CHAPTER V

COMPARATIVE STUDY

The customary laws and administrative system as practised by the Maram Nagas have a lot of similarity with those of the neighbouring tribes. It is this commonality that makes them while independent from one another in their administrative practices, yet one group emotionally. We shall first consider certain general beliefs and practices and then compare and contrast various customary laws and administrative practices.

5.1. Ancestral worship

Most of the Naga tribes venerate their ancestors. The ancestor is the one from whom a Naga derives his/her identity and carries his name.337 "The real religion of the Nagas, the religion still professed in certain parts of the tribes is that cult which has been the foundation of all civilized religion, and of all civilized society - Ancestor-worship."338 The fundamental idea underlying every persistent ancestor-worship is that the welfare of the living depends upon the welfare of the dead. Under the influence of this idea, and of the cult based upon it, were developed the early organisation of the family; the laws regarding property and succession, the whole structure, in short, of ancient society. There were at first no other gods than the dead.339 Hodson considers that "erection of stones has a closer connection with the rudiments of ancestor worship than is often suspected. I noted at Mao the existence of a belief that the stones are erected for the sake of a man's father, who will help his son if need arise."340 He even sees the Mangla Thu, the general village genna held afer

338 n. 179, p.13.
339 n. 179, p. 57.
340 n. 50, p.138.
the close of the cultivating season, as a ceremony of ancestor worship, intended to lay to final rest the ghosts of all the dead that have died within the year.\textsuperscript{341}

In the olden days, Nagas believed that the prosperity of the family depended upon the exact fulfilment of the rituals related to ancestral worship, and even today this belief rules the life of the Naga family. It is still thought that the good fortune of the household depends on the observance of its cult, and that the greatest possible calamity is to die without leaving a male heir to perform the rites and to make the offerings.\textsuperscript{342}

In Naga belief, the father, not the mother, is considered the life giver; the creative principle is masculine; the duty of maintaining the cult rests with the man. The woman shares the cult; but she cannot maintain it as daughters are, as a general rule, to marry into other households and can bear only a temporary relation to the home-cult.\textsuperscript{343} In the Naga society, the original unit was a patriarchal family linked to the clan which claims descent from a common ancestor, and so religiously united by a common ancestor worship.\textsuperscript{344} Thus respect and veneration of ancestors is a unifying element among all Naga groups.

5.2. Family

In Naga society there is no class distinction. However, it is safe to assert that there are two ranks, the chief's family and the other families. Chieftainship is hereditary, descending from father to son in direct succession from the original patriarch, as among the Semas and the Tangkhuls. While among the Angamis, Maos and the Chakesangs, the Priesthood is hereditary and the village chief is elected for a

\textsuperscript{341}n. 50, p. 138.

\textsuperscript{342}n. 179, p. 58.

\textsuperscript{343}Ibid., p. 59.

\textsuperscript{344}Ibid., p. 63.
certain period of time. The chief of a great clan is lord over the chiefs of the sub-clans attached to it; his authority is both religious and administrative, e.g. the Konyaks.\textsuperscript{345}

It must not be forgotten that religion and village polity are considered identical in this case. The non-chief families in society remain equal: there is no caste system and the concept of Hindu \textit{Varna} signifying caste or colour does not apply to Naga society. Naga society is not even a feudal society: it is simply a union of clans combined for defence and offence, each clan or tribe having a religion of its own. Though one clan-group can obtain certain degree of domination over certain clans by virtue of its wealth and numbers, every family has its rice-land, forests and is free to farm as it wills and there is no discrimination among the clan-families.

Naga society does not have slavery\textsuperscript{346} and the word ‘servant’ is of a recent origin. However, in the past, there were, ‘captives’ who were captured during the feuds between clans or tribes. These captives were eventually absorbed into the family of the captors who considered them as members of their clan and the family, and yet, it must be said that the customs and the laws differ from one Naga tribe to another.\textsuperscript{347}

5.3. Village Administration

Chieftainship is an important factor in Naga polity. Every tribe has a chief who is the head of the village.\textsuperscript{348} In the normal course, the leader of the first settlement would become the chief. According to tradition and custom the would-be

\textsuperscript{345} Ibid., pp.63-64.

\textsuperscript{346} However, B.B. Kumar refers to existence of some sort of slave trade among the Nagas. Cf. n. 6, p. 119.

\textsuperscript{347} n. 179, p.64.

\textsuperscript{348} n. 3, p. 14.
chief is required to obtain the sanction of gods to acquire the position of a chief by carrying out prescribed tests and ordeals.

Chieftainship was hereditary among the Nagas with the exception of a few tribes like the Ao and the Lotha. Naga society is both patrilineal and patriarchal. Since the chief has the sanction of gods, no one can challenge him when he passes on his chieftainship to his eldest son.

They have some sort of government based by and large on democratic principles which are either republic or monarchical in nature. The administration of the village was carried on by a Council. The number of councillors differed from tribe to tribe. Monarchical system was prevalent among the Konyaks, the Semas, the Changs, the Marams, the Maos, the Tangkhuls, the Rongmeis and the Liangmeis.

Among the Aos, the Lothas and the Sangtams, there exists a republican type of government. In an Ao village, one can become the chief by virtue of one's own character and merit. They have the 'tatars' who are the representatives of the people. Among the Lothas, the strongest in battle and the greatest performer of the feast of merit becomes the head of the administration. They have no permanent and hereditary system of kingship. The ablest and the wisest rules their society chosen on the basis of merit such as head trophy, intellect, influence, and wealth.

