was made, the Nagas involved, were immediately brought under the sanctioned law where customary laws did not apply. The long standing quarrel between the Gurkhali graziers and Tenezuma village is a case in point. The graziers had long been transgressing boundaries. The issue was settled by the orders given by J. P. Mills, Deputy Commissioner, Naga Hills. The cattle were counted and where large excess was found, the graziers were heavily fined, as a result four men were sent to Manipur.[80] There were instances of Gurkhalis in Wokha who had taken up land outside cantonments, from Nagas. The problem was that the previous Deputy Commissioner, in the first place did not make a clear order in settling under what conditions the Ghurkhalis should stay on plots of land bought outside the cantonments. The Deputy Commissioner, K. Cantlie, decided to take the sale price as equal to all back rent and imposed a nominal rent of one rupee a year on each plot. An order was issued that the Naga village must give six months notice before turning out the Gurkhalis along with the sanction of the Deputy Commissioner.

[78] Refer the case of Khonoma raid on Shipoomi, 1886, in chapter 2. The British had a pre-conceived concept that whoever become their subjects automatically learn their laws.
[79] Foreign Department, External, A, November, Nos. 64-66, 1887, para. 19. NAI.
[80] Political Department, Political Branch, File No. Pol. B, Progs. Jan/1920, Nos. 903-925, 1920, 15th May 1919, p. 46. Tour Diary of K. Cantlie, Deputy Commissioner, Naga Hills. NSA.

The record cited that this was to protect the Gurkhalis and prevent permanent land rights held by foreigners.[81]

In 1923, the proposal to require foreigners to pay house tax at the usual foreigner rate at Rs.5/- for agricultural land near Dimapur was approved. The house-tax assessment was given up, and revenue assessed at the rate of -/4/- annas per bigha, subject to a minimum of Rs. 3/- for the indigenous population and Rs. 5/- for foreigners (Europeans). The Commissioner, Surma Valley and Hills Division wrote, "with the expansion of cultivation, the revenue is sure to increase under the proposed system in due course, and as stated by the Commissioner it will act as a check upon anyone getting too much land to his possession."[82] This proposal was put up by the Commissioner, Surma Valley and Hills Division to the government for approval and by Letter No. No. 2074 R, Shillong, dated 22nd August 1923 of the Governor in Council, Revenue Department, Revenue Branch, it got approved as per the rate put up on land cultivated by the inhabitants of Dimapur and Padam Phukuri.

In the same year, the Commissioner put up a proposal to issue leases for 15 years at half the rates to the shopkeepers at Dimapur and got it approved. This was necessitated because "the shopkeepers of Dimapur were praying for settlement of sites at half the sanctioned rates for a period of 15 years." The government approved the same on condition that; the Commissioner would issue periodic leases to the settlement holders of the Fullergang Bazar at Dimapur for a term of 15 years and fix the frontage rate per feet at fixed rates ; Rs. 1/- for first class sites, Rs. -/12/- annas for second class sites, Rs. -/8/- annas for third class sites.[83]

After the approval it was found out that there were "no periodic leases issued and only annual pattas were issued", and as the conditions of the Dimapur Bazaar had

---

[81] Political Department, Political Branch, File No. Pol. B, Progs. Jan/1920, Nos. 903-925, 1920, 15th August, 1919, p. 53, Tour Diary of K. Cantlie, Deputy Commissioner, Naga Hills. NSA.
[82] Revenue Department, Revenue Branch, August, 1923, Nos. 670-672. NSA.
[83] Revenue Department, Revenue Branch, September, Nos. 1048-1050, 1923, Letter No. 2031R, Silchar, 27th August 1923, From, J, Hezlett, Esq., ICS., Officiating Commissioner, Surma Valley and Hills Division, To, the second Secretary, to the Government of Assam, Silchar, the 27th August 1923. NSA.

deteriorated due to embargoes of the Manipur State (the rates were fixed when the rice trade was in a flourishing condition but the trade had since much suffered from the embargoes of the Manipur State), the Commissioner's proposal to issue leases for 15 years at half the rates in the form approved by Government was found reasonably acceptable. The new rate was fixed as; Rs. -/8/- annas for first class sites, Rs. -/6/- annas for second class sites, Rs. -/4/- annas for third class sites. The revenue for the old sanctioned rates was estimated to be Rs. 3526/- and the new would amount to Rs. 1763/.[84]

