

LAND AND POWER STRUCTURE AMONG THE NAGAS

Dissertation submitted to the Jawaharlal Nehru University
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1987

TO

MY MOTHER

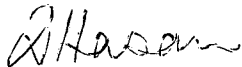
and

MY LATE FATHER

DECLARATION

Certified that the dissertation entitled
"Land and Power Structure Among the Nagas" submitted
by Shimreichon Luithui is in partial fulfilment of
12 credit out of a total requirement of 24 credits
for the degree of Master of Philosophy of this
University. This dissertation has not been submitted
for any other degree of this or any other university
and is her own work.

We recommend that this dissertation be placed
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A C K N O W L E D G E M E N T

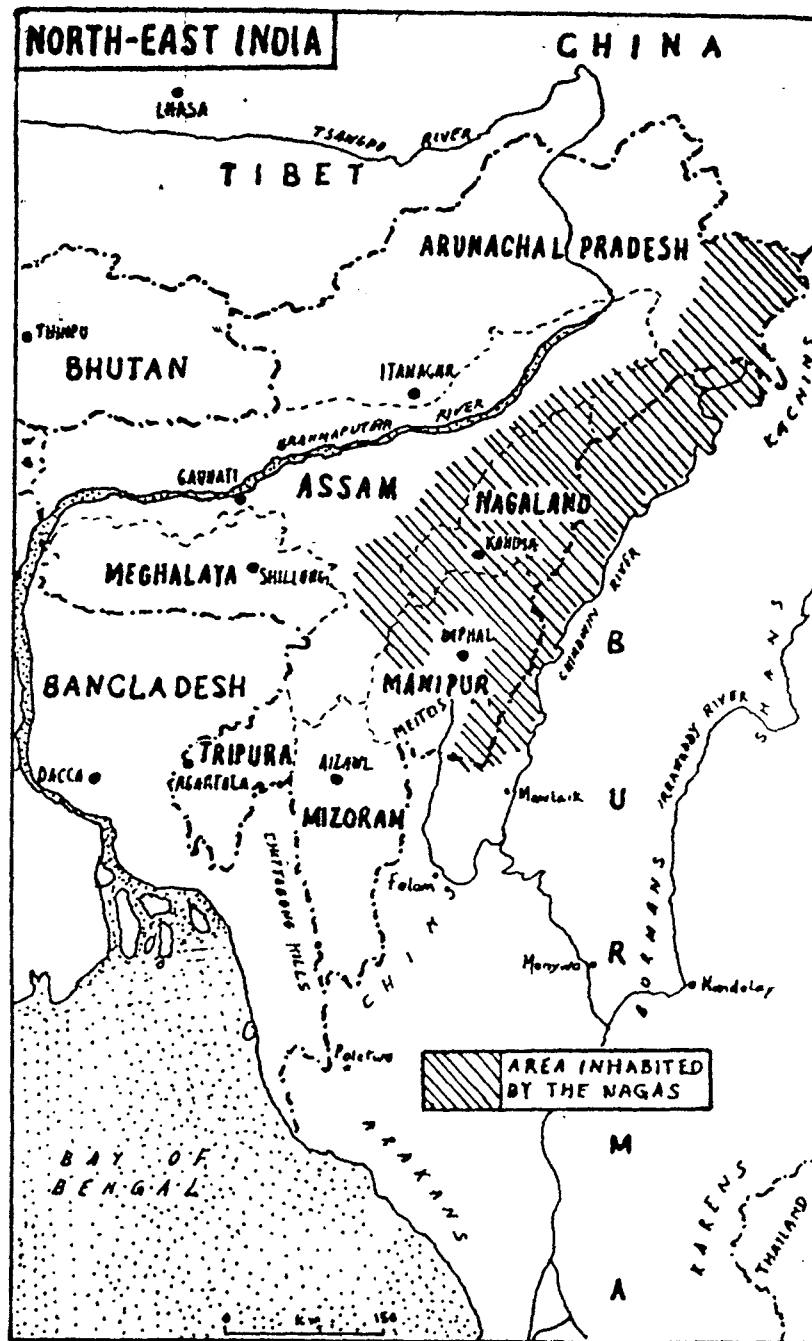
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(SHIMREICHON LUITHUI)



Sources, Asoso Yunau: The Rising Nagas

CHAPTER - I

INTRODUCTION

The Nagas

The emergence of the Nagas in modern history coincides with the arrival of the British in 1820s in the kingdom of the Ahoms and the Meiteis as their "liberators" from the Burmese. The Naga "tribe", a branch of the Mongoloid race, were found occupying the foot hills and the hill ranges of the Pat Kai Range -- the hill ranges broadly surrounding these kingdoms from the north-west down south. Before we go further it would be relevant to define what we mean by "tribe" in this study. The term "tribe" here would mean a small community, culturally distinct, having cultural homogeneity with a definite area, dialect, strong kinship bonds, an autonomous political organization with distinct customs and moral code under a chief and the village council. Here "economic relations were usually of subsistence type, although trade and barter often extends the community".¹ In the

1. International Encyclopaedia of Social Sciences, vol. 16, p. 146.

present context economic differentiation and specialization is not developed and by modern standard technological knowledge remains restricted to the indigenous technology "which fits well into the ecological surroundings".² In such a society collective endeavour is a strongly developed feature, which can be observed in many economic activities. In this society "the sense of solidarity and strong community feeling preclude anything like poverty".³

The Nagas are divided into many sub-tribes, each sub-tribe living within a definite territory. Today their land lies divided forming minor provinces in India and Burma - whereas their hills forming part of Burma are collectively known as Eastern Naga hills, in India their hills formed part of the states of Arunachal, Assam, Manipur and Nagaland.

For more than fifty years, Nagas resisted the British and when they finally made peace in 1879, about 30% of the Naga villages were under the control of the British. The British however, did not go beyond getting

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2. Atul Goswami, "Tribal Development with special reference to North-East-India", Social Scientist, vol. 12, no. 8, August, 1984, p. 581.
 3. Ibid., p. 581.

allegiance to their authority, and the Nagas continued to run their affairs according to their customs and traditions.

In the post-British period the situation took a different turn. Indian Government's attempt at establishing the authority of the new state saw its administrative apparatus reaching the far flung villages. It brought to the Nagas, for the first time, the question of accepting the rules and regulations of an authority, they hardly knew and still further, to live under the direct and constant supervision of officers and other employees of that authority. They could not agree with that. India came down on them with a heavy hand, requiring a number of special enactments to keep itself legitimate. Response from the Nagas ranges from resigned acceptance to total rejection of the New Authority. This resulted in the instability that has characterised the political situation in the area these past forty years. It is in this context that the interaction between the traditional institutions and the bureaucracy, village elders and the politicians, the electoral politics and the tradition of consensus, etc. assumed the importance deserving an intimate study by social scientists.

"Tribal Society" and Social Science Theory

Most of the studies on the Tribes and the "Tribal

Societies" are from the Anthropologists who treated the "primitive society" as the focus of their discipline. Accounts left behind by missionaries often include long write ups on the "primitive" societies. The emphasis on bringing out the "primitive" in the case of the Anthropologists, and the "heathen" and the "native" in the case of the missionaries gravely constricted the perspective of their studies and remained far from an adequate treatment of the subject. Apart from this general inadequacy, Nagas were already responding to the changes brought about by the imperialist expansions in the area, when the Anthropologists and the missionaries began to write about them as the traditional societies.

Some highly interesting studies on the Nagas have come out in recent years. However, very few of them are concerned with the study of the relationship between the land system and power structure found among the Naga communities. Professor M. Horam's study⁴ gave an interesting account of the legislative, administrative and judicial processes and the role of the chief and the village council in the Naga village. However this study is of introductory nature -- limited both in data base

4. N. Horam, Naga Polity, B.K. Publishing House, Delhi, 1975.

and in scope. Professor B.K. Roy Burman⁵ has made a unique contribution to the study of the Naga societies. His observations on the 'way Nagas perceived of themselves and their surroundings, and on the 'dichotomy between the state and the Naga village community regarding their rights over the natural resources' are precise and of immense importance. He observes "some of communities in Nagaland and Manipur have by tradition, control of and access to rich resources, but they are not well off. They are conscious of the fact that their level of living is not satisfactory, but it is difficult to say that they perceive themselves as poor. More frequently, they perceive themselves as cordoned off from the benefits of their resources... while the state claims to be the owner of such resources, the community controls it".⁶

Based on an in-depth understanding of the working of the community system, he has strongly recommended treating the "community as a resource-owning unit for the purposes of channelising development inputs".⁷

Professor Shukla and Professor Agarwal⁸ while

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5. B.K. Roy Burman (a) Demographic and Socio-Economic Profiles of Hill Areas of North-East India Office of the Registrar General of India 1964. (b) Towards poverty alleviation programmes in Nagaland and Manipur.
6. Ibid., p. 10.
7. Ibid., p. 11.
8. Shukla and Agarwal, Agriculture in North-Eastern Region, National Publishing House, N. Delhi, 1986.

dealing with the agricultural problems in the North-East region have provided good material on the land tenure system, peoples' customs and beliefs. According to them, the above factors have direct and indirect bearing on the agricultural practice of the region.

They feel that "the two distinct systems of cultivation -- shifting and sedentary"... often simultaneously practiced by the same farming families were as per the dictates of the farm land.⁹ The predominantly existing cultivation i.e. jhum cultivation -- is a "unique adjustment not only with the people but also with the terrain-ian, climatic and edaphia environment of the hilly region."¹⁰ Hence before any attempt is undertaken for the introduction -- of "a new system" there needs to be a proper understanding and great deal of preparation -- infra-structurally or otherwise.

The scope and range of the studies are restricted by the demands of the organizations for which the studies were made. Consequently a large area is left for further examination.

9. Ibid., p. 11.

10. Ibid., p. 13.

Relations between Land and Power

Land and power have so often been projected in social sciences as phenomena re-inforcing each other. More than anything ownership of land has been considered the major ingredient of power both of nation states and of individuals. The relationship to land -- agriculture and forest resources -- as the primary source of household income, remains the dominant feature of the peasant and tribal societies. Yet it is necessary to differentiate the tribal economy and culture on the one hand and on the other, the peasant, for clarity. The tribal economy, even if it has multiple gradation and some sort of hierarchy is a much smaller and more homogenous society. In most tribes in North east as in tribes elsewhere (as different from the Adivasis or the Dalits in other parts of India) the caste system does not fashion the hierarchy and there is more mobility and flexibility. Social integration within the tribes here is remarkably high. Andre Beteille's differentiation between the "core" and the "periphery" villages which in many ways is synonymous with N.K. Bose's distinction between "Brahmanic" and "tribal" village has contributed in the understanding of the unique tribal village formation as different from the typical Indian village.¹¹ Yet this also suffers from

11. Andrei Beteille, "The Indian Village : Past and Present" in Hobsbawm (ed), *Peasant in History : Essays in Honour Daniel Thorner*, Oxford University Press, Delhi 1980, pp. 1070-120.

the defects very common in anthropological studies which is characterized by "stereotype" presentations.