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349 n. 5, p. 52.
350 Ibid.
352 Ibid.
353 Ibid.
354 n. 3, p. 55.
355 Tatars are councillors.
356 n. 3, p. 57.
When the Hill Areas Act of 1956 was passed in Manipur, the chief lost most of his powers as the post of chairman was created in every village under the district administration. Among the Marams, the post of the Sagong is hereditary and he holds the post as long as he lives. When he dies the queen takes up the responsibilities and observes the rituals. When the son wants to take up the throne the mother leaves it to him. And the post of a chairman is filled through an election and the duration of the post is three years.

More often than not, especially among the Marams and Thangals, a descendant from the clan of the chief is the chief of the new village. At times, the first chief of the new village would be the person who came first to that area, as in the village of Pudunamai. Sometimes, the village is also named after him, as in the case of Kathikho and Puni Pfosemai villages in the district of Senapati.

When a village is newly formed, the king may be elected on the basis of competition as was done in the present Laii village.\(^{357}\) In the traditional society, the village administration is run by the clan representatives along with the chief. They were instrumental in framing laws, fixing festivals and executing them mostly in the form of gennas, restrictions and taboos. However, in the present society, the village is headed by a ‘Village Chairman’ who is also the head of the village council, the apex body of administration in the village.\(^{358}\)

5.4. Dormitory system or Morung

Morung is one common and very important socio-cultural and political institution of the Nagas. “It was the pivot around which the social, religious, educational and cultural activities of the young people revolved. The Morungs and the

\(^{357}\)To select the chief of the village, a competition or an ordeal was organized. The one who brought paddy first from the original village, Pudunamai, was selected as the chief of the village. Thereafter, the chieftainship became hereditary.

\(^{358}\)n. 198, pp.30-31.
ladies' dormitories are, therefore, rightly called the Naga Schools.\textsuperscript{359} "The Morung plays vital role in preparing younger generations for posts in the village council. The Morung is the club, the public school, the military training centre, the hostel for boys and meeting place for village elders. It is as well the centre for the social, religious and political activities. In short it is the fulcrum of the village democracies."\textsuperscript{360}

In the traditional Naga society, boys and girls, after the attainment of puberty, sleep in their respective dormitories till they get married. The detailed management of the dormitories varies from tribe to tribe. In some Naga villages the Morung is constructed near the main gate of the village so as to quickly turn out armed young men in any emergency. Morung was practically non-existent or found in miniature form only among the Sema Nagas. Their young bachelors slept in the chief's house on pounding tables.\textsuperscript{361} The Aos, Lothas, Changs, Konyaks, etc., constructed Morung on a commanding location of the village. For the Angamis, Semas, Maos, Marams and Tangkhuls, the house of the village chief, influential persons or warriors served as the Morung.\textsuperscript{362} The Morung of the Poumai was always attached to a well-to-do family and the house owner looked after the Morung.\textsuperscript{363} The size of the Morung and its internal organisation varied from tribe to tribe.\textsuperscript{364}

Young boys are trained in the Morung in the art of warfare, code of conduct, traditional values, etc., till they get married. They are also deployed for various assignments by the village authorities as the need arose, especially for welfare of the village and security purposes. They guarded the village round the clock, especially when they sensed imminent danger from foes. The girls are also given training in

\textsuperscript{359}n. 5, p. 193.


\textsuperscript{361}n. 6, p. 86.

\textsuperscript{362}n. 5, pp. 193-194.


\textsuperscript{364}n. 25, pp. 64-65.
social and economic life, ranging from the moral code to handicrafts and other activities that promote the welfare of the village.\textsuperscript{365}

Generally, the girls were not allowed to enter the boys' Morung, while the boys were allowed to visit the girls' dormitory during festivals and other occasions.\textsuperscript{366} Entry of women was strictly prohibited in the Morungs of the Lothas, Aos and the Rengmas.\textsuperscript{367} Among some tribes like the Poumais, the boys and girls enjoyed much more freedom. Boys could visit the girls' dormitories in different khels and sing folk songs.\textsuperscript{368} Girls also could visit the Morung of the boys. However, they were forbidden to sit on the sleeping place of the boys.\textsuperscript{369}

5.5. \textbf{Head-hunting}

Head-hunting was very much in practice among the Nagas. Inter-village wars culminating in the taking of the head of the enemy were part of everyday life.\textsuperscript{370} Head-hunting, though stopped due to British intervention in 1866, continued in unadministered Tuensang area up to the dawn of independence and even in 1990s.\textsuperscript{371} Heads obtained are considered valuable and the head of a girl or woman more

\textsuperscript{365}n. 3, p.15.

\textsuperscript{366}n. 25, p. 65.

\textsuperscript{367}n. 6, p. 86.


\textsuperscript{369}Interview with Mr. Seiba Ngaopunii, of Liyai Khullen Village. He is a registered contractor under the Govt. Of Manipur. He has first hand experience of Poumai culture as he lived in the Morung and practised Poumai religion and traditional Poumai ways of living.