Christianity versus Customary Practices

In other instances, such as in the cases of conversion to Christianity, what was the status of customary law. Interesting resolutions were found to the problem of what the social obligations of converts were to older community forms. The cases shown below is to draw the effect of Christianity on traditional and customary Naga practices. Two cases reveal some of the issues that emerged from this peculiar set of circumstances. In 1918, the Gaonburas of complained that the Christians neither did any work for the morung, nor stack their wood torches near the morung, which was seen as against custom and order. J.P. Mills, Sub-Divisional Officer Mokokchung, after finding that his previous orders have been disobeyed, gave the verdict that, the Christians were to work in their companies like anyone else or start their contribution to the common stock of wood and torches at the morung according to custom. He further ordered however, that they need not take any interest in "heathen ceremonies" connected with the morung, but must do their full measure of work. For this breach of orders, they also had to supply 100 punishment coolies to the government.[85]

Christianity brought higher levels of education and hence a changed outlook to the converts. It also took away the old elements that kept the society coherently. The Morung was one integral part of Naga life, but after advent of Christianity, it was deemed as heathen and the converts shunned it, which was a big blow to the non-converts. The case also displays the "gradual erosion of traditional village authority"[86] especially the goanburas of the village. What is also seen here is the change in the

[84] Ibid.
[85] 25/5/1918: Gaonburas Vs Christians of Mobongchokit. NSA.
[86] Richard Eaton, *Conversion to Christianity*. p. 21.

attitude of the Christians, who disobeyed the courts first order, as well as traditional authority. It was left to the Sub-Divisional Officer order to them to perform field work in groups as they used to. The indifferent behavior of the converts turned Sub-Divisional Officer into the protector of the Naga customary laws, though delinked from traditional religiousity. The decision Sub-Divisional Officer was hesitant: preserving the traditional practices of the Nagas on one hand and at the same time applying tactics such as anticipatory punishment (100 coolies) that would benefit the government. Moreover, the obligations of the Christians to the morung were social/communal and not religious.

In another case in Waromung, in 1920, two parties Marimayang and Shiluchuba, Sangyuba of Waromung were quarrelling about their respective shares in the common land. The land was held as payment for doing a yearly genna called Changchanglongkulam at the stone called Changchanglong. The converted Christians no longer felt they contribute to any heathen genna or even sleep in the village morung. The court therefore decided that they had no right to the land. Non-Christians of both parties could cultivate the land in common, on condition that the yearly genna was performed. If however, all on both sides adopts Christianity, the genna need no longer be performed, and the land would go back to the village to become common land.[87]

There was an auspicious stone between Worumong and Dubia villages, where a yearly ceremony was performed by a Kabzar clan with the Mulir clan as the assistant. By performing this ceremony on the stone, they received the right to cultivate a certain piece of land. This annual propitiation was done as it was believed it foretold the future.[88] The people who had converted to Christianity were not contributing to the genna expenses that were performed at the site in question, neither were they sleeping in the morung (bachelors dormitory). Nevertheless, they claimed their share in this ceremonial land. The verdict in the case showed that Christians forfeited their chance to cultivate certain community lands since they did not perform the genna. Christianity was slowly altering the way people thought aboutand related

[87] 30/1/1920: Marimayang Vs Shiluchiba, Sangyuba of Waromung. NSA.
[88] Mills, *The Ao.* p. 217.

to the old system. Customary It was the court that protected and preserved customary duties, since the Christians only wished to restrain their rights to land.

Conclusion

The laws administering the Naga Hills were limited to the needs of the government. There were a series of incidents in which the British only enacted the laws after there had been a breach of provisions. In other words, the inhabitants of the region learned of the new laws affecting traditional rights only when they were fined or punished.In 1868 when the Lushais attacked the Nagas in Cachar the government on inquiry found out that land belonging to the Nagas were included in the wastelands without proper investigaton.In 1902, when the fishing rights were restricted in the village surrounding the Desoi Reserve Forest and when the villagers appealed to authority, the rules of claims were finally laid down. In 1903, when a criminal offence was committed along the Lumding-Dimapur railway, introducing ordinary laws in certain tracts transferred from Naga Hills to Sibsagar and Nowgong became necessary. All these anomalies showed that British law was being forged according to the convenience, and only as and when clarifications were necessary.