Some theoretical framework for approaching the 'tribal' societies is required for this is seldom attempted by political scientists. Marx and Engels' discussions on the "first stage in the social division of labour" closely approximate the 'tribal' communities that have persisted into the 20th century. Marx called this stage, the communal stage in precapitalist forms of production "when people sustain itself by hunting, fishing, cattle raising or at most by farming".¹² At this stage the social structure tends to generate within itself not only the distinction between the chieftain and the rest but also practice of slavery, due largely to the increase in population and the social needs as well as the growth of external relations like war and barter.

The first major advance over the communal social division of labour is the separation of industrial and commercial labour from the agricultural labour leading to the distinction between town and country¹³ -- the

12. E.J. Hobsbawm (ed), Karl Marx, Pre-capitalist Economic Formations, translated by Jack Cohen Lawrence and Wischart; London 1964, p. 27.

13. Ibid., p. 27.

formation of cities by the union of tribal groups, the emergence of private property as the main source of wealth, etc. Naga societies have, since the British time, been experiencing the emergence of large villages consequent to the coming together of tribes, the development of private property, the introduction and expansion of the market economy; yet stratification of the society is not sharp enough to bring about the classical urban-rural distinction. The pre-capitalist forms of ownership has, by and large, persistently continued to constitute a major component of the property relationships within Naga societies. Of Marx's four forms of social division of labour ~~are~~ emerging out of the pre-capitalist state viz. Oriental, ancient, Germanic, and Slavonic,¹⁴ the first holds relevance in this context. It explains to some extent the reasons for continuation of pre-capitalist modes of production. According to Marx, the fundamental characteristic of the oriental system was "the self-sustaining unity of manufacture and agriculture" within the village commune which "contains all the conditions for reproduction and surplus production within itself and which therefore resisted disintegration and economic evolution more stubbornly than any other system".¹⁵

14. Ibid., p. 27.

15. Ibid., p. 33.

He went on to say that such systems may be centralized or decentralized, more despotic or more democratic in forms, and variously organized.

From the subsequent pages of this study it may become apparent that Marx's observation can be applied to the Naga Society as well.

Scope of Study

This is a study of 'land and power structure' and the present attempt is for examining the various aspects of the land practices and the kind of power that came to be exercised by the Nagas within and outside their society. It attempts to show how one is relevant to the other, at different stages of history. The study period has been divided into Early Period, British Period and the Post-Independence Era. In examining this we have taken up the following questions:

- (1) Whether the political power is related to the control over land;
- (2) To what extent does the level of technology ~~that~~ determines the importance or otherwise, of land as the basis of power;
- (3) Does evidence show that in the ~~the~~

barter economy the power of chieftains did not necessarily depend on the amount and quality of cultivable land owned;

- (4) Has the expansion of settled cultivation increased the importance of land as a source of power
- (5) Whether the increasing penetration of a market economy leads to a simultaneous increase in private ownership of land and decline in the power of the chief;
- (6) How much do intrusions of external level and cultural system lead to a gradual shrinking of the traditional institution ;
- (7) To what extent do changes in land ownership lead to a decline in the power of the chief and the council to control and regulate the exploitation of forest wealth, thus speeding up the process of ecological destruction.
- (8) How far in the event of a mass national movement and consequent repression, new centres of power may be created from the old forms and private ownership of land may no longer determine the distribution of power.

In this study mostly secondary data has been used. This includes reports of British political agents,

works by anthropologists and missionaries, as well as more contemporary writings on the north-east.

Some primary sources had to be used out of necessity. Dearth of research on certain aspects made it necessary to use oral accounts of history by some village elders, both men and women.

CHAPTER IILAND AND POWER STRUCTURE AMONG THE NAGAS

This chapter attempts to examine the relationship between land and power structure among the Nagas in the pre-British period - whether the functioning of different forms of government affects the land system. Emphasis will be given to the types of land systems under the absolute chieftainship and council system. We shall be examining the changes if any during the British period. In this study, village has been taken as the unit of government.

PRE-BRITISH PERIOD

Form of Government: The form of government varied among the tribes from a near dictatorship to an extreme form of democracy. However all the Naga tribes except the Sema Nagas have a council system.

Absolute Chieftainship: The Sema Nagas followed the principle of hereditary chieftainship. He practiced absolute authority over his subjects. There was no village council in the Sema villages. The Chief keeps one or two deputies to help him in his work. As compared to other Naga tribes the Sema Chief was con-

sidered to be the most powerful chief,¹ as there was no village council to curb his power.

Power and Functions of the Chief: The Sema Chief performed dual functions -- Religious and Secular.² As a religious head the chief presided over all the religious festivals. Although the actual religious worship and sacrifices were performed by the village priest, the chief's presence in any of such ceremonies was necessary and he played prominent part in the proceedings. In the agricultural front also he was the first to sow the seeds, the first man to plant and the first to harvest which were carried out with all the necessary rituals.

As a secular head he was responsible for the security and welfare of his subjects. The chief parcelled out land to each family in the village for cultivation each time a new area had to be cleared out for the same purpose. In fact among the Semas the relationship between the chief and his subjects took the form of father-son relationship, this comes

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1. A.W. Davis, The Semas in 1891, in the Nagas in 19th Century (ed) V. Elwin, Oxford University Press, Bombay, 1969, p. 373.
 2. H. Horam, Naga Polity, B.R. Publishing House, Delhi 1975, pp. 80-81.

out clearly in the practice of land system. (This point will be explained in more details when we take up the pattern of land system in this chapter). As the Naga villages were sovereign village-state maintenance of relations with other village-states were also vested in his hands. In those days it was customary for the Nagas to notify the Chief of the village being visited by the travellers -- their purpose and duration of visit. The Chief in turn welcomed them and ensured their safety and their needs as long as they stay in his village.

The chief also acted as the judge. His court was the highest in his village-state. All disputes and differences between the families and individuals which could not be settled at the family or clan level were brought to the chief's court. The disputes when settled, compensation could be paid in kind by the wrong doer to the agrieved party. The greatest punishment of that time was to be sold off as slaves³ or ex-communicate or exile the person from the village for a certain period.

3. The term "slave" in the Naga society imply differently from the term being understood generally in other society. e.g. Southern States of North America. First of all in the Naga Society it was the responsibility of the owner of the "slave" to see to it that they get enough food to eat throughout the year with proper house to live. Their children did not become slaves. In most of the cases, they were absorbed into the Master's family and become his clansmen (M. Horomi, Naga Polity, p. 111).

The Sema chief, if he so desired consulted the elders and prominent members of each clan in settling disputes or in deciding important issues,⁴ such as choosing of site for cultivation, partitioning out the land to each family etc. However, the ultimate authority rested solely in the chief and his rule was accepted as law.

The Chief of the village was also the Chief in-Command in times of war. The powers for declaring war or making peace with another village-state rested in his hands.

There appears to be no recorded case of a recalcitrant chief or his displacement but internal checks and balances may have had some effect on the exercising of power. And it was possible that other nobles in the village such as the clan leaders, the chief's deputies could remove the chief.

Council System: Council system here would mean the chief in council, who would carry out all his functions in consultation with the members of the village council. In it the chief was just a nominal/titular head who did not have any prerogative over his council.

4. J.N. Hutton, The Sema Nagas, Oxford University Press, Bombay, 1968, p. 145.

Most of the Naga tribes except for Ao, Angami, Lotha, Sangtam Nagas there was a hereditary chief. According to Prof. Horem⁵ it was always the head of the clan which settled first in a Village that became the village chief. The members of the village council were represented by the eldest family of the clan (head of the clan). In both the cases i.e. the village chief and the council, the principle of primogeniture in regard to succession was followed. The eldest surviving son succeeded the Chief/clan headmanship. In case there was no son, the eldest surviving brother of the chief/clan succeeded to the office. However, when it comes to village council, in the absence of a suitable man from the family the best and the ablest from the clan was generally elected by the clamen.⁶

The already mentioned tribes who did not follow hereditary chieftainship elect their chiefs. To be elected to the office of the chief depended on a person's outstanding personality, his personal distinctions acquired

5. N. Horem, Naga Polity, Delhi, 1975, p.

6. P.R. Shimray, Origin and Culture of Nagas, Aruna Printing Press, Delhi 1985, p. 57.

through his performance of feasts of merit,⁷ integrity, his skill in war (during war time), For the hereditary chief too the above factors played an important part in their being able to influence the council and his subjects in general. In the village council also representatives were put up by each clan their best and ablest person. So it was not based on hereditary.

The village council usually comprised of nine to thirty members according to the size of the village. The chief of the village was the head of the council.

Powers and Functions of the Chief in Council: The Chief in council carried out powers and functions more or less similar to that of the autocratic Sema chief.

7. Feasts of Merit: were important criteria in a man's social status. These feasts were given by men who were economically in a position to feed the entire village which depended very much in the kind of fields/land that he owns. There were series of stages of feasts in ascending order varying from tribe to tribe. However this kind of feasts was common to all Nagas and the expenditure involved was more or less the same.

Every feasts entails the host to social distinction and increased progressively his position in the community. One who has these distinctions wears special clothes and ornaments and decorates his house in a distinctive manner marking his achievements. In times of war the warrior that brought the greatest number of human heads was honoured and respected but the ablest man of the village would be who performed the series of feasts of merit who was more respected and honoured. (R.R.Snimray, Origin and Culture of Naga, p. 109). Such practice also portray the economic view of Naga life in which property beyond one's need essentially went to the community.

The difference in the two systems lay in the fact that in the former the chief carried out his functions in consultation with the village council unlike the Sema chief who was the sole authority in his village. The chief in council also performed both the functions -- religious and secular. But he did not exercise unlimited power while carrying out these functions, whenever the chief gets the tendency to become arbitrary the council was always there to curb and control such tendencies. In fact more than the office that he was holding, his power rested on his outstanding personality and as already stated the number of feasts of merit that he could performed. If it was in times of war it would be largely his skill in war and to be a successful chief commander. In general most of the chiefs had great economic power as they had the biggest share of land and the best tarraced fields (in the case of tribes practicing terraced cultivation). And his capacity to help the needy got him further respect. In fact it was a great shame for the ruler if any of his subjects went to another village for food.⁸

8. Hokeshe Sema, Emergence of Nagaland : Socio-Economic and Political Transformations and the Future, Vikas Publishing House, New Delhi, 1986, p. 167.

It would be relevant to add here that in the council system periodical public meetings were held regularly to decide on issues facing the village-state. Such meeting dates were fixed by chief in consultation with the council. The chief also had a power to call emergency meeting of the council as well as public. In all these meetings he presides over them. In the meeting anyone present had the freedom to express his views, asks questions. While participating in the discussion every Naga knew that all discussions should lead to some conclusions. And once a decision was arrived at in public discussions, he was ready to obey. He had a great respect for the village chief and the village elders "it was here that one notices the blend between freedom of discussion and service of authority".⁹ Thus the chief in council follows consultative rule.