\textsuperscript{371}n. 6, p. 92.
valuable, partly due to the decorative hairs and partly as it needed more valour and
feat to get out of the protective cordon of the warriors of enemy camp.\textsuperscript{372} Head
hunting is associated with the beliefs of getting good harvest, prosperity of village,
successful working of salt wells and was an essential requirement of funerary ritual.\textsuperscript{373}
It is not possible to reduce head hunting to a single formula. It is connected with
ordinary blood feuds, urge for revenge, with agrarian rites, with funerary rites and
eschatological beliefs. In some cases, it is considered as a social duty and solidarity.\textsuperscript{374}
Head-hunting is also resorted to on account of inter-village boundary disputes.\textsuperscript{375} The
practice of 'head-hunting' is often misunderstood as random 'chopping off' the head
of someone. There were many elaborate ceremonies, do's and don'ts to be observed
before undertaking a head-hunting expedition.\textsuperscript{376} It is one of the main necessary
mechanisms for 'defence', 'offence', and regulation of life in a sovereign setting just
as in modern warfare. It is also seen as a mechanism for survival itself. In order to
maintain and sustain the sovereign entity of a village republic or monarchy, there is
bound to be some mechanism, measures and regulations. 'Head-hunting' fulfils one of
these requirements of existence and maintenance. Although head-hunting was a
common practice among all the Naga groups, we can notice some differences in the
actual practice of it.\textsuperscript{377}

The simplest and most obvious form of head-hunting is associated with blood
feud, where the duty of vengeance remains unsated until the tally of heads is
numerically equalled.\textsuperscript{378} Reasons like land disputes, quarrel for love of a girl, trial of

\textsuperscript{372} n. 6, p. 94.
\textsuperscript{372} n. 7, p. 127.
\textsuperscript{374} n. 50, p. 122.
\textsuperscript{375} n. 3, p. 16.
\textsuperscript{376} n.363, p. 18.
\textsuperscript{377} n 3, p. 15
\textsuperscript{378} n 50, p. 115.
strength, recognition and status in the village, were also sufficient to take recourse to head hunting.\textsuperscript{379} Among the Konyaks, many of the head hunting took place between clans and villages just for a mere divorce.\textsuperscript{380} Quireng Nagas used to take heads because they believed that the possession of a head brought wealth and prosperity to the village.\textsuperscript{381} Some tribes spared women and children in their head-hunting expeditions.\textsuperscript{382}

In Tangkhul villages, there are places of great sanctity where heaps of stones are found. The heads taken in a raid were placed for five days on these stones, during which period the warriors were under genna. An oath taken on these stones, are considered most binding.\textsuperscript{383}

Among the Poumais, head-hunting was an integral part of the funerary rites and construction of house of the chief. Natural calamities like land slides which damage paddy fields, it was believed, could be stalled by human sacrifice\textsuperscript{384} although some of the Poumai elders of Chilivai and Paomata circle say that this custom is not known to them.\textsuperscript{385} A Kuki chief’s funeral rite was incomplete without the head of a human victim.\textsuperscript{386} The Thadous needed a freshly cut head to adore the grave of their chief.\textsuperscript{387}

\textsuperscript{379} n.363, p. 17.


\textsuperscript{381} n. 50, p. 119.


\textsuperscript{383} n. 50, p. 117.

\textsuperscript{384} n. 363, p. 17.

\textsuperscript{385} n. 385.

\textsuperscript{386} n. 50, p. 118.
In some cases, if a head could not be got, even a lock of hair would suffice. The disposal of the head taken varied from tribe to tribe. Some tribes exposed the head in front of their Morung; the others hung it on the head-tree. The Angamis buried even the head of their enemies.

5.6. Rites of Passage

5.6.1. Birth

Most Naga tribes had similar customs and taboos in connection with birth. In every tribe, the place where the woman gives birth was a taboo. However, each tribe had its own minor variations of the customs. According Proumai custom, only the father of the child and senior women are allowed to attend the woman in labour pains. Soon after the birth, either the father or mother is to cut the umbilical cord with a bamboo knife. The placenta is kept in an earthen pot and may be tied along the back side of the house wall, or hung on a tree or buried along the side of the birth place. No one is allowed to walk across the place of delivery until the child is removed from there and the place is ritually purified. A cock or hen, depending on the sex of the child, is strangled and the crossing of its legs is observed. If the right leg crosses over the left, it is believed to be a good sign. The chicken is cooked on a new hearth with fresh water brought by the husband and the meat is reserved for the


388 n. 50, p. 116.

389 n. 6, p. 98.

390 n. 368, p.29.

391 Ibid.


393 Interview with the elders of Saranamai village.
mother and the baby. The name for the child is given in the evening of the same day or in the morning of the next day. The naming rite is known as Nahzhisa or Nahsapa. There are slight variations in the naming ceremony depending on the village and the circle. In the Paomata and Chilivai circles, the naming ceremony is done on or after the third subject to favourable dreams. Until the completion of five days from the day of the child birth the whole family abstains from doing any work in the field. During these days, it is taboo for the family to consume vegetables, large fish, pork, beef, dog, etc. However, they can feed on chicken and small fishes. The Khamrangs too observe a six-day ritual for a new born male and five days for a newborn female.

In Laii village, the mother sleeps the next five days in the place where she gave birth. She is not allowed to have body wash those days. Until the naming ceremony is over, the mother eats only boiled rice, water and salt. The husband may go to the field, but cannot carry lunch with him for the next fifteen days. The couple cannot sleep together for the next 32 days from the date of birth. After the completion of 32 days, the mother and child will go to her parents’ home early in the morning. On reaching her house, according to the gender of the child, a cock or hen is killed. It is a day of festival and the relations give meat to the mother and child. They return home on the same day with some uncooked meat for the relations of the husband. Such visits are considered as seeking blessings from the parents.