The British therefore established control over the Nagas by adopting two kinds of policies in relation to the law; they brought in defined laws from which they derived benefits in resources like land, forest, tea, coal, timber, etc., they also worked within customary laws when it came to remote villages where they needed only the area to be under their control, and mostly established friendly relations with the Chiefs who could control their villages. They were thus kept in good humour.

Conclusion

The long contested hostilities between the Nagas and the British brought about much loss to the lives and wealth of the native people, while many able soldiers and officers lost also their lives at the edge of the Naga spear and a dao. The resistance on the part of the Nagas against the colonial power ended in the Nagas becoming the colonial agents.

Colonial agents such as dobashis, chiefs, and headmen empowered the colonial administration by becoming the real subjects in spirit and letters. This can be seen in the several cases discussed in this work. By sticking to clan/village loyalty, local knowledge of ones' own surroundings comprising of lands and forests were given away. This is revealed in the disputes and colonial administration settle the disputes which itself reconstituted the customary laws that governed these regions. In the process, the colonial authorities became the experts not only about the regions and its peoples but made the Naga Chiefs an headmen their junior partners.

The Deputy Commissioner's office reconstituted the Naga social hierarchy, especially among those groups who were under the chiefs and who were more autocratic than democratic. Although it helped sustain the chief's social status, although in different ways from his ore-colonial power, colonialism also introduced new notions of individualism and enterprise that undermined some communal solidarities. Moreover, the demands of the colonial administration, put everyone to work, as in the demand for; "a group of twenty-four coolies each gaonbura, and out of these only 22 should be expected to carry loads, the other two carrying coolies' cooking pots etc., and relieving others when necessary."[1] This kind of "colonial demand" made the chief/goanbura a literal foreman on the road.

If we look at the early period of Christian conversion, we can see similarly, that because of the new Christian converts moving away from old traditions and customs, which were effecting the social and economic life of the village people,

[1] Foreign Department, External, A, July, Nos, 1-4, 1913.

there were conflicts into which the colonial administration intervened. The colonial pronouncements on custom and tradition in the end made the colonial officer the protector of Naga tradition and customs. "It was impossible to divide the disputed land without sowing the seeds of many future disputes," this is a statement made by J. P. Mills, the then Sub-Divisional officer of Mokokchung when he put up a piece of disputed land for auction, which was bought by eight members who bought the land in parts.[2]

With the court ready to settle the disputes the Deputy Commissioner and Sub-Divisional officer became the custodians of the customary laws of the Nagas. This can be seen by the fact that the Chiefs themselves came to Deputy Commissioner's office seeking judgment. After an initial policy of violent confrontation and subjugation, a period of "non-interference" and conciliation, the law became another tool in the eventual reconstitution of Naga social and community life, while resulting in a refashioning of land systems and customary rights with irreversible consequences. The end result was that improvement of all kinds remained under the "generous protection" of the British.[3]

[2] 20/7/1918. Nangpungshang of Muger and his clan Vs Pandangkemba of Susu. NSA.
[3] Harold Ficher-Tine and Michael Mann, *Colonisation* as Civilising Mission: Cultural Ideology in British India, (London: Wimbledon Publishing Company, 2004), p. 14.

Glossary

Anaqü	ana=rice qü=mother
Akükau	chief
Apotia	unnatural (specially referred to unnatural deaths)
Aroong Nagas	today called, Zeme
Assiringias	today called, Phom
Awou	ritual performer
Chungas	bamboo vessels for storing/carrying waters and other domestic purposes
Dao	a broad-headed kind of hand-bill, with a heavy blade about 18 inches in length and only edged on one side
Dobashi	an interpreter/ interlocutor (do=two, bashi = language)
Gaonbura	village headman (gaon=village, bura=old)
Genna	ritual activity
Hatigoria	today called, Ao (Rotomi is also referred to as Hatigoria in the colonial records)
Head-tree	a specific tree in the village where heads of enemies killed were kept
Jabaka/Banefra/Banefrata	today called, Konyaks
Jakloong	today called, Wakching
Jhum	slash and burn system of agriculture also called swidden
Kabui	today called, Rongmei
Kalyo-Kengyu	today called, Khiamniungam
Khel	a clan or clans that forms the unit of a village. More like a colony
Lozema	today called, Lazami
Lushai Hills	today called, Mizoram