To the other extreme of democracy, in some of the Angami villages there was no village chief and formal village council either. Anyone could convene a public meeting to decide any issue of public important.¹⁰ And

9. Dr. Joseph Puthenpurakal, Baptist Missions in Nagaland, Ferma KLM Pvt. Ltd., Calcutta, 1984, p. 5.

10. R.R. Shimlay, Origin and Culture of Nagas, Delhi 1985, p. 124.

since they were never ruled by any chief, no one individual ever seemed to have had authority over an entire village community. In the words of Haimendorf, wealth and progress certainly gave a man a good deal of influence, but the villages were run on strictly democratic lines and no one could command his neighbours.¹¹ At every meeting they would elect an influential person with integrity to preside over it. Often they may refer the question in dispute to the village elders who were also known as informal village council. These village elders may in turn settle the disputes in a public meeting according to the customary law. In this community no person was allowed either to be one powerful or to sustain a powerful position for long and yet the village remained a cohesive unit.

Powers and Functions of the Village Council: The village council formed an important organ in the functioning of the village state. It performed three functions viz. administrative, executive, and judicial. In the administrative sphere the councillors were responsible for maintaining village paths and bridges, organizing village market, managing village funds and

11. C. Von Furer Haimendorf, The Naked Nagas, Vikas Publishing House, Delhi, 1976, p. 124.

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helped the needy people through the funds. The council announced the festival dates in consultation with the chief and the village priest. They also took active part in portioning out land to each family for cultivation each year. They also assisted the chief in matters of defence of the village and was expected to cooperate with him in all other matters relating to the administration of the village.

One of the important functions of the council was judicial. The chief and the councillors constituted the highest court in the village. Whenever a case or dispute could not be settled at the family or clan level it was brought to this court. The council was also responsible for the effective execution of its decisions. If a party failed to abide by the decision of the council, it took necessary action against the guilty.

Thus the village council was second only to the chief. The council was powerful as it represented each clan which the chief cannot ignore. The council in fact was an effective check on the powers of the chief who may have tried to take the law in his own hands.

Women and Power : All Naga tribes have a patriarchal system. Both land and power pass down the male line. It is most unusual to have female chiefs or female as head of households. But since the woman is the chief worker in agricultural production, she may determine the distribution of food or consumption in the household. Outside the household in the arena of political decision-making the woman's power came from her kinship connection, through which they may affect village council or chiefs' opinions.

Exogamy being the rule of marriage was the major way of forming political alliances. Generally no woman had the right to inherit land.

TYPES OF LAND SYSTEM UNDER ABSOLUTE CHIEFTAINSHIP AND COUNCIL SYSTEM

The Naga villages were sovereign states and possessed a well defined territory which was sometimes demarcated with regular boundary stones. Within the boundaries the village possessed permanent rights over the use of resources. The tribes under the two systems had several types of land-ownership which could be broadly classified into three categories --

- (1) Land under the nominal titleship of the village chief;

- (2) Clan titleship and the community land; and
- (3) Ownership right of utilization.

In most of the Naga tribes all the three types of land system were found with the exception of the Sema, Ao, Angami, Lotha, among these tribes one type or the other type of land system may be missing.

LAND UNDER THE NOMINAL TITLESHIP OF THE CHIEF

Under this category the titleship of the entire village land was vested in the office of the chief. But this titleship was just a ceremonial titleship. The chief did not have any prerogative power vis-a-vis his subjects. This system was found in almost all the tribes under the two forms of government with some exceptions. For instance the Angami, Ao, Lotha Nagas did not have such titleship by their village chiefs. The reason could be that there was no authority who could control over anyone among their tribes although they had an elected nominal chiefs. The semas had the chief with titleship of the entire village land. His titleship over the village land was both ceremonial and actual. It was ceremonial in the sense that he did not have actual control over the land which were under his deputies. This titleship was actual, for most of the village land belonged to him and did have prerogative

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right over them. When it comes to one village depending on the land of another village, the chiefs whether they were under the absolute chieftainship or council system had certain prerogatives. Such dependent village come under the protection of the bigger village. Whether its to do with economic control or political power, it certainly added to the fame of the chief. The chief also collects "land tax" from the cultivators but such taxes were use for the community works.

CLAN TITLESHP AND THE COMMUNITY LAND

The two kinds of land ownership had been clubbed together as both were for the community use. The only difference between the two had been that where as land under the clan titleship was limited to the clansmen, land under the community ownership was open to everyone regardless of the clan that one belonged. It is believed that clan ownership rose because of the necessity for someone to represent the community. System of believe associated with fertile and successful cultivation in the traditional society gives strong indication that the land of the chief and the clan/clans over a part of the village land was symbolic. In other words this titleship was vested in that particular office as

different from vesting upon the individual. Therefore, the legitimate exercise of this titleship was for public purpose as seen by the community concerned -- that the chief or the clan chiefs holds the titleship only as a representative of the whole community. The titleship of the clan over a particular portion of land was directly link with the important functions in agricultural operations viz. the responsibility of organizing and meeting the cost of the ritual sacrifices for successful harvest by members of the community over that land.¹²

This type of land ownership was found among all the Naga tribes except for the Sema tribe. The Sema chief being an autocrat, all the village land was owned and controlled by him. But among most of the other Naga tribes much of the village land and natural resources were communally owned. They were "managed and controlled by the traditional village councils in the interest of the community as a whole".¹³ Community owned land and clan land were extensively made use of by most of the tribes following shifting cultivation.¹⁴

12. Based on interview with the Ukhrul (Tangkul) village elders.

13. B.K. Roy Burman, Towards Poverty Alleviation Programme in Nagaland and Manipur, Mittal Publications Delhi 1984, p. xix.

14. In this method a part of a jungle was cut down and burnt and the land was cultivated for two years, they allowed it to remain fallow for a period varying from ten to fifteen year depended on the availability of land.

As such kind of cultivation made it necessary to have the land fallow for many years to regain its fertility, the community had to depend on the land other than their own. At the time of cultivation each year the village chief with the help of the council parcelled out the land to each family. In this also the cultivators paid a nominal sum of harvest to the person who performed the ritual sacrifice as a compensation for its cost. (It was a must for the Nagas to perform ritual before the clearing up of the jungle for cultivation to propitiate the gods for good harvest). This ritual sacrifice could be performed by any person from the clan who could afford the cost (if it was to do with clan land) or any person from the community (if it was to do with community land). Angamis and northern Tangkhuls did not make much use of the community/clan land as they practiced settled (terrace)¹⁵ cultivation.

OWNERSHIP RIGHT OF UTILISATION

Under this system of ownership, right over the

15. Terrace field making- the "slopes of steep hills of great heights" were turned into terraces. Terraces were made on the slopes where water could be found in abundance and continued down the base of the hills.

land was limited to seasonal or only for a span of time when a particular land under the titleship of particular individual was chosen by the village council to cultivate. Ownership right over the land was limited for the following reasons -- (a) unless the council decides for the whole village community to cultivate that particular land, the person having titleship right could not go and clear the jungle for cultivation on his own (b) once the council decides, whether he likes it or not he had to let the village community to cultivate on that land (c) he could not sell it to persons other than from his own villages. During the agricultural season the owners of the land collected "land tax" from cultivators. But he did not extract the tax indiscriminately like the landlords did in other parts of the country. A small portion of the harvest was collected to establish and to assert his claims of ownership over that part of the land. It was also for the cost of the ritual sacrifices which he had performed.

Ownership right was seasonal, for during non agricultural season, anyone could collect the forest resources. Such as roots, fruits, vegetables, dry branches of the tree for fire wood etc. This applied

to terrace fields also, for during non agricultural season anyone could collect fish and snails from the field. The fields were also use for watering the cattles.

In the areas where settled cultivation was predominant, along with the village settlement areas, land acquired the characteristics of permanent ownership. This may have been due to the very nature of land utilization. In the village settlement areas, as the community built a permanent home, so also the terrace fields were built for permanent use. In the words of Brown¹⁶ while describing the terrace fields, "the labour incurred in first making these terraces must be very great and the skill manifested in irrigating them would do credit to a trained engineer". "The soil of the terraced lands is extremely good; and being kept well manured and irrigated, by means of artificial channels along which the water is often brought from very long distances".¹⁷ Mr. Hutton while discussing

16. R. Brown, "Terracing" in The Nagas in the 19th Century (ed), V. Elwin, Oxford Univ. Press, Bombay 1969, p. 589.

17. John Butler, "Angami Forming" in The Nagas in the 19th Century (ed), V. Elwin, Oxford Univ. Press, Bombay, p. 587.

the Angami terracing (Angamies practiced terraced cultivation extensively) said that, "the Angami has an elaborate system of terracing and irrigation by which he turns the steepest hill sides into flooded rice fields.... The terraces are irrigated by channels which carry water from some stream or torrent for a distance that may sometimes be measured in miles, many fields being fed on the way each terrace of course, cannot have its own channel, but usually obtain water either from the next terrace above it or from one of the terraces in the same row, the terraces being so carefully graduated that the water may flow from terrace to terraces round a spur and back again to a point little below that from which it started. Water is also carried in a hollow bamboos passing over the other terraces and channels in between".¹⁸ This somewhat long discription has been given to show the level of development achieved in settled cultivation with it the absolute right over such land. Also, the efficiency in cultivation and high productivity that gave prestige and power to the cultivators. In fact for the tribes following terraced cultivation land became a more important determinant of power.

18. J.H. Hutton, The Angami Nagas, Oxford University Press, Bombay, 1969, p. 73.

Angamis considered water as a very valuable property. The first man to dig a channel tapping some new stream acquired a right to draw water in the water channel to the exclusion of anyone else to tap the stream higher up. Certain large streams were however regarded as common property and no special rights to this water could be established. The water that was drawn gradually became itself the subject of all sorts of rights, privileges, customs and inheritance, for instance, the overflow from the field of one person's field may be utilized by another who had no connection with him and may even belong to different village. The latter, by using the overflow, establishes, what might be called a "right of casement". Any attempt to turn the overflow to the fields of a third party even when bought by the owner of the water or to sell or otherwise to divert it from the existing user, was regarded as illegal.¹⁹

Those Naga tribes such as Angamis and Tangkhuls which practiced terraced cultivation considered the terrace fields a highly valued possession. This may have been for its superiority over any other kind of

19. Ibid., p. 73.

cultivation. For instance it yielded a very large return with less labour as compared to shifting cultivation. The kind of rice being produced here was far superior and allowed the same land to be used year after year without the necessity of shifting or allowing it to lie fallow for many years.

Among the Semas the third category of land took the form of absolute ownership in the hands of the chief and his deputies. The whole village land belonged to the chief and the deputy chiefs. And each land was parcelled out by the chief to the cultivators. Here the relationship between the chief and the cultivators took the form of "father" and "Mughemi" (literally means "orphan") by a tie of land ownership. This was the beginning of the system of land holdings among the Semas. Whoever cultivated on his land become his "Mughemi" and he is in turn became a "father" to them. The deputies also had their own Mughami as they had their own share of land given by the chief at the time when the village was founded. This relationship between the land owner and the cultivators went beyond the land being given out. Once a family became mughemi of the chief, the chief had to help him in many ways whenever it was needed. For instance whenever a person

was too poor to find a bride (as the ^{price} bride~~was~~ was very high) the chief helped him in paying the bride prices. Further, it became the duty of the chief that his mughemi did not go hungry. It was a big shame for the chief if anyone of his mughemi went to another person for help. The mughemis in return for the land and the protection they get from the "father", worked for the land owner. They cultivated for the chief free or on payment of nominal wage in the form of salt. They also built the chief's house. Further the chief got a small portion of every animal killed in the chase and also a small ^{peace} of every animal killed during festival time. "The cultivators on the land of the chief and deputy chiefs became more or less permanent tenants".²⁰ The tenants were expected to work for the chief and his deputies for some fixed days labour not more than twelve days in a year.²¹ Thus the Sema chief and his deputies had great political as well as economic power and control over their subjects.