Among the Maos, a pregnant woman has to follow many guidelines of the elder women so that she may have a safe delivery. The woman is kept in a separate

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394 n. 392, p. 54.
395 n. 385.
396 n. 392, p. 54.
397 Interview with the elders of Somdal Village.
398 Interview with elders of Laii village.
399 n. 93, p. 220.
room. She lies near the bed or close to the wall at the time of delivery. Care is taken
that no outflow of blood reaches the hearth or no one crosses it. The umbilical cord is
usually cut by the mother with a bamboo blade. Soon after the delivery, the father has
to claim the newborn by saying Alo ledo (it should be mine). The Maos bury the
placenta after placing it in an earthen pot or a gourd. Before the burial of the placenta
the mother and newborn take food with other members of the family. After the
placenta is buried, the mother undergoes a three day seclusion during which she cooks
her own food in a new hearth using new wooden spoons. During this period of
seclusion, no other person is allowed to enter the house. The third day is an important
day. It is known as Sakapra meaning bringing out. On this day the child is given a
name. For some, naming is done on the fifth day. Naming ritual is performed in the
morning after sunrise. After the naming ceremony is over, the utensils and mats used
by mother are abandoned at the foot of a tree beyond the village gate by the father and
mother. After this they return to the house and the mother fasts till next morning.
With this her confinement comes to an end. On the fourth day, the child’s future is
observed. The fifth day is called sanctification day. On the sixth day they visit the
fields. During the day if the child is put to sleep, Kholo leaves are placed at its side.
While returning home from the fields, Kholo leaves are also placed near the village
gate.401

Among the Kacha-Nagas, an experienced person, either male or female, helps
in the process of delivery. But the husband is not allowed to be present. After the
delivery, the mother is fed with meat to recover her health. Vegetables are avoided on
the belief that the infant will suffer from dysentery. During the first five days, the
mother is not allowed to come out of the room. The sixth day is the day of purification
and from then on the restrictions are over. Traditionally, naming is done within five to
ten days after birth. The clan elders go through their genealogy and find out the

400 Kholo leaves are used for rituals. These leaves drive away evil spirits.

401 n. 93, pp. 221-223.
famous or bravest person of the clan and after worshipping God, his name is given to the child.\footnote{P. Binodini Devi(2001), \textit{A Monograph on the Kacha-Naga Tribe of Manipur}, Imphal: Directorate for the Development of Tribals and Backward Classes, pp.41-45.}

5.6.2. Marriage

There are a lot of similarities in the marriage ceremony. Some of the common elements in a marriage are: involvement of an old woman in arranging the marriage and overseeing the wedding ceremony, interpretation of dreams, walking over a spade or an iron piece and drinking and exchanging rice beer between the couple. In the olden days, unmarried women used to shave their heads. After the marriage negotiations are concluded, the girl stops shaving her head.

Among the Poumais, the engagement normally takes place after the \textit{Laonii} festival in July and wedding takes place in the months of September and October. The matrimonial ceremony is conducted early in the morning in some of the Poumai villages.\footnote{n. 93, p. 136.} The whole day the couple abstain from any solid food except rice beer. For five consecutive days, the couple are not to share bed, sit out of the house, visit other’s house, be touched by others, allow chickens to fly over them or a stone be thrown over them. Early morning of the fifth day, the couple take a ritual bath in the public pond and then inaugurate the ploughing of their new paddy field given to them at the time of wedding. With this ceremony, the couple becomes real husband and wife.\footnote{n. 392, pp. 55-56.} In the Chilivai and Paomata circles this custom is practised only on the first day. Their custom in this regard is akin to the Mao customs.\footnote{n. 385.}

The Mao Nagas consider unmarried individuals as having been cursed and they disfavour such practice. Childless couples are also adjudged as cursed. In a
traditional marriage, the process of negotiation is done very secretly by the parents of both parties through their near relatives, especially women. The main considerations are genealogy and property. Negotiations take place in the months of July-August after the Saleni festival and marriages are held in the months of September-October, or in the month of January. The marriage ceremony is held early in the morning, although there are slight variations from village to village. The day after marriage is known as Pithe Koshu (establishing a new hearth). The wife picks up three stones and makes the new hearth. On this day, the groom carves out new wooden spoons and brings them home in the evening. Till the new spoons are brought, the newly married are not to see each other. At the new hearth, using the new spoon, the wife prepares the supper and they have food together for the first time. On the third day the couple go to the field. On the fourth day, the bride visits her parents. On her return she brings rice beer from her home and shares it with the elders of various clans at her new home. On the fifth day, the couple bring water from some special springs. After the fifth day, if the couple feel that they cannot live harmoniously together, they may divorce.

Among the Liangmai group of Kacha Naga tribe, traditional marriage always takes place within the months of January, February and March. Once negotiations are completed, the date of marriage is finalised. On the day of marriage, bride price is paid to the bride’s father who distributes it among the key members of his clan.

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406 n. 93, p. 135.

407 n. 93, p. 136-137.

408 First the boy’s father, along with clan elders, visit the girl’s house with some rice beer. If accepted, the boy’s party will go a second time and fix an auspicious day for marriage. A third visit is also made. This is a formal visit in which they will feed the relatives of the girl’s side and also present some gifts. Bride price is fixed on this day.