Mithun	the priciest animal (bos frontalis), it was used a bride price, currency, etc., it is a symbol of prestige even to this day
Morung	a bachelor's dormitory Kamnoi (in Khaimiungan language) Khiangyap (in Yimchungrü language)
Panji	a spiked bamboo sticks used as weapon of offence and defense.
Mikir Hills	today called, Karbi-Anglong
Naked Rengmas	today called, Pochury
Sema	today called, Sumi
Tabloong	today called, Wanching

Bibliography

Interview with:

Heilube 50 male, Poilwa Village Council Member, Poilwa on April 22, 2008 to April 25, 2008.

P. Beshim 66 male, Political Assistant to Additional Deputy Commissioner, Noklak on May 9, 2008 to May 11, 2008.

Muzung 72 male, Dobashi Tuengsang on May 12, 2008.

Nukshu 87 male, Retired political assistant to Additional Deputy Commissioner, Tuengsang on May 20, 2008.

Notho 42 male, Dobashi Kohima Dobashi Court, Son of Vizehole on January 10, 2011.

National Archives of India, New Delhi.
Foreign and Political Department: 1832-1923, (Selected Years).
Home Department: 1865-1923, (Selected Years).
Annual Forest Report Assam: 1914-1916, (Selected Years).

Nagaland State Archives, Kohima.
Political Department: 1879 – 1923, (Selected Years).
General Department: 1914 – 1920, (Selected Years).
Revenue Department: 1878 – 1923, (Selected Years).

Assam State Archives, Guwahati.
General Department: 1866-1873, (Selected Years).

Unpublished Dissertations and Theses

Dzuvichu, Lipok. *Roads and Rule: Colonialism and the Politics of Access in the Nagas Hills 1826-1918*. MPhil, Dissertation, JNU. 2005.

Jimo, Lovitoli. *Marriage Prestations: The Social context and the Meanings in Sumi Naga Society*. MPhil, Dissertation, JNU, 2007.

Kaisi-I, Athikho. *Emerging Generation: A Sociological Study of Youth Among the Shipfomaramth Nagas*. PhD, Thesis. JNU. 2005.

Shangkham, Gina. *British Policy Towards the Nagas 1839-1880*. MPhil, Dissertation, JNU, 1979.

Shimray, U. A. *Ecological Setting and Economic Systems of the Nagas: A case study of the Tangkhul Nagas of Manipur.* 2004, PhD, Thesis, JNU.

Tzudir, Lanusangla. *From Headhunting to Christianity: Questions of Cultural Identity in Ao Land.* PhD, Thesis, JNU, 2003.

Zou, David Vumlallian. *Colonial Discourse and Local Knowledge Representing North East India.* MPhil, Dissertation, JNU, 2002.

Internet Sources

http://www.alanmacfarlane.com/FILES/Digitization_Naga_collections.pdf
Macfarlane, Alan and Mark Turin, *The Digitization of Naga Collection in the West and the Return Culture.*

http://www.netlawman.co.in/acts/indian-penal-code-1860.php
Net Lawman Legal Documents, *Indian Penal Code, 1860.*

Secondary Sources

Adas, Michal. *Machines as the Measure of Men: Science, Technology and Ideologies of Western Dominance*, Ithaca, NY: Cornell University Press, 1989.

Alemchiba, M., *A Brief historical account of Nagaland.* Kohima Nagaland Institute of Culture.

Allen, B. C, *Gazetteer Assam, Sibsagar*, Shillong, Assam Secretariat Press, 1906,

_____, *Gazetteers of Naga Hills and Manipur.* Vol. IX. Shillong, Assam Secretariat Press, 1905.

Anand, Major, V.K. *Nagaland in Transition.* New Delhi: Associated Publishing House, 1967.

Ao, Tayenyuba, *British Occupation of Naga Country.* Naga Literature Society, Mokokchung, 1993.