20. Hoke Sema, Emergence of Nagaland : Socio-economic and political transformation and the future, Vikas Publishing House Pvt. Ltd., Delhi 1986, p. 168.

21. Ibid., p. 169.

CHANGES DURING THE BRITISH PERIOD

From time immemorial Naga tribes were living completely independent often with almost entirely self-contained economies. In course of time, contact with the outside world came about in the following ways --

- (1) Through raiding of the plains by the Nagas in retaliation against the kings who tried to subdue them;
- (2) Through the visits of tribemen to the plains lying along the base of the hills for commercial purposes;
- and (3) through the penetration of foreigners into the hills. The last made the greatest impact on Naga society.

The Naga-- Ahom relationship is a study in alternating hostility and friendship. The Ahoms tried to subdue Nagas and were even defeated. But they could never make significant inroads into the Naga society. Often both sides tried to come to some compromise which would end up in exchange of gifts. But soon there would be another war. This went on until the coming of the British to the Assam valley. Meanwhile regular contact between the hillmen coming down for trade failed to establish a cordial relationship with the

plainsmen. The hill people were looked upon as un-touchables.²² Since they had no such system/hierarchy or tradition on their own society, they could not understand or condone the arrogance of plains people. They also experienced fraud and cheating from the people of the plain, during barter and transactions. This behaviour largely shaped the attitude of hill people to the plains and ultimately determined their stand-continued independence and statehood in the mid 20th century.

Foreigners residing in the hills influenced the culture and mode of life of the Naga tribes in numerous ways -- through modern medicine, by missionary propaganda, formal education, by display of administration and improvement of communication, by the presence of an armed force strong enough to support any uprising or inter tribal war. In the beginning the British were not interested in taking over the Naga Hills, most probably because economic importance of the country was not realised and as such the need to occupy or annex it, did not arise. Moreover Naga hills were

22. Alemcheba Ao, Problems of Readjustment to a New Situation, special reference to the Naga tribes in "Tribal Situation in India" (ed) K.S. Singh, 1972.

distributed among many. The persons who succeeded in snatching this opportunity were often those with no hereditary responsibility for the welfare of their kinsmen or fellow villagers. The introduction of a new economy thus entailed certain changes in the social organization, causing social and economic disturbances particularly during the later part of the 19th century.

But apart from bringing certain changes in the social organization, the British left the land system virtually intact. A regulation in 1896, known as Regulation V of 1896 was passed. Under this Regulation, rights of the village communities, as well as of individuals, over their respective territories, were recognised and annual tax in terms of number of houses, was collected. The earlier Regulation V of 1872 enabled an "inner line" to be drawn between the hill tribes and their neighbours in the plains. The holding of land by strangers and the intercourse for trade purposes of collecting forest produce beyond this line was prohibited or regulated.²⁴

24. Baden-Powell, Land-System of British India, vol. III, Oriental Publishers, Delhi 1974, p. 452.

inaccessible to them. But then, the British sooner or later had to get themselves involved with the hill tribes particularly the Nagas in order to keep their interests going in Assam Manipur and Burma.²³ They had to prevent raids/plunder or any other form of aggression by the Nagas on their subjects so as to protect their economic interests.

The contact with the plains and the British ushered in a monetary medium of exchange, The introduction of money tended to alter the local standard of wealth, power and influence.

The moneyless economy had worked well with a clan system of society in which the various households depended upon their own efforts to supply their primary needs. Any surplus over one's needs was distributed often in the form of public entertainment (feasts of merit). But the cash economy changed the attitude of the people. It afforded immediate opportunities to individuals to amass personal fortunes and to concentrate in to the hands of few, the means of production formerly

23. Asoso Yunuo, The Rising Nagas, Delhi, 1977, p. 71.

Law for the government of the hill districts besides this 'inner line' Regulation, the Regulation of 1880, as extended by Regulation III of 1884, could be applied to all the hill districts directly under administration as British territory. It enabled the boundaries of such districts in respect of the adjoining territory under the Regular law, to be fixed and it also enabled the chief commissioner to disclose that any enactment not suited to the place shall not be imposed.²⁵

The reasons for allowing the existing land system to continue may have been partly because the British found the land system highly well defined and perceived that it would not be in their interest to reform it. Experience had shown them that any attempt at reforming the tribal land system and ways of life, had met with stiff resistance^{which} reflected in various tribal uprisings in different parts of India since the second quarter of 19th century. But while they took great pains to preserve them and to ensure that such changes as would inevitably come, would not be destructive, they failed to appreciate the economic

25. Ibid., p. 452.

requirements of the hill people for technological advancement and other development. The christian missionaries followed a rigid policy of abolishing Naga ceremonies where indigenous traditions and not christianity were followed. "Such ceremonies as the great feasts of merit, at which the religious aspect was far less important than the social had not been remodelled on christian lines but were completely abolished among converts. The tendency was to abolish abruptly the old things and substitute individualism for the strong community feeling which had enabled the tribes to survive for so long".²⁶ As the old customs were disturbed, the power and status attached to land also got indirectly affected. The importance, and the value of land began to be directed towards acquiring private properties and wealth.

In their attempt to exercise some control over Naga villages, the British colonial administration appointed what were called "Dubashis" or interpreter-cum-negotiators between the British and the Nagas. However, these Dubhashis did not significantly alter

26. Alemchiba Ao, "Problems of Readjustment to a new situation (with special reference to the Naga tribes)" in Tribal Situation in India, K.S. Singh (ed) Indian Institute of Advanced Study, Simla 1972.

the power structure of the village since they usually belonged to the ruling clan or chief's house.²⁷

This chapter was presented largely a descriptive account of the land and power structure obtaining among various Naga tribes, the variety of systems of both government and land ownership, and the consequent exercise of power.

We see villages, that because of their size remained homogeneous, were able to practice high forms of democracy. And they were also able to resist the inroads of a market economy as they had similar characteristics which were found in Marx's oriental system "the self-sustaining unity of manufacture and agriculture" (Hobsbawm, Karl Marx: Pre Capitalist Economic Formation, p. 33).

We also saw how with settled terrace cultivation as among the Angamis, land became a more important determinant of power.

In the following chapter as we examine in more

27. M. Alemcheba, A Brief Historical Account of Nagaland, Naga Institute of Cultural, Kohima, 1970.

detail the types of land system prevailing among the Tangkhul Nagas, we may be able to see more clearly how land and power re-inforce each other. We will also see how certain kind of agricultural practice led to privatization of land.

CHAPTER - IIILAND SYSTEM AMONG THE TANGKHUL NAGAS

This chapter deals with the tradition and practice among the Tangkhul Nagas with regard to land system. It is the largest Naga tribe in Manipur and a study of this tribe may throw light on the other Naga sub-tribes of the State as there are many similarities among them. Based on preliminary findings the study of this tribe has been broadly divided into jhuming area and terrace area following the predominant type of cultivation which also reflects the extent of privatization in land. This study will cover from pre-British period to British period.

As it has been stated in the previous Chapter each of the Naga villages was a sovereign state having its own administration and following its own foreign policy. There was no centralised authority. But with the advent of the British, whatever Naga territories they could conquer were transferred to Assam and brought under 'normal administration'. The British administration also used the Raja of Manipur in its effort to

subjugate the rest of the Naga hills.¹ Most of these areas could not be conquered. The reason the British wanted to take over Naga Hills was to prevent their raids on the plains of Assam, particularly the tea gardens. As "most of this land had belonged to the Nagas and now they were keen to extract a fee for its use".² The Meiteis (the Vaishnavite Hindu ethnic group in the valley), on their part used to invade the southern part of the Naga inhabited areas (mostly inhabited by Tangkhul Nagas) whenever they felt strong enough and extracted tributes. But they could never manage to conquer and subjugate them permanently.³ The Nagas in retaliation to the invasion raided the Meitei-land. This went on until the establishment of the British in Manipur in 1891. The British for administrative convenience and in pursuance to their policy of 'divide and rule' fragmented the Naga hills and brought under different administrative units. Thus, the present Naga tribes living in Manipur came under Manipur administra-

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1. M. Alemcheba, A Brief Historical account of Nagaland, Naga Institute of Culture, Kohima, Nagaland 1970, p. 130.
 2. Hokese Sema, Emergence of Nagaland Socio-economic and Political transformation and the future, Vikas Publishing House Pvt. Ltd., Delhi, 1986, p. 14.
 3. Asoso Yonuo, The Rising Nagas, a Historical & Political Study, Vivek Publishing House, Delhi, 1974, p. 45.

tion, by dividing the Naga hills, they undermined Naga unity as Lord Curzon had partitioned Bengal.⁴ Indeed the British had been successful in their scheme, for till today many of the Nagas are living as minority in various states of India and Burma except for the present Nagaland State which is carved out of a small portion from the Naga inhabited areas to be under one administration. Even though the inter state and International frontier arbitrarily divided the Nagas⁵ and weaken their position to a great extent, they have maintained their ethnic and cultural affinity with each other.

Tangkhu Nagas: The Tangkhuls occupy a compact area and also the biggest hill area of about 6600 sq. km of the eastern zone of present Manipur state. The population according to 1981 Census was 82,962⁶ and Tangkhuls constitute one of the major tribes of ^{the} Nagas.⁷ Their

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4. Ibid., p. 369.
 5. The Naga Nation and its struggle against genocide, A Report by International Working Group of Indigenous Affairs, IWGIA Document 56, Copenhagen, 1986, p.
 6. B.K. Roy Burman, Towards Poverty Alleviation Programme in Nagaland and Manipur, Mittal Publication, Delhi, 1984, p. 25.
 7. Census of India, Manipur, 1961, vol. XXII, Part VII, B.

immediate neighbours are the Mao-Maram Nagas on the West, the Chekesang, the Angamis and the Rengma Nagas on the North and North west, the Burma Tangkhuls now called the Somra Nagas on the north and north-eastern frontiers, the Maring, Anal, Mayon-Monsang Nagas on the south-east, the Vaishnavite Meiteis in Manipur, the valley to the south and south west.

There are more than 300 Tangkhul villages of which about 250 are found in Manipur and the rest in Burma. The Tangkhuls practiced Council system with the hereditary Chief as the nominal head in the village.

PRE-BRITISH PERIOD

Land System: All the three types of titleship/ownership seen in the previous chapter are also found among the Tangkhuls with some local variation. This may be due to the difference in the development of agriculture in the two areas- namely the pre-dominantly jhuming area south Tangkhul and predominantly terrace cultivation area north Tangkhul.⁸ Various factors may have brought about this difference between the two areas. Length of settlement, pressure on land and availability

8. M. Horam, Naga Polity, B.R. Publishing House, Delhi, 1975, p. 5.

of water supply and favourable slopes/valleys may have made this difference in the agricultural practices possible.⁹

In the southern region pressure on land had been negligible until recently; hence they could comfortably practice shifting cultivation without disturbing the ecological balance. It was also possible because of the difficult terrain in the south, terrace could not be constructed. According to Hudson,¹⁰ the 'jhum' cultivators required high degree of skill to keep the fields in their best condition and used some terracing methods in this effort. Davis is of the view¹¹ that "the terrace system spread northwards from Manipur until it reached the Angamis" and was adopted mainly because it gave better quality and better yield than any other system.