409 Bride price is a kind of security. The key members of the clan who received a share of the bride price become responsible for the bride. In case the girl is divorced and she is found guilty, the bride price has to be returned by them.
Towards the evening of the wedding day, the bride is allowed to go to her new home.\textsuperscript{410}

Among the Zeme group of the Kacha Naga tribe, unless the mother of the would-be-bride agrees, no negotiations for marriage can take place. Once the arrangements are made, the clan members discuss the matter and contribute towards the expenses of the wedding. To fix the date of wedding, the bridegroom’s party comes to the house of the bride with rice beer. A pig is slaughtered and the date of marriage is fixed\textsuperscript{411}. On the marriage day, the bridegroom along with relatives and friends comes to the bride’s home. After the marriage ceremony is over, all return to their respective homes the same day except the bridegroom. On that day the bride and the groom share food from the same dish. After the ceremonial meal, the mother of the bride, accompanied by the son-in-law, takes special rice beer to the Morung and gives it to the village priest along with the village elders and the youth for them to celebrate together. In this way the bridegroom is introduced to the community. He stays at the bride’s house for two to three days after which the bride is taken to her husband’s home. The bride returns to her home for a few days after staying six to seven days at her husband’s home.\textsuperscript{412}

5.6.3. Death

Most elements of funeral rites are common to the tribes in the area, like the observation of genna, burial rites and the role of a priest, timing of the burial, sacrifice of animals and sharing of meal after the funerary services. However, there are some minor differences in the way the last rites are performed. Like the Marams, the

\textsuperscript{410}n. 402, pp. 105-106.

\textsuperscript{411}Among the Zemes marriage usually takes place on or before the full moon of the month. They consider the days from full moon to new moon and the first six days after new moon as weak days and hence inauspicious. The same rule is applied in the case of going to the house of the husband after the wedding and vice versa.

\textsuperscript{412}n. 402, pp. 107-110.
Poumai funeral rite is performed by Napao (priest). For the funeral, sufficient animals are slaughtered and the meat is shared among all the households who come to pay their last respects to the deceased by bringing handfuls of paddy to the bereaved family. The mortal remains is laid with the materials used by the deceased which they believe will be used by the person in the land of the dead along with the souls of cattle\textsuperscript{413} slaughtered for the funeral. After the burial rites are over, the Napao throws away all the left over food, wine, previously stocked water, the hearth and dust as a sign of removing any impending sickness and death. Thereafter the family can start preparing their food at a new hearth, with a new fire and fresh water. Till the completion of two to five days genna, every morning food and wine are served for the soul of the dead and the family abstain from all field work. However, the village observes only one day of genna.\textsuperscript{414} They believe that the place of ultimate destination is called Thaima Ngu\textsuperscript{415} an underground abode of the dead.\textsuperscript{416}

Among the Maos, the village observes one day as genna on the death of a person. One person, of the same gender as the deceased, would abstain from food until the funeral is over. Various rituals are performed by Khehre Pfona (priest). A small chicken is strangled and killed over the place where the dead body is to be buried. Generally an animal is slaughtered and the meat distributed to the villagers, after the priest touches and purifies the sacrificed animal. The Maos do not bury knives and dao (one type of knife) along with the deceased, fearing that he may clear the passage of death, thereby inviting more men to the world of the dead. However, for good warriors, his dao is buried along with the body as he needs to defend himself.

\textsuperscript{413}It is believed that cattle accompany the departed soul. If pigs are killed for the funeral, the pigs cannot walk into the land of the dead and the departed soul gets tired carrying them. Therefore, only those who cannot afford to get cows and buffaloes kill pigs on the funeral day.

\textsuperscript{414}n. 392, pp. 56-57.

\textsuperscript{415}In Paomata and Chilivai circle, the place is called Thaimaihu.

\textsuperscript{416}n. 368, p.33.
from a number of enemies in the world of the dead. As the body is lowered into the
grave, a young man yells in a loud voice and the whole congregation of men respond.
They place branches of trees over the coffin firmly and tightly to prevent soil or
water from touching the coffin. After the priest offers earth clods into the grave, the
people follow suit. On top of the grave a chicken is killed. A spade’s handle and
rice chaff are placed on the grave. A shrub called Chiingha is planted on the grave
and the chicken’s neck is placed on the branch and the chaff is burnt. The person
fasting along with the priest takes two leaves of Kokivu plant and cut them into two
halves saying kashu kara su hihino modzii ledo (Let all the bad or evil be cut in like
manner and drop down there). The priest then washes his hands as a sign cleansing
himself ritually of all impurities. After food is prepared and before anyone
consumes it, the share for the deceased is placed on the tomb. Each year on the day of
Okro khro, a final farewell is offered for all the persons who died during the current
year. Till then, food and drink will be kept on the grave for the deceased by the
family members. There is also a practice of giving away a man’s spade to his
mother’s relative and a woman’s spade to the one closely associated with the
deceased in his/her remembrance. The family observes genna for three days for the
deceased

The Kacha-Nagas consider natural death as a normal end of an individual’s
physical existence. The deceased person is kept for two to three days so that all
relatives of the family arrive for the mourning. The grave is dug by the healthy youths

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417 n. 93, pp. 226-227.

418 The rich place stone slabs in place of branches.

419 n. 93, p. 227.