Ashton, S R, *British Policy Towards The Indian States, 1905-1939.* Curzon Press, London. 1982

Barbora, Sanjay. "Ethnic Politics and Land Use: Genesis of Conflicts in India's North-East". Economic and Political Weekly, Vol. 37, No. 13 (Mar. 30 - Apr. 5, 2002), pp. 1285-1292.

Bareh, H. *Gazetteer of India Nagaland Kohima District*, Kohima: Government of Nagaland, 1970.

Barpujari, S. K. *The Nagas, The Evolution of their History and Administration, 1832-1939, (A Documentary Study)*, Spectrum Publications, Guwahati : Delhi, 2003.

Basic Facts, 2010, Nagaland, Kohima: Directorate of Art and Culture, Government of Nagaland, 2010.

Beteille, Andre. "The idea of Indigenous people." Current Anthropology, Vol. 39, No.2. April, 1989, p-187-191

Bhatt, S. C. (ed). *The Encyclopedic, District Gazetteers of India, North-east Zone-Vol.11*, Gyan Publishing House, New Delhi, 2000.

Bordoloi, B. N. & Thakur, Sharmah G.C. *Tribes of Assam, Pt-II*, Tribal Research Institute, Assam, Guwahati, 1988.

Bryan A. Garner (editor In Chief), *Black's Law Dictionary*, Minnesota, West Group, 1999, 7th Edition.

Butler, John. *Travels in Assam*, Delhi: Manas Publications, 1994.

Cederlof, Gunnel, "Fixed boundaries, fluid landscapes: British expansion into Northern East Bengal in the 1820s", *The Indian Economic and Social Review,* 46, 4 (2009).

Cohn, Bernard. *Colonialism And Its Forms Of Knowledge. The British In India.* New Delhi: Oxford University Press, Reprint: 1996, 2002.

Das, J. *An Introduction to the Land Laws of Assam*, Guwahati: Book Land Pan Bazar, 1993.

Dass, G. N. *Swidden Cultivation and the Development Programmes in North-East India. A Study Among the Karbis of Assam.* New Delhi: Akansha Publishing House, 2001

Dunbar, George. *Frontiers*. New Delhi: Omsons Publications, ?: Reprint, 1984.

Dutt, B. L. Kesav Narayan. *A handbook to the old records of the Assam Secretariat*, 1951-1954. Shillong, Education Department, Government of Assam, 1959.

Eaton, Richard M. "Conversion to Christianity among the Nagas, 1876-1971", The Indian Economic and Social Review, 21, 1, Vol XXI, Jan-Mar (1984).

Elwin, Verrier, *The Nagas in the Nineteenth Century*, Bombay: Oxford Press, 1969.

_____, *Philosophy for North-East Frontier Agency (NEFA)*. Shillong: North-East Frontier Agency, 1957.

Fernandes, Walter. *Changing Land Relations and Ethnic Conflicts: The Case of North Eastern India*. Guwahati: North Eastern Social Research Centre, 2005.

Fetter, Bruce (ed). *Colonial Rule in Africa: Readings from primary source*, London: The University of Wisconsin Press, 1979.

Fieldhouse, D. K. *Colonialism 1870-1945: An Introduction*, London: Weidenfeld and Nicolson, 1981.

Fischer-Tine, Harald, and Mann, Michael (ed). *Colonialism As Civilizing Mission: Cultural Ideology in British India*. Wimbledon Publishing Company, London. 2004.

Furer-Haimendorf, Christopher Von. *The Konyak Nagas. An Indian Frontier Tribe*. Holt, Rinehart and Winston. 1969.

Gait, Edward. *A History of Assam*, Guwahati: Lawyer's Book Stall, 1994.

Ganguly, Milada. *A Pilgrimage to the Nagas*, New Delhi: Oxford & IBH Publishing Co, 1984.

Ghosh, B. B. (Dr.). *Nagaland District Gazetteers, Tuensang District*. Kohima: Nagaland, 1981.

Gopalakrishnan, R. *North-East India, From a Geographical Expression to Regional Accommodation*, New Delhi: Har-Anand Publication, 1995.