Land under the Nominal Titleship of the Chief: In spite of the difference in their agricultural system in both

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9. E.W. Dun, Gazetter of Manipur, Vivek Publishing Company, 1981, Delhi, p. 28.
 10. T.C. Hudson, Naga Tribes of Manipur, p. 54.
 11. Davis, Angami Terracing 1891, in The Nagas in the 19th Century, ed. V. Elwin, p. 580-91.

the regions there was a similar practice of vesting the titleship of the entire village land in the office of the Chief and the Council. This was more of a nominal and symbolic nature than actual. The right accorded by this titleship was restricted to the collection of the token "land tax" on the cultivated jhum fields. Even when it comes to another village using their land, as it happened among the small village using the big village's land, the chief charged only a nominal sum. This was for the ritual he performed before the clearing of the jungle for cultivation and also to show that the land belongs to his village.

Clan Titleship of Community Land: In both the regions we also find the second category of land-holding systems viz. clan titleship and the community land. The community land was directly under the control of Chief in Council whereas the land under the clan titleship could have been under the chief minus the Council or under any other clan leader.

As it has already been pointed out the two kinds of land ownership had been clubbed together because both were for community use. The only difference was that

whereas in the community land right of cultivation and extraction of resources were opened equally to all the members of the village, in the clan land, its use was limited to the clan members ^{only.} However if a particular clan land was chosen by the village chief and the council in the public meeting, such land could be made used of by any of the village members.

Among the Tangkhuls the village community land was usually made used of by the youngest son of the family. This may have been due to the kind of law of inheritance being practised. Here the eldest son got the lion's share of family's property. (Property here would mean land. Being at a subsistence level their only property, unperishable wealth was land). In case there was no son the next kin inherited the property. If there was more than one son in the family, the property is divided unequally among the sons and sometimes the youngest is left with nothing. This system also contributed to the privatisation of Community land. Sometimes if land is scarce "younger brothers" move out of the village in search of new land (Semas). In this they were assisted by the elder brother and the members of the clan. In return for help the younger

brother sent part of his harvests and hunting to his elder brother.¹² This practice was continued by their descendants but as their emotional attachment towards each other faded slowly, this practice was turned to a form of duty. It developed into a kind of 'land tax'. This way a network of vassal villagers came into existence. Later in the beginning of the 19th century Kukis¹³ were also settled on the basis of land tax, in the Tangkhul area.¹⁴ But before this system development into a higher system of exploitation, the more powerful group at the Central valley of Manipur under the Meitei King started attempting to bring the Tangkhul areas under their subjugation and as a vassal. The most powerful Chiefs of Tangkhul, namely the Hunphun (presently known as Ukhrul) and Hundung Chief acknowledged the overlordship of the King of Manipur (Valley). And though no formal agreement or order was made for the collection of the "Lallup",¹⁵ from the Tangkhuls within

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12. T. Lukkham, Wung (Tangkhul) Naga Okthot Mayonza, Imphal, 1961, p. 117.
13. Kukis are one of the major tribes of Manipur. They differ widely from Nagas in their physical features, language, dress, as well as way of life even though they all belong to the allied tribes of Mongolian race. They have greater ethnic & cultural affinity with the Mizos.
14. S. Kanrei, Hunphun Thotrin Chan, Imphal, p. 25.
15. "Lallup" is a service to the state, which covered all the state works - work for economic development in normal times, in times of war, military service.

their respective and tax system they readily agreed their service whenever convenient to do so.¹⁶ The process of legitimizing the assumed claims by the Meitei did not however, continue as it was bilateral nor internally generated process. And along with this the process of political centralization which was emerging was slowed down.

Ownership Right of Utilization: It is in the third type of land ownership i.e. ownership right over which there was limited right and absolute right over the land. In the south Tangkhul, the former was found prevalent whereas in the north later was found more apparent. It could be said that this was mainly due to the kind of agricultural practice being carried out in each region. In the south where shifting cultivation is extensively followed, the village land was divided into several blocks, each block was made up of a number of plots belonging to several households. But the blocks were under the titleship of a few privileged individual. According to Hungyo¹⁷ the ownership claim over the blocks

16. E.W. Dun, Gazetter of Manipur, Vivek Publishing House, Delhi, 1987, p. 28.

17. P. Hungyo, Land Tenure System in the Hills of Manipur, Seminar paper: North East Indian Social Science Research, Shillong, On Land & Land Relationship in the Hills of N.E. India, May '81.

of land had been made at the time of their migration to their present villages. So only few households owned the block of land whose line of descent was directly linked with the ancestors who had owned the land, but he has not explained how only the few privileged individuals came to have the ownership. However going by the system of hereditary chieftainship and hereditary clan representation in the village Council; clan titleship which had rose for someone to represent the community or the persons who might have borne the cost of the animal sacrificed in the ritual which was always performed before the clearing of the jungle in a particular block or area of land for cultivation for the first time, may have come to exercise ownership right over different blocks of land. This was the beginning of land ownership over the land which has become more absolute in the present century. This argument can be supported by the fact that in most of the Tangkhul villages, consolidation of land was maximum by persons belonging to chief's and clan chief's families. But here, ownership right was limited by the fact that; (a) the blocks were made up of several small plots of land which belonged to many different households. The plot owners gave symbolic "land tax" to the block owner in the form of small amount

of the harvest for having borne the cost of animal sacrificed at the time of ritual function by the same. This ritual function was performed to propitiate the gods for getting successful harvest. (b) Each time a new site for agricultural purpose and grazing grounds had to be decided upon, it was the village council along with the community, was final. An individual as an owner of the land could not protest against the decision taken by the above in the public meeting. (c) Finally, the land which has come to be known as the family land could not go out of the clan except in an extreme cases when there was no one in the clan who could buy it. But this happened only on rare occasions. The owner of the land should always first give preference to his clansmen at a nominal rate. With regard to terrace field as a particular area was being cultivated year after year and was being developed, it came to acquire the characteristics of permanent ownership. In the words of Hudson "by means of long and arduous labour, a field may be built up and provided with water so that the large terraces represent the expenditure of a vast amount of energy and farming ability as well as much practical engineering skill"¹⁸. Among the northerners

18. T.C. Hudson, The Naga Tribes of Manipur, Delhi 1984, p. 50.

except in the extreme north-east of the Tangkhul inhabited areas each household in the village owned at least one or two terrace fields.

There are two types of terrace fields which were found in "abundance" in this region. They are 'Akang Lui' and 'Raiyi Lui' (dry and wet paddy fields). The difference in the two lay in the modes of irrigation. The former depended on the monsoon rain. So except for the rainy season the paddy remains dry throughout the year. With regard to Raiyi lui all through the year it is well irrigated and well manured by means of channels along which the water was often brought from very long distances. As it was among the Angamis, here also we find a mass of customs relating to the equitable distribution of water throughout the terraces.¹⁹ The highest fields got the water first, ^{and} to prevent its wastage, intricate channel allowed it to go to the lower fields. In fact the owner of the field was required to be very careful in preserving water so that the lower fields would get enough. Raiyi lui are mostly located quite far from the village settlement area as water could be found²⁰

19. Ibid., p. 50.

20. R. Brown, Terracing, in the Nagas in the 19th Century, Ed. V. Elwin, Oxford Univ. Press, Bombay 1969, p. 589.

far down near the big streams and rivers. Akang lui were located much closer to the village settlement. But the Raiyi and Akang luis were located nearer the village settlement than the jhum fields. Jhum fields were far from home as this cultivation depended on the thickness of the jungle which would produce more soil nutrients after slashing and burning. Between the two terrace fields Raiyi lui was and is a much priced possession than Akang lui. This is because Raiyi involved less labour, and produced more yield and finally the field was kept well irrigated all year round, and fish, snails could be found in abundance in this field.

When it comes to "land tax" it was not just the nominal land tax in the shifting cultivation. Here a proper tax in the form of paddy was paid to the field owners by the cultivators. While fixing the amount of paddy to be paid, all considerations were taken into account, such as availability of water, the amount of labour to be used vis-a-vis, the general yields of the same field, the size of each compartments of the fields (each paddy field is made up of several compartments). If the size of each compartments was big, then there would be less retaining walls to be worked upon and also

be easier to plough, hence less labour would be required. The payment for the Akang lui was usually one-fifth to two-fourth of the harvest of the year. For Raiyi lui as it was superior in many ways, the payment may be from one-third to half of the total harvest. There was no fixed amount of rent. It depended entirely upon the agreement between the land owner and the tenant, Usually depending on other's field was in an exceptional case, as most of the families had their own fields. In case their fields could not produce enough for the family, they worked on the clan land or the community land. As already noted each family owns at least one or more Akang luis. Although there was no social bar for the commoners to own Raiyi lui,²¹ they were mostly owned by persons in the upper sections of the society and inherited by birth e.g. persons belonging to the Chief's immediate family, the eldest family of the clan etc. There were few commoners who owned Raiyi lui by dint of hard work and skill.

From our discussion so far we have had in this Chapter, it has emerged that there had been gradual

21, Khasim Ruivah, Land Ownership and its problems Among the Tangkhuls, Seminar paper, NEISSR Shillong, 1981, p. 8.

process of privatization of land both in extent and in depth over the years. However in the southern region, right on land has remained limited ownership. This corresponds with the prevailing agricultural practice namely shifting cultivation. In the north cultivation on terrace field has enabled the individual to cultivate on the same land which facilitates its further development that in turn led to claim of absolute right over it. The study also shows that the general trend had been for the chiefs and heads of clans to consolidate their hold over the land in both region.

BRITISH PERIOD

With the establishment of British administration in Manipur in 1891 the surrounding hill areas were gradually occupied "due to the necessity of protecting British subjects from Naga raids".²² This occupied hill areas were brought under the British political agent. However in the hills they also followed the policy of non-interference as they had done in the Naga hills. They "devised a system of administration which allowed

22. The Imperial Gazetteer of India. vol. VI, Oxford at the Clarendon Press, 1908, p. 34.

the hillmen to run their affairs along traditional lines".²³

In the words of Baden-Powell,²⁴ the reason for devising "A simple form of administration" for following the policy of non-interference in the hill areas were because they "are not advanced enough to be under the same civil criminal and revenue laws as the other districts of the plains". If we have to analyse from the economic aspect the British had nothing to gain from this area. Secondly the area was inaccessible and the Nagas had always remained unsubdued. Thirdly the social set-up and pattern of land system was different from the plain area. And as such the Rules and Regulations or the Land Acts which operated in the plain area could not be applied in the hills. The indigenous system of land system was retained virtually unchanged so instead of land revenue a 'house tax' of Rs 2.00 was realised annually from each household as a recognition of their overlordship.

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23. Furer Haimendorf, Tribes of India : The Struggle for Survival, Oxford University Press, Delhi, 1982, p. 35.
24. B.H. Baden-Powell, Land-System of British India, vol. III, Oriental Publishers, Delhi 1974, p. 451.