420 Ibid., p. 228.

421 Ibid.
of the village. They also have the last mortuary rite held in December for praying for all the dead.\textsuperscript{422}

In the case of unnatural deaths outside the village, the persons are buried outside the village without any funeral rites. In the same way a woman who dies during child birth is taken out of the house before her last breath. She is buried outside the house without any rite. However, among the Chakesang Nagas, if only the mother died during child birth, she was given normal burial rite.\textsuperscript{423} Such restrictions are put in place to ward off similar misfortunes in the village.\textsuperscript{424}

5.7. \textbf{Cultivation}

In the traditional society almost all the different activities carried out by the people were based on agricultural seasons. This system not only helped them in sustaining their life but also in maintaining law and order through various mechanisms of social control. Celebrations of festivals, feasts and marriages were done in accordance with the agricultural season.\textsuperscript{425}

The Naga tribes of Manipur depend mostly on agricultural products, and practice single cropping system through wet and dry terrace cultivation methods. Shifting or slash and burn cultivation is also practised in certain areas. Besides rice, which is the main crop, maize, pulses, pumpkins, potatoes and a variety of vegetables and fruits are cultivated by every household for their own consumption and for sale.\textsuperscript{426} Land could be either private or common land. Common land belonged either to the family, clan or village and was reserved for various purposes like cultivation of

\textsuperscript{422}n. 402, pp. 46-47.

\textsuperscript{423}n. 198, p. 51.

\textsuperscript{424}n 392, p. 56.

\textsuperscript{425}n. 198, p. 33.

\textsuperscript{426}n. 392, pp. 31-32.
thatch, grazing grounds, forests for firewood, for slash and burn cultivation etc. The jhum land belongs to the whole community and every family gets a plot of cultivable land enough for the family for that particular year. The site is chosen for a period of two to three years by the village chief and the elders after making egg and bamboo divinations, with great awe and respect to the supreme spirit.

Agricultural practices are still of the primitive type and depend much on the arrival of the monsoon. The method of cultivation involves the process of ploughing the field, sowing the seeds, transplanting of seedlings, weeding and harvesting of paddy. Each process is done in a specific season of the year and is preceded by a strict observance of genna. The priest also plays a special role in times of calamity. He declares genna and announces what kind of rituals people have to perform. Though these rituals are common to all tribes, a particular observance may vary from tribe to tribe and village to village.

In some Poumai villages, the women are restricted from going to the field on the first day of cultivation. If they do so it is believed that the crop will not be plentiful. During plantation, meat is carried to the field and offered to the divinity. While harvesting the Chadu Nanou (harvesting rituals) is observed. The king first harvests a bunch of paddy and places it in the sacred place in his house. After this

\[427\] n. 368, pp. 58-59.

\[428\] n. 5, p. 161.

\[429\] n. 198, p. 33.

\[430\] In the Liyai village, the Chadu Nanou is observed differently. On the day of harvest, mother of the family harvests a bunch of paddy and takes to the threshing place. She threshes it first and then everyone else begins harvesting. Before gathering the paddy from the threshing floor, the mother of the family touches the four corners of the paddy area with her spittle. Only after that the paddy is carried home. This ritual ensures that the paddy lasts long.
ritual is over, the villagers pluck two bunches of paddy and bring them back home as offerings to god. During this festival, no couple can have sexual intercourse.\footnote{31}

The people of Laii village observe genna known as Muchii, when the rice begins to sprout. They also observe a ritual called Khuchii to protect the plant from insects and other dangers.

Among the Maos too, the king is the first to sow the seeds and plant the seedling. He implores god’s blessings for a good harvest. The grains from the area he cultivated first is used for the rituals after the harvesting.\footnote{32}

The Thangals fast before the beginning of ploughing, seed sowing, plantation and harvesting.\footnote{33} Among the Chakhesang Nagas, the women perform certain rituals before every stage of cultivation, preceded by the Mavo (priest).\footnote{34}

Among the Kacha-Nagas, slash and burn system is the conventional method of cultivation. Depending on the climatic conditions, in some villages they are able to practise double cropping using this technique. In the valley areas, wet cultivation is also practised.\footnote{35}

5.8. Houses

Every tribe has got its own ways of creating social distinctions on the basis of talent, influence and wealth. The types of houses within a village show the economic and social status of the individual and the family. There are elaborate procedures for making a particular type of house.

\footnote{31}{n. 393}

\footnote{32}{Interview with elders of Pudunamai village.}

\footnote{33}{Interview with elders of Thangal village.}

\footnote{34}{n. 198, p. 34-36.}

\footnote{35}{n. 402, pp.147-151.}
Among the Poumais, the traditional house looks like a tent with a thatch roof. The front side of the house is generally wider and rises higher. At the back, the roof drops to half of the wall. The houses are walled with woven bamboos and in some cases with rough wooden planks. Generally a house is partitioned into four rooms, the porch, sleeping room, granary room and the last room. The porch provides shelter for cattle. Its wall is decorated with skulls of animals. The house is divided longitudinally to make the sleeping room and the granary room. The sleeping room is also the common room where guests are entertained and food for pigs and dogs prepared. The granary room is mainly for storing paddy and for rearing pigs. The last room is the most important room where all the family rites are performed, and it is used as kitchen, as brewery, and for storing water and other valuable things.\(^{436}\)

At Laii village the custom of touching both sides of the main pillar with Kalou leaf, to chase away evil spirits, is practised. The owner of the house performs also the ginger ritual in which he cuts the ginger into two pieces so that one should fall with the cut portion facing the ground and the other facing upward. If this does not happen, the owner repeats the ritual. Only when the ginger sign is good the construction of the house begins. After the completion of the house an old man makes fire in the hearth and other members throw stones to chase the devils. The husband enters the house with a knife followed by his wife with a basket. They eat chicken that day. The old man is given paddy or a chicken in gratitude.\(^{437}\)

Houses of the rich are distinguished by their horns. These houses are built after holding the feast of merit. Such horned houses are adorned in front with wood crafts showing heads of buffaloes, cows and human beings hewed out of big logs.\(^{438}\)

A Mao traditional house\(^{439}\) is a symbol of status to the owners. It embodies the family history relating to its success in hunting, wars and even the abundance of

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\(^{436}\) n. 392, pp. 21-22.