_____, *Political Geography of India's North East*. New Delhi: Vikas Publication House, 1991.

_____, *The North East India. Land, Economy and People*, New Delhi: Vikas Publishing House, 1991.

Goswami, Atul. *Land Reforms and Peasant Movement*, Guwahati: Omsons Publications, 1986.

Guha, Ramachandra. "An early environmental debate: The making of the 1878 forest act". Indian Economic Social History Review 1990 27: 65.

Hazarika, Joysankar. *Geo-politics of NEI, A Strategical Study*, New Delhi: Gyan Publishing House, 1996.

Hoho, Sumi. *Sumi Lho Yezah (Sumi Customary Laws)*, Hq. Zunheboto Nagaland, Zunheboto: Zunheboto, 2000.

Hutton, J. H. *Diaries of Two Tours in the Unadministered Area of East of the Naga Hills*, New Delhi: Mittal Publications, 1995.

_____, *The Angami Nagas*, Kohima: Directorate of Art and Culture, Government of Nagaland, 2003.

_____, *The Sema Nagas*, Bombay: Oxford University Press, 1968.

Jacobs, Julian. *Hill Peoples of Northeast India, The Naga Society, and Colonial Encounter*, New York: Thames and Hudson Ltd London/Thames and Hudson Inc., 1990.

Jadav, Kishore (Dr). *The Glory Hunt: A Socio-Cultural Spectrum Of Konyak Nagas*. Delhi: Indian Publishers Distributors, 2001

Krishnan, Sumi: "Gender, Tribe and Community Control of Natural Resources in North East India". *Indian Journal of Gender Studies*, 2001, 8:307.

Kumar, K. K. *Naga Identity*. New Delhi: Concept Publishing Company, 2005.

Longchar Purtongzuk. *Historical Development of the Ao Nagas*, Dimapur: Print Home Near Supply Road, Dimapur, 2002.

Lotha, Abraham. *History of Naga Anthropology (1832-1947)*. Dimapur: Chumpo Museum, Dimapur, 2007.

Ludden, David. *Peasant History in South India*. Delhi: Oxford University Press, 1993 (1989).

Mackenzie, Alexander. *The North-East Indian Frontier of India*, New Delhi: Mittal Publications, 2001.

Mamdani, Mahmood. *Citizen and Subject. Contemporary Africa and the Legacy of Late Colonialism*. Princeton University Press. 1996.

Marshal, P. J. (ed). *Eighteenth Century in Indian History*, New Delhi: Oxford University Press, 2005.

Mathew, T (ed). *North Eastern Hill Regions of India. Problems and Development.* New Delhi, 1981.

McKnight, Brain E. (ed). *Asian Studies At Hawaii: Law and the State in Traditional East Asia. Six Studies on the Sources of East Asian Law*, Honolulu: University of Hawaii Press, 1987.

Mibang, Tamo and Sarit K. Chaudhuri (ed). *Folk Culture and Oral Literature from North East India.* New Delhi: Mittal Publications, 2004.

Michell, Captain St. John F. *The North-East Frontier Of India. A topographical, political and military report.* Delhi: Vivek Publishing House, Reprint: 1883, 1973.

Mills, J. P. *The Rengma Nagas*, Kohima: Directorate of Art and Culture, Government of Nagaland, 1982.

_____, *The Ao Nagas*, Kohima: Directorate of Art and Culture, Government of Nagaland, 2003.

_____, *The Lotha Nagas*, Kohima: Directorate of Art and Culture, Government of Nagaland, Kohima. 1980.

Misfud, Frank M. *Customary Land Law In Africa* (with reference to legislation aimed at adjusting customary tenures *to the needs of development.* Rome: Food and Agriculture Organisation of the United Nations, 1967.

Misra, Sanghamitra. "The Nature of Colonial Intervention in the Naga Hills, 1840-80", Economic and Political Weekly, December 19, 1998.

Morley, William H. *The Administration of Justice in British India. Its Past History and Present State. (Comprising an Account of the Law Particular to India).* New Delhi: Metropolitan Book Company, 1976 (1853).

Nag, Sajal. *Contesting Marginality: Ethnicity, Insurgency and Sub-nationalism in North East India.* New Delhi. 2006.

Oppitz, Michael & others (ed). *Naga Identities*. Gent: Snoeck Publishers, 2008.