Although there was no change in the economic pattern of the Tangkhuls based on agricultures or more precisely land relationship, the introduction of currency by the British had led to the alteration of the local standard of wealth, power and influence to some extent. The British government also introduced the western system of education assisted by the missionaries to bring the Nagas in touch with modern civilization and use educated class as a link between the ruler and the ruled. The missionaries were more interested in proselytesing, hence sent the educated persons to different villages to preach the principles of Christian religion. These preachers also became educators too as education would accelerate the pace of the spread of the gospel. So in the process the missionaries became chief agents for imparting education to the Nagas. With the rise of new elite class -- the preachers, pastors, educated class who worked for the British administrators the position of the traditional power holders seemed to have been weakened to some extent. Power and status attached to the land got indirectly affected as "land" as the most important factor for gaining status and influence in the society was challenged by the introduction of currency and education.

The two factors, education and newly found wealth-currency had made it possible to put pressure for modifying the traditional land ownership system where the best part of the terrace fields were under the ownership of the upper section of the society.

The three types of land systems under the council system seemed to have worked satisfactorily. The practices under these systems seems to have been in harmony with the nature and society. In the next chapter we shall make an attempt to examine how far the process of "modernization", the introduction of different administrative structure and legal systems of land, among the Nagas as a whole have succeeded in bringing about a process of different administrative structures and legal systems on land, among the Nagas as a whole have succeeded in bringing about a process of development in which nature and society continue a symbiotic relationship.

CHAPTER - IVLAND RELATIONS AND TRADITIONAL POWER STRUCTURE IN THE
POST INDIA'S INDEPENDENCE

With the incursions made by market forces, the church, the formal education system, electoral politics, the continuing Naga National movement and militarization of Naga areas, the whole social fabric of the people has been under tremendous pressure to change.

A progressively strengthening centre in New Delhi and its civil and armed wings operating in what now became a periphery, the Naga polity reacted in several different ways. So did the land structure and the distribution of power.

Immediately as military repression intensified and an armed struggle for retaining independence began, massive displacement of people from their lands took place for at least a decade starting in 1953-54. People were unable to cultivate and often forced to live in jungles for long periods of time. This power to displace had the major implications. It showed (a) that an alternate extremely strong power center was now in existence and (b) that

land ownership and control needed to be strengthened as it was in fearful danger of being lost. So, even if the traditional modes of land ownership and usage came back to some form of normality and tradition, the whole legitimacy of the power structure was shaken. In fact, the policy of the centre was now directed towards breaking up those power centres in the periphery that in any way threatened the exercise of its sovereignty. So that even while adopting ideals of protecting diversity, a massive socio-political and military drive was initiated in the area with a view to winning loyalty and/or forcing subjugation. State machinery adopted an unsympathetic attitude towards the local institutions and practices including the traditional land ownership patterns, the judiciary and educational systems and tried to undermine them. Even the 'development' schemes undertaken at the villages by the state are, either by design or coincidence, geared towards weakening the traditional institutions.

Attempts will be made in the succeeding paragraphs, to bring out the impact of the market economy, modern legal system and education, church, national movement, militarization of the Naga areas and electoral politics on the land system and power structure. This study will be restricted to the period beginning from 1947 when India became independent upto 1986.

CHANGES IN LAND AND POWER STRUCTURE

The transfer of state power from the British to the Indian National Congress in 1947, was not followed by any serious attempt at carrying out land reformation in Naga areas. The colonial government limited itself to the collection of "annual house tax" from the villages through the chief and the council of elders by way of revenue collection. As such there was no occasion for carrying out land assessment or for recording the land practices in the area. The government, in the post colonial period has been simply continuing the practice of collecting "house tax" annually.¹ However, here is a mark difference between the two governments in their attitudes and practices concerning the land question. British government neither questioned the authority of the village community over its land exercised through the chief and the village council, nor the judicial system. The fact that there was no written record regarding both these and was never used as a ground for bringing in on the sly systems alien to the area. In the post independence period, the state has been found on several

1. Manipur Annual Administration Report 1957, p. 5.

occasions making conscious efforts at completely destroying the rights of the ownership, rights of the village over its land. It has among others, sought to interpret the 'absence of written land record', as the absence of rights either of the individual or of the community over the land. On this premise Manipur government took over land from certain village and refused to pay compensation to that village. The affected village had to go to the court for reinforcing its right.² In fact under different administrative and economic planning programmes, the public and private agencies (in the name of economic development, land reclamation, soil conservation, better utilization of land etc.) have encouraged "feudal landlordism". For instance lands which have not been delineated by custom as belonging to any particular lineage or family has been interpreted to mean that an enterprising individual belonging to the community can appropriate any amount of resource out of the community land for personal benefit. "Under this notion, a person in a Manipur tribal village was encouraged by a development agency to clear 60 acres of land for teak plantation, but the village community forced the person to give up the venture. It

2. Roy Burman, Census of India 1961, p. LXLIV, Delhi.

was agreed that every person has a right to a "fair share" of common resource, and... he cannot go much beyond his 'fair share", and thereby adversely affect the interests of others.³

More serious was the confusion about the nature of right which is enjoyed by the chief of the community (his rights of allocation of resources to individuals within the community). Frequently, there has been a tendency to treat him as the owner of the land and not only commercial concerns but also target obsessed development agencies to take over resources of the community by settling matters with him.⁴ But unfortunately such kind of outside influence have been generally rejected by the chief and by the community.

Till today, there has not been any attempt to codify the land system in Nagaland, excepting a small area of about 259 sq. km., the Dimapur Mauza. This area is a plain area and lies in the southwest of the state, which was surveyed previously as part of the former state of Assam, where the Assam Land and Revenue Regulations apply.

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3. B.K. Roy Burman, "North-East India :Where Gandhi's concept of Trusteeship is an Trial", contributed on the Seminar "A Social Worker's Conference of North-East India", Doimuk, Arunachal Pradesh, June 29, 1987, pp 3-4.
 4. Ibid., p. 4.

The rest of the state has not yet been surveyed nor any ownership has been recorded. The only legal framework for determining the right to cultivate land is the jhumland Regulation Act of 1970.⁵ Under this Act jhum land has been defined as a land of shifting cultivation or grazing land on which a member or members of a village or community have customary right. The Act has accepted the customary right of a community or a village provided it is under such utilization for not less than 30 years. The Act also prevents sale or transfer by any means of jhumland outside the village or community without the permission of the Deputy Commissioner of the District given on the recommendation of the Village and Area Council.⁶

"Regarding the ownership of land, it is to be determined on the basis of traditionally recognized customary rights which are at present not codified".⁷ In the event of any dispute traditional and customary laws were propounded and interpreted by the village councils and were effectively applied.⁸

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5. Report on the Agricultural Census of Nagaland, 1976-77 p. 21.
 6. B.B. Ghosh, "Pattern of use and ownership of Land in Nagaland", in Land Reforms and Peasant Movement : A Study of North-East India, ed., Atul Goswami, Osmania Publications, Gauhati, 1986 p. 185.
 7. Draft Fifth Five Year Plan (1974-79), vol. II, Government of Nagaland, p. 1.
 8. S.P. Shukla & A.K. Aggarwal, Agriculture in North-Eastern Region, National Publishing House, New Delhi 1986, p. 83.

In Manipur the attempt at codification of the system in the hill areas appears to have been made by the Manipur State Hill people's Regulation 1947 and the Manipur Hill areas (Acquisition of chief's Rights Act, 1967. Even in the said regulation of the first, the rights of the villagers to the land have not been defined, the Regulation contains in its schedule only the lists of villages in the various sub-divisions with the number of taxable houses in each village. There is no record to show the lands in the possession of the various villagers though as stated by Hodson (Naga tribes of Manipur) the boundaries of hill villages were well defined.⁹ In the same Regulation we find that from section 60 to 64,¹⁰ provision has been made for settlement of disputes regarding the ownership of land, right of cultivation over land regarding village boundaries. This is in effect a recognition of the traditional rights over the land and its use among the tribes. The second Act, "The Manipur Hill Area (Acquisition of Chief's Rights) Act 1967, provides for taking over the traditional rights on payment of compensation. "The legislation, however, could not be

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9. Roy Burman, Census of India 1961, p. LXLIV
10. The Manipur Code Part II, Government of Manipur, Law Department, Imphal 1963, p. 82.

brought into operation due to local resistance".¹¹ In a sense the effect of any new legislation from the centre regarding land has been minimal in Naga areas as compared to hill and tribe people elsewhere. So except for the shrinkage of land under the clan titleship and community land and more of it getting privatized, the three types of land system have remained.

FACTORS RESPONSIBLE FOR CHANGES IN LAND AND POWER STRUCTURE

The reason for not having brought land reforms in Nagaland state has been given in the Draft Fifth Five Year Plan (1974-79) as "the problem of land reforms in Nagaland is basically different from that of other states". And it went on to say that "in this state there are no large mechanized farms or concentration of large land areas in the hands of a few persons; on the other hand, fragmentation of holdings also does not exist and there is no immediate need for any massive effort for consolidation of holdings. It has therefore not been found necessary to initiate any legislation or any specific administrative measures for fixing any ceiling on land holdings or to arrange for there are also no problems arising out of sub-tenancy".¹²

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11. S.P. Shukla and A.K. Aggarwal, Agriculture in North-Eastern Region, National Publishing House, New Delhi 1986, p. 80.
 12. Draft Fifth Five Year plan (1974-79), vol. II, Government of Nagaland, p. 1.

The reasons given in the Draft are true and that they could be applied to other Naga inhabited areas outside Nagaland also. But besides the above reasons it may also be because the political implications of change which definitely would intensify conflict. The government is aware of the relationship of the tribal communities with their respective territories which frequently constituted symbols of their unity. Any scheme of development which may cause dissociation of the tribal community from its traditional resources is therefore likely to lead to disorganization. The independence movement of the Nagas under the leadership of Naga National Council (NNC, formed in 1946, representing all the Naga tribes, to be the voice of the Naga people) since the 1940s and the Mizo movement for an independent state since the 1960s under the Mizo National Front had drawn immense strength from the general fear of being deprived of their land. The Mizo movement for independence has ended with the signing of the accord between MNF and the Union Government of India. In the case of the Nagas the independence movement is still going on. This movement has been partly responsible for changing the traditional power structure. At the same time many other factors such as the custom of heredity, population, money economy, education, the church, militization, legal system and electoral politics have been of no less importance. These factors have

acted in various ways as agents of change. The first three factors -- custom of heridity, population, money economy had the direct bearing in fragmenting the family and community land. This had led to the intensification of privatized land.

(a) Heredity, Population: However much different the mode of inheritance in each tribe, it led to fragmentation of family land and the community owned land. As different from other Naga tribes among the Aos,¹³ Angamis,¹⁴ the family land was equally divided among the sons with some difference in the Angami tribe in the sense that the youngest son in addition to his share inherits the property retained by the parents till their last days. Among the Tangkhul, Mao, Sema etc. major portion of the family property goes to the eldest son. The remaining is divided among the rest in order of seniority with the youngest getting the least. This fragmentation of land went on with the passing of each generation and the increase in the population. In order to meet the shortage of land each family started to make use of the community land. Once such land was being used year after

13. Mukul Chakraborti and Dipak Mukherji, Indian Tribes, p. 190, Calcutta, 1971.

14. J.H. Hutton, The Angami Nagas, Oxford University Press, Bombay, 1969, p. 109.

year by the same family it became their own, only limited by the fact that land could not be alienated outside the village.