\(^{437}\) Interview with the elders of Laii Village.

\(^{438}\) n. 392, p. 22.
wealth. A Mao traditional house is a wooden rectangular upright structure with thatched gable roofs. The one who intends to build a house gets the construction materials ready with the help of his relatives and neighbours.

Construction of the house begins with the erection of the main pillar called Dzitea to be placed at the centre of the structure. First a hole is dug to accommodate the post. A tender Kholo leaf is plucked and the post is ritually touched with it. Wine kept in a banana leaf cup is poured into the hole. Then the pillar is erected. This is followed by the erection of two other pillars called Zsii at both the sides of the first one. Similar arrangements are made for the middle and back rows of the pillars of the house. Generally, three main wooden beams of equal length are tied on top of the main pillars parallel to each other. Upon these beams bamboo or wooden rafters are laid so that the thatches may be fastened securely. Roofing with the thatch will be started from the uppermost portion of the gable.

A typical Mao house has just two rooms inside the walled portion and an open chiphemu (verandah) which is mainly used for firewood and as cattle shed on both sides and the middle portion is free for passage. The front of a Mao house is beautifully decorated with traditional designs and symbols. The walls of the front portion are made of profusely carved planks and timbers. Adornment of a house with carvings of mithun heads, human heads and other animals indicate the wealth and influence of the owner. Therefore, a chief's house has generally such elaborate carvings on the front wall.

A large flat piece of hewn plank serves as the main door of the house. It is not latched to any part of the house but kept leaning against the main door frames. A wooden block is laid crosswise in front of the main entrance to indicate that the occupants are outside the house.

\[439\] n. 93, pp. 81-85.
The first compartment is rather large and is used for storing paddy and other household materials. The cattle are also allowed to sleep in this room at night amidst the paddy bins, mortar and pestle. Among some Mao groups, there is also a hearth close to the main entrance for the domesticated animals. It is also used for cooking hunted animals sacrificed on the occasion of someone's death.

The rear room is smaller than the first compartment and it serves as the kitchen and the bedroom. The hearth consists of three upright stones erected close to one another. There are only two beds inside this room as the grown up children are to sleep in the dormitory. The whole room is a little dingy and dark, as the traditional house is devoid of windows and other outlets. The small exit provided in the side wall is a reminder of head-hunting days, when the family needed to make an emergency exit.

The house can be oriented towards any direction except to south-west. It is believed that in the south-west there is a place called Chakha somewhere in the Maram region considered to be the abode of the evil spirit. Therefore, the hearth too should not face that direction. The front portion of the feast-giver's house has two wooden horns rising up to the sky. These houses can be recognised from far as houses of men enjoying special social status.

Among the Kacha-Nagas, the houses are arranged on either side of the main village road. The entrances of the houses never face the village roads or lanes. The houses are two-sloped and gable shaped. Most houses have the house horn.\textsuperscript{440}

The traditional Kacha-Naga house has three rooms with a verandah or portico. The first room is smaller than the middle one and the last room is the smallest. There are two doors in the front wall side by side. The first room has a hearth in the middle. The left side of the hearth is meant for elderly persons or outsiders who come to halt for the night. The right side of the hearth is for pounding rice and keeping fowls. The

\textsuperscript{440}n 402, p.31.
middle room is the bedroom and kitchen of the family. No outsider is allowed to enter this room. The household deity is kept on the left side extreme corner adjacent to the first room. The smallest room serves as the store room of the house, particularly for rice beer. Traditionally they have their granary away from their house. The verandah or portico is used for keeping cattle. The house is made of bamboo, wood, cane, thatch grass and reeds. The front wall is beautifully decorated. If the house owner is an able man, he possesses a horned house.\footnote{Ibid., p.32-33.}

Among the Thangals, there is a custom of sprinkling the blood of a sacrificial animal on the pillars of the newly constructed house to chase away the evil spirits.\footnote{n. 433.}

5.9. Customary Laws

The general body of traditional law is as old as the tribe itself. There is no historical or legendary law giver. Laws and customs have been handed down from generation to generation and it has a cumulative weight of ancestral authority.\footnote{n. 198, p.29.} In the light of Maram customary laws, we shall consider whether the customary laws of nearby tribes like Poumai, Mao and Kacha Naga are similar or different in nature.

5.9.1. Inheritance

Many elements of Mao and Poumai customary law is similar to that of Maram. These laws which are different from the Marams are shown here. In respect to parental house, Mao customary law follows the principle of ultimogeniture in which the youngest son gets the property. A widow may at her discretion get married to her younger brother-in-law so that she may get further maintenance from the
family. Even if she does not marry the brother-in-law, as long as she remains unmarried and looks after the family, she continues to live in the house of her late husband.\textsuperscript{444} Among the Poumai, the girl can inherit only movable properties. However in some villages the practice of gifting the girls with immovable properties is also prevalent.\textsuperscript{445} In case the father leaves no sons, then the daughters can claim movable properties. In some villages the youngest son gets the house and hearth.\textsuperscript{446} Although no Poumai woman can inherit land, the father can leave land for the use of the daughter during her life time which will revert after her death to the male heirs of the family.\textsuperscript{447} 

The Kacha-Nagas follow the principle of ultimogeniture and the youngest gets the family house and its hearth. It is his duty to look after the parents in their old age.\textsuperscript{448} A woman is entitled to some property like paddy fields from her parents only if it is offered as dowry. A woman can inherit the property of her husband and distribute it among her children at will. However, if the husband has a second wife and the first wife tolerates this situation, she would get only half the property, in case her husband dies.\textsuperscript{449} 

Among the Thangals, the customary law regarding inheritance is the same as that of the Maram tribe.