Puthenpurukal, Joseph. *Baptist Missions in Nagaland.* Dimpaur: Bishop's House, Dimapur, 1984.

Rattan, R. H. *Moina of Ancient Ahom-Nokpu Naga Relation*, New Delhi: Vasant Vihar, 2004.

Ray, B. Datta. *The Emergence and role of Middle Class in North-East India*, New Delhi: Uppal Publishing House, 1983.

Robb, *The Colonial State And Construction Of Indian Identity*, OUP, 2007,

Rowney, Horatio Bickerstaffe: *The Wild Tribes of India*, Delhi: B. R Corporation 461, Vivekanand Nagar, 1974.

Rustomji, Nari. *Imperilled Frontiers, India's North-Eastern Borderlands*. Delhi: Oxford University Press. 1983.

Saikia, Yasmin. *Assam and India. Fragmented memories, Cultural Identity, and the Tai-Ahom Struggle*. Delhi: Permanent Black, 2004.

Sanyu, Vizier. *A History of Nagas and Nagaland (Dynamics of Oral Tradition in Village Formation)*. New Delhi: Commonwealth Publishers, 1996.

Sardeshpande, Major General, S.S. *The Patkoi Nagas*. Delhi: Daya Publishing House, 1987.

Schendel, Van Willem. "The Dangers of Belonging: Tribes, Indigenous Peoples and Homelands in South Asia", in Rycroft, Daniel J. Dasgupta, Sangeeta (ed). *The Politics of Belonging in India: Becoming Adivasi*. London: Routledge: 2011.

Sema, Hokishe. *Emergence of Nagaland, Socio, Economic and Political Transformation in the future*, New Delhi: Vikas Publishing House, 1986.

Sema, Piketo. *British Policy and Administration in Nagaland 1881-1947*, New Delhi: Scholar Publishing House, 1991.

Sharma, Jayeeta. " 'Lazy' Natives, Coolie Labour, and the Assam Tea Industry." *Modern Asian Studies*. 46, 6 (2009), pp. 1287-1324, Cambridge University Press, (first published online 23 December 2008), 2009.

Singh, B. P. *The Problem of Change, A Study of North- East India*, New Delhi: Oxford University Press, 1987.

Singh, Dr. Chandrika. *The Naga Society*. New Delhi: Manas Publication, 2008.

Singh, K. S. (gen. ed). *People of India: Nagaland,* Volume XXXIV, Calcutta: Anthropological Survey of India, Seagull Books, 1994.

Skaria, Ajay. "Shades of Wildness Tribe, Caste, and Gender in Western India". *The Journal of Asian Studies,* Vol. 56, No. 3 (Aug., 1997), pp. 726-745.

_____, *Hybrid Histories: Forest, Frontiers and Wildness in Western India.* Delhi: Oxford University Press, 1999.

Social Review, 46, 4 (2009): 513-40. Gunnel Cederlof, "Fixed boundaries, fluid landscapes: British expansion into Northern East Bengal in the 1820s", *The Indian Economic And Social Review,* 46, 4 (2009).

Stern, Aglaja & Peter Van Ham. *Hidden World of the Nagas*, New Delhi: Timeless Books, 2003.

"The Customary Law And Practices Of The Angami Nagas Of Nagaland", Shillong. Sponsored by North Eastern Council. 1985.

"The Customary Laws And Practices Of The Ao Of Nagaland", Sponsored by North Eastern Council, Guwahati, 1979.

Thong, Joseph S. *Customary Law and Procedure (Rengma Nagas)* New Sendenyu, 1996.

Venuh, Neivetso. *British Colonisation and restructuring of Naga Polity*. New Delhi: Mittal Publication, 2005.

Vitso, Adino (Dr), *Customary Law And Women. The Chakhasang Nagas*. New Delhi: Regency Publications, 2003.

Vyas, N. N. & Mann, R. S, *Indian Tribes in Transition*, Jaipur-Delhi: Rawat Publications, 1980.

Zhimomi, Hokuto V, *Sumi Kughuko eno Aqho Aho Kuxu (The Genealogy and Socio-Customary Life of the Semas)*, Satakha: Dimapur, 1985.