(b) Money Economy, Education, The Church: Money economy had multiple roles as an agent of change. With its introduction in the area land could be made available as a commodity although it was limited by the fact that clan members were given first preferences in the transfer of family land. If there was no one from the clan who could pay the land it may be sold off to any one in the village. However it was only on rare occasions the family land ever went out of the clan. Moreover this would not have been possible but for the money as a medium of exchange. Further, money economy made private ownership of terrace field more complete. For example terrace fields were opened to anyone, even from other village, for collecting snails, fish watering cattle etc., but the introduction of pisciculture (for commercial purpose) has led to owners closing the fields from others. Village councils in most villages have accepted this fact.

The privately owned land of the village chief and chiefs of the village clans have shrunk too. They sold off part of their land in order to meet the requirements

of the changing time. Often land had to be sold off for sending their children for education. This happened with most of the families with the setting up of various establishments such as schools, hospitals, government offices, and the church, even the most illiterate and poor know that the educated children, when grown up will get jobs which will raise their standards of living. In Manipur, to a lesser count the parents also have to sell off the share of their childrens' land for buying jobs. It may be pointed out here that in Manipur large amount of money is involve in getting even clerical jobs. The present trend is job in preference to land. In fact in terms of importance, land is being relegated into the secondary position. Thus land which had been the basis of wielding power and hence the traditional power is changing hands frequently. Now those who do not possess such land can exercise influence to a considerable extent if they are educated and employed accordingly.

Most of the people who are away from their village as they had to work in the sub-division or district head quarters or other towns have kept close link with the village. Whenever there is any important decisions to be taken regarding village affairs they make sure to be there. Even when it comes to church also they would do the same thing. In fact the job holders regularly send their monthly tithes to the church back home.

Each of the village whether big or small have a church and the church plays a big role in the village. Specially the pastor of the church. For instance traditionally visitors would go to the house of the chief first. But now visitors either go to the chief's or the pastor's house. The pastors are consulted in all the important issues of the village for the simple reason that the large majority are members of the church. In this way the spread of christianity and the new education and with it the setting up of government administration schools etc. which produces teachers, officials, greatly reduced the traditional power. Among some of the Naga tribes the traditional leaders particularly the hereditary chiefs of aristocratic blood had remained bulwarks of conservatism and had taken very long to avail themselves of such facilities as school education. When they finally came around they were not in a position to catch up with those families who had taken advantage of the new facilities made available to them. So now we find that the leaders of the village are not necessarily from the chief's family. The erosion of the authority of the chiefs is thus noticeable in all the village.¹⁵ Even though the officials of the administration and the pastor

15. Haimendorf, The Naked Nagas, Vikas Publishing House, Delhi, 1976, p. 243.

of the church treat such chiefs with great courtesy and consideration, they often find it more convenient to work in most cases with the educated members of the community. Even in terms of celebrating festivals, although the time and reason of the festival remained the same as the old ones celebrated by their forefathers, the names and the method of worship and sacrifices have been changed in order to go with the christian way of live.

(c) Legal System, Militarization: The level of repression has also diminished the power of the chiefs and village councils through the creation of alternate centres such as police and army posts, district magistrates, district councils etc. Earlier there was no such need for police and the army. The village council under the leadership of the village chief carried out all the administrative and judiciary work smoothly and efficiently. There were very rare occurrence of crime. If there was any trial for such event, it was prompt, just and ligigants did not have to spend much except for a potful of rise beer for the councillors and everyone present in the court to drink while the case was being heard. Now as the power of the village council had been weakened by the establishment of various district magistrates and courts most of the cases are fought in the government

courts, far away from home involving so much money time and energy. Instead of helping the poor getting fair trial it has become so cumbersome and complicated and beyond the reach of the common people. For instance the Manipur (Village Authorities in Hill Area) Act 1956,¹⁶ seeks to drastically change the basis and the working of the time tested traditional institution with little regard for the local situation. First of all this Act allowed for the elected representatives to the village authority every three years and do away with the representation of members from each clan. Secondly the chief of the village shall be the ex-officio chairman, where there is no such chief, chairman shall be elected by the members of the village authority from among themselves. Thirdly the village authority can try cases of village disputes according to IPC (Indian Penal Code) and the criminal procedures. Fourthly all the proceedings of the village authority should be recorded in Manipuri. The villages in the hill areas were ordered to follow it. But none of the villages did elect members to the village authority for several reasons. (1) The requirement of the Act for elected representatives is against the

16. The Manipur Code Part I, Government of Manipur. Law Department, Imphal, 1963, pp. 107-122.

traditional practice of consensus arrived through the mediation of the clan elders. (2) The imposition of IPC and Cr.PC in the administration of law and order and justice demanded right degree of training in modern legal profession. (3) Making Manipuri the sole language of the village authority is not tenable since most of the villagers do not speak that language. (4) Limiting the jurisdiction of the village authority to the issues having values not more than Rs 200.00 (civil) and Rs 500.00 (criminal) practically disqualified the village authority from handling most of the cases. (5) The appointment of the First class Magistrate as the authority for the removal of the offending members of the village authority from the office, also takes away the powers of the people to put constant check on the activity and conduct of the members concerned.

In the face of obvious disputes, the state chose to push the Act into the village through the back door. It has treated the clanwise representation as 'Elected.' But ^{it} made conscious attempts ⁱⁿ cutting down the authority of the village council by constantly questioning the authority of the village council to handle disputes over matters involving values "higher" than Rs 200.00 and Rs 500.00 and cancelling the council decisions with

contempt. Thus the introduction of the Act has considerably weakened the village court as people can always go to the district magistrate or higher court and start the same thing all over again. Several organisations including the Tangkhul Naga Tribe Council (Tangkhul Naga Long) have made representation against the imposition of the said Act without result. Since India's independence in terms of judiciary power the Range Councils¹⁷ of the various Naga tribes have become defunct. The Range councils and the Tangkhul Naga Long have been limited to cultural aspect of each tribes to preserve the customs and culture and to a limited extent to promote common interests of each Naga tribes.

According to the change of time it may be necessary to bring changes in the society. But before bringing the changes a proper study of the already existing traditions and customs should be studied properly. So that the new changes would be suitable to the nature and society in question. Any legislations for bringing changes which are so alien and not suited to the people would do more

17. The Range Council was made up of the village falling under a particular zone. The Tangkhul Naga areas were divided into three zones and the Tangkhul Naga Long was the apex body of the three zones (R.R. Shimray, Origin and Culture of Nagas, p. 102).

harm than benefit the people. It would be wrong to discard everything old as bad and outdated. Any new legislations should be made in such a way that the best of both -- "tradition" and "modern" could be blended together.

In Nagaland taking into account the important functions played by the village council, "Nagaland villages and Area Council Act, 1978", was passed. Under this Act there are inter-village Area councils and village councils. This may be taken as an improvement to the already existing village council keeping in mind the exigencies of time. As the Naga villages are no more isolated village-states there is the need for taking up various development projects together with other villages which would go a long way. Apart from administration of justice the powers and duties of the village council, the Act allows for the setting up of a Village Development Board. The main objective of this board is to draw the direct participation or involvement of the villagers in development of the villagers in development programmes of the villages.¹⁸

The state government has tried to channelise developmental programmes through this board. This is in a

18. B.K. Roy Burman, Towards Poverty Alleviation Programmes in Nagaland and Manipur, Mittal Publications, Delhi 1984, p. 40.

way a change from the earlier tendency of the state government not to recognize the communal character of the resource as the basis for flow of developmental input. According to Roy Burman, "it is only after the establishment of the village Development Boards in Nagaland... that the community is being recognized as the resource -- owning unit to a limited extent even for the flow of developmental input".¹⁹ So by the Act, the village council got back some of its powers and functions to maintain and control their community affairs. Yet their powers and functions to a great extent has been eroded by the introduction of much more powerful acts. It will be relevant to give a brief account of the Naga nationalists movement before we go further to understand as to how such a situation has come about. According to Rev Nuh²⁰ the genesis of Naga political resistance started in A.D. 1228 when the Thais invaded Assam. The same resistance was done to the British till 1880". And goes on to say that "the actual Naga political exodus started in 1929, asking the British to leave Nagas as a

19. Ibid., p. 11.

20. Rev. V.K. Nuh, Nagaland Church and Politics, Vision Press, Kohima 1986, p. 127.

"Free Nation". Then on 14th August 1947, NNC declared complete independence of the Naga people. The NNC invited the Indian Union to send observers at the time of holding of voluntary plebiscite. In May 16, 1951, plebiscite was held to ascertain the views of the Naga people on two basic issues:

- (1) Whether they wanted to remain in India or to be a separate Independent state; and
- (2) to repudiate the charge of the Indian government that NNC was supported by only a minority of the people.

It has been claimed that the result of this plebiscite was 99% of the Naga people voting for freedom from India. The result convinced the NNC that the Naga people as a whole had opted for independence and that verbal support from other Naga areas added to their conviction. The plebiscite forms with thumb impressions were sent to the Government of India.²¹

After the plebiscite the NNC attempted to negotiate with Delhi, but the Union Government refused to listen to their call for total independence. The Nagas had

21. Asoso Yonuo, The Rising Nagas, p. 202.

refused to participate in the first general elections of 1952; and when the Indian and Burmese Prime Ministers visited the Naga hills in 1953 and banned the Nagas from making any representation to the visitors the Nagas dispersed from the reception meeting they themselves had organized at Kohima. Ever since then several regiments were sent into the Naga areas and gradually the entire area came to be under the military rule. Unfortunately instead of trying to find solution through negotiation, the only solution thought of has been to increase the power of the army over the Naga areas by introducing various draconian Acts. To name a few -- (1) Assam Maintenance of Public Order of 1953; (2) Nagaland Security Regulation Act 1962; (3) North-East Armed Forces Special Powers Act of 1972.²² The Armed Forces Special Power Act vests with the military with vast powers.²³ Once an area is declared disturbed and the armed forces moved into the area civil rule virtually comes to an end. The traditional village institutions and authorities are suppressed. Whenever the army patrol enters any village the chief and

22. Luithni and Haksar, Nagaland File, p. 232.

23. Under the various special acts security personnel have wide and arbitrary powers to arrest and search people and homes without warrant and at any time of the day or night.

the members of the village council would be the first to be picked/rounded up for interrogation in which often third degree method is widely used. As such most of the counter -- insurgency methods adopted in the area by the state has come to constitute the most important agent of denigrating and destroying the traditional power centre/village council.

The army camps of the villages (villages without army camps are exceptions) are constructed on the village community land. The state would, through the army camp, further, prohibit the community from exercising its right of extracting/developing and protecting forest resources from the adjoining areas. Often the forest resources on the occupied areas and the surrounding forest are extracted by the agents of the state. This outright suppression of the fundamental rights of the people gravely harms the cause of the village council. Further in the name of security villagers are forced to clear off trees on both sides of the entire length of the road up to fifty yards.²⁴ All these adds to the rapid decline of the traditional authority.

24. Nothing is paid to the village for the occupied land and the resources thereon and the labour extracted.

(d) **Electoral Politics:** The present state of Nagaland came into being in December 1st 1963. It comprises of the Naga Hills and Tuensang areas only.²⁵ The larger portion of the Naga areas remained with Manipur, Assam and Arunachal Pradesh. Thanks to the British and courtesy to the Centre, a large chunk of Naga areas that had remained free from foreign control through out the history has been claimed by Burma. The Nagas boycott of the general elections of free India (1952 and 1957) was total in Naga Hills and Tuensang Areas. This boycott was demonstration of resolved of the Nagas to resist India's imposition and their determination to live as a separate nation. In 1962 which was the third general election, the Union Government of India did not make any attempt to conduct election in the Naga Hills and the Tuensang areas. However the Naga leaders in Manipur fought the elections ^{on} the plank of the merger of their areas with Nagaland.²⁶

On 22 March 1956, NNC proclaimed a Naga Federal Government (NFG) at Phensenyu village in Rengma area.

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25. Statistical Hand Book of Nagaland, 1966, Government of Nagaland, p. 1.
26. R.P. Singh, Electoral Politics in Manipur, Concept Publishing Co., New Delhi, 1961, p. 56.

Along with it a constitution was adopted. The Government under this constitution had to function with clearly demarcated division of power and responsibility indicating a degree of political maturity. To safeguard its newly declared independence and nationhood, the Naga Government raised its own army. The armed conflict which had begun in 1954 went on between India and the Nagas till 1964 when an agreement to cease fighting in order to settle the conflict through negotiation was worked out.

According to Mullick,²⁷ the Naga were solidly behind the Federal government of Nagaland. Accordingly, the Centre had to give some concession to a section of the Nagas to break the Naga solidarity. So it was decided that an autonomous district would be created. In June 1957 some of the Naga civil servants and IB officers formed a "working committee" out of which Naga People's Convention (NPC) was emerged. Some of the NPC sessional office bearers appointed themselves as representatives of their people decided to make an agreement with the Union Government. In the face of bitter opposition by the people, a sixteen point Agreement was arrived at between the NPC and the Government of India in July 1960.

27. B.N. Mullik., My Years with Nehru, 1948-1964, Delhi, 1972, p. 313.

The state of Nagaland was formed and placed under the Ministry of External Affairs. But as a consequence to this many leaders such as Imkonglika, President of NPC, T. Sakhrie and many who were party to the agreement were assassinated.

The first general election in Nagaland was held between 10-16 January 1964.²⁸ The Naga Nationalist Organization (NNO) got majority and government was formed by NNO. The second general election of 1969 also brought NNO back to power. But the 1974 assembly elections brought the United Democratic Front (UDF, supposed to have been close to Nagaland Federal Government) brought to power. However, UDF ministry could not last much for long as various crossing of the floor took place. Finally President's rule was proclaimed whose extension was further facilitated by Emergency in June 1975 to 1977. After the emergency the UDF came back to power again and reiterated its sympathies with the NFG, its determinations to steer the renewed negotiations to a successful resolution. The NNO which had joined the Congress Party during the emergency faded into the opposition. But from 1982 onward till today the Congress-I has been running Nagaland State.

28. Asoso, Yonuo, The Rising Nagas, Delhi, 1974, p.

In Manipur for the Nagas the Centre of Political power lay largely in the hands of the Meitei, the military and the Centre. Naga politicians entering the state electoral politics have had to do a very tight-rope walking between the Nationalist movement, Meitie ethnic dominance, military and the Central control, Even when the 1952 and 1957 General Election were boycotted by many Nagas the Manipur Nagas tactically opted to participate on a platform demanding integration of all Naga areas. Today Manipur is the embodiment of all the consequences of bureaucratic corruption, complete absence of accountability.

In all the Naga areas instability of the political atmosphere has led on the one hand amassing of wealth including land and on the other to power mongering. Reduced to minorities in most states the Nagas have to refer to different power centres where in most cases they themselves are powerless. They face the very real danger of being displaced from their lands and having their social fabric destroyed as has happened with many tribal groups in the North East e.g. Tripura, Assam.

As far as Nagas in Burma, there is little information on the trends of change in their social system. However, in the light of their inaccessibility and lack

of much contact with either the Burmese or the Nagaland State, their plight is probably the worst despite the relative independence that they may enjoy. While providing a base for the national movement and partly because of this they have not been able to develop infrastructure and resources. They face famine, widespread health problems. As such their land and power structure may not have been disturbed to such an extent however clan/tribe involvement in the national movement must be determining the exercise of authority in the village or community. The social and political organizations in Nagaland State for instance, the Naga Students Federation (NSF) have constantly tried to maintain links with the Nagas in Burma.²⁹ Apart from living in a contagious area territorially the ethnic bonds remained as close as that of many communities in South Asia e.g. the Tamils.

The introduction of electoral politics has immediately diminished the traditional wielders of power. Even though many of the old elite retained positions of importance and power they do not exert a synonymous authority. This is because of alternate sources of power such as the district administration (bureaucracy) policy,

29. Oking Times, News weekly Kohima, August 1985, vol. I, no. 16.

and the army. The council of elders and the chief find themselves having to constantly refer village issues to these new arrivals. Through the machinery of legislatives assemblies, district councils, legal apparatus the centre has managed to exert indirect but effective control over the land. The preceding account of the 1956 Act and the army acts are sufficient evidence of this. Once independent and sovereign village bodies have been reduced to appendings unable to retain the respect of the common men.

(e) Non-Electoral Bodies: To cope with the emerging complexity of Naga politics several social organizations have emerged. They have attempted to use modern method to deal with this complexity. Women's organisations such as Tengkhul Shanao Long, Mothers Association, Youth and Student Organizations, human Right's Organizations such Naga People's Movement for Human Rights (NPMHR) and voluntary Development Organisations are some of this. While their objectives were quite different and in fact they tried to maintain certain traditional rights in effect they also have eaten at the roots of traditional authority. By their very effectiveness in mobilising public opinion and gaining public participation they have overshadowed the village chief and council to some

extent. They have been able to interact with the centre better and make their presence felt with social organizations outside Naga areas.

The above chapter makes it clear that most of the changes taking place in Naga areas is not indigenous nor is it controlled by the Nagas themselves. While certain acts and regulations may have assured Nagas control over their land and the exercise of the village authority the reality is quite different. However it could not be said to have reached such dangerous proportions as in other tribal areas around the world. Most Nagas still cultivate their own land and as such remained firstly a citizen of their village even if voiceless in the larger context.

The village chief and village council despite the domination of their power still exercise day to day authority and continue to command traditional respect. But the hold of the village council over natural resources have been diminished. New centres of power have created with the national movement and repression and it is no longer the private ownership that determines the distribution of land. Modern social organizations emerged in response to the changing milieu and affect the power of traditional authority, "Land" becomes the over-arching slogan and nationale for survival.

CHAPTER - VCONCLUSION

Over the last century Naga society has been emerging from a largely self-sufficient, subsistence, barter economy to a money economy. Its dependence on outside goods and services has increased with the shrinking world. To some extent this process has been hastened by the First and Second World Wars in which Nagas participated. Marx's "self sustaining unity of manufacture and agriculture" is breaking down under multiple onslaughts described in earlier chapters. At the same time the disintegration has been somewhat controlled due to the traditionally democratic village systems and the nationalist movement.

Today clan and kinship control of land and power are not as important as before in the social fabric of decision making. "Political parties", "army" intervene in village and inter-village affairs. The village is the unit of government for day-to-day functioning but it has been surpassed both by the "underground" nationalist government and ^{by} the district and Central administration and political system.

The contradictions inherent in the process of change are apparent in Naga society and politics. Though village institutions may have diminished village life remains largely run by local (even if changing) customs and practices. Much of the traditionally demarcated land remains village land. While the three forms of land ownership remains viz -- land under the nominal title-ship of the village chief, clan titleship and the community land, and ownership right of utilization, other forms of land use and control have been imposed -- such as reserved forests, large areas of army settlements, and some amount of defacto-ownership by outsiders. Private ownership of land has been on the increase. In fact villages are making efforts to counter this trend expressly prohibiting community owned land from being privatized.

A notable feature of present day village politics are the disputes over land boundaries. Unlike earlier times when the village councils expeditiously and inexpensively dealt with this issue, today prolonged litigation in district courts and elsewhere is the norm. Villages have to set aside funds to fight these cases.

A follow up of the loss of power of traditional institutions has been the loss in control over the

environment and the indiscriminate exploitation of natural resources. Nevertheless, the situation has not gone out of hand and village bodies and social organizations have stepped in to control this.

A typical village chief today commands the respect of the community. Many disputes and discussions are settled by him. The old elite has managed to be in the forefront of "modern" social life and political decision making. More of them have formal education and hold public offices. At the same time, the social mobility of the non-elites has increased. The new elite remains in close touch with the most minute village affairs and tries to settle issues through the old modes of discussion.

A few villages have reached the proportion of small towns such as Kohima, Mokochung, Ukhrul. However, these towns have not become the nerve centres of politics. The coming into being of the service sector in economy has brought about some diversification in the job and alternatives to cultivation. But most people maintain both occupations. In that situation the work burden on women may have increased -- (a) because they may themselves have employment in the service sector or (b) their husband and family members may move to the place of work leaving women to continue agricultural work on their own.

One major indication of stability in the midst of political disturbances has been the maintenance of land use pattern as of old water rights, modes of cultivation, choice of land for cultivation. In short the fundamentals of subsistence agriculture persists. And consecutively the powers of the chiefs and village councils have been retained. But a major trend with increase in population has been intensification of land use cultivation. The difference between this area and other rural/tribal areas has been the almost complete absence of issues such as land alienation, absentee landlordism, feudal or capitalist production-relations have not emerged. Almost all Nagas remained land owners and cultivators and virtually no one has been reduced to the state of agriculture labourers. The agricultural labour used in the peak seasons continues to be largely on the basis of exchange except in the plain areas of Dimapur where there has been influx of non-Naga migrant agricultural labourers.

There has been a tendency in theory in social science to regard tribal societies as "dying societies" -- as societies which have inevitably to be destroyed and replaced by so-called modern social structures and relations of production. However, while change is inevitable in any society, the Nagas and several "primitive" cultures,

such as, the Native Americans and indigeneous groups in various parts of the world have shown resilience and revitalization.

Hence 'Tribal' societies must be viewed as dynamic social structures adopting newer forms to their needs, developing alternate forms etc., but not following a pre-determined stage of development towards disappearance.

In the above account on the Nagas, this is precisely what can be concluded -- that a "pre-capitalist" society has, despite external-global pressures, survived, changed and resisted. Our hypothesis regarding changes in distribution of power, land ownership and control have been upheld. The diminution of powers of the village chief and council does not herald new forms of village government. Rather, there is super-imposition of "modern forms" that have taken away some degree of traditional authority, but have not succeeded in completely destroying it. The influences of market economy have not destroyed the social base of subsistence production. Looking at present trends, in predicting the future, one may surmise that adopted forms will survive better than new ones.

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