\textsuperscript{444} n. 93, p. 142.
\textsuperscript{445} n. 392, p. 28.
\textsuperscript{446} n. 368, p 37-38.
\textsuperscript{447} n. 368, p. 38.
\textsuperscript{448} n. 402, p. 116.
\textsuperscript{449} Ibid., p. 134.
5.9.2. Crimes and Punishments

Traditional Naga justice was based on the corollary of ‘Nagaism’ which says, “The righteous comes out victorious”. Since right action brings victory, the just are to be rewarded and the unjust punished adequately. The legal system was based on the customary laws and it was so among all the Naga tribes. If they differed it was only in the type of meted out punishments, that too in some particular cases.\(^{450}\)

5.9.2.1. Murder

According to T.C. Hodson, murder within the clan is so rare an event that he has no information concerning the attitude of these groups towards the offender in such a case. Inter clan or inter village murder occasions a feud which is ended in the slaughter of another from the murderer’s clan or village.\(^{451}\)

In the case of accidental murder, the maximum punishment was banishment of the murderer from the village for a specific number of years. Among the Ao, Angami, Mao, Maram, Poumai, and Tangkhul tribes, the punishment could extend up to seven years depending on the circumstances.\(^{452}\)

Premeditated murder was taken very seriously. Though the degree of punishment differed from tribe to tribe, the criminal was to be punished to the maximum, even a capital punishment. If he was not speared to death, the punishment was so severe that he was as good as dead.\(^{453}\) Among the Konyaks, the severest punishment was to throw the murderer into a flooding river or down a precipice with the whole population watching the scene.\(^{454}\) The Maos expelled the criminal for seven

\(^{450}\) n. 5, pp. 64-65.

\(^{451}\) n. 50, p.106.

\(^{452}\) n. 5, p. 65.

\(^{453}\) n. 5, p. 66.

\(^{454}\) n. 5, p. 66.
years. His house was destroyed and all property confiscated. A good amount of money or a bull is given to the family of the deceased. All the men from the criminal’s clan are to abstain from meat. If the criminal is caught before the burial of the victim, he is killed forthwith. Only after seven years, if he succeeds in convincing the elders, he and his family are allowed to return to the village.\footnote{455}

5.9.2.2. Rape

Rape was very rare but it did happen. In general, the rapist may be beaten to death or crippled for life so that he may not repeat such anti social behaviour.\footnote{456} Among the Maos, the man who raped was asked to marry the girl provided the girl agreed to become his wife. Besides injuries, a heavy fine was also imposed.\footnote{457} Among the Kacha-Nagas, after the victim of rape lodges a complaint to the village council, it is the duty of the councillors to trace the guilty person. Often the punishment depends on the demands placed by the victim. Besides paying the compensation, his clothes are also displayed in the village as an insult to him.\footnote{458}

5.9.2.3. Adultery

In the case of adultery, both the man and the woman could be killed on the spot if caught red handed, and the matter was thus closed. The injured husband, on receipt of secret reports, looked for an opportunity to spear the seducer to death. If the matter is to be compromised, the culprit is to pay a very heavy fine in terms of animals.\footnote{459} Among the Kabuis, the family of the adulteress is obliged to refund the

\footnote{455} n. 93, p. 193.

\footnote{456} n. 5, p. 68.

\footnote{457} n. 93, p. 194.

\footnote{458} n. 402, p. 165.

\footnote{459} n. 5, p. 68.
bride price paid by her husband in the first instance and also pay up her debts.\textsuperscript{460} If the adulterer cannot pay the fine, he is expelled from the village. In addition, his house and property would be destroyed by the husband of the adulteress. Aware of these things, the adulterer usually flees to other villages.\textsuperscript{461}

5.9.2.4. Divorce

Divorce was very rare for fear of the in-laws and the customary law. Wrongful divorce could lead to war between two villages if the woman was married to a man of another village. In the case of divorce, the children belonged to the husband.\textsuperscript{462} Infidelity from the side of the woman is never tolerated. She faces the wrath and torture of the husband and his relatives or is divorced.\textsuperscript{463}

5.9.2.5. Theft

Theft of every kind was punished severely. Theft of paddy was considered a very serious crime and heavy fines were imposed. Among the Maos, in the case of stealing fish from the pond, an equivalent of ten bushels of paddy is demanded as fine. The guilty one has to meet the expenses of the village court as well.\textsuperscript{464} Often a thief is caged in a strong bamboo basket, with his legs and hands trussed up, and was required to lie on nettle-leaves all night without any relief. If he did not improve his behaviour, he was turned out of the village. The degree of punishment differed from tribe to tribe but the objective of the punishment was corrective.\textsuperscript{465}

\textsuperscript{460} n. 50, p. 107.

\textsuperscript{461} n. 402, p. 166.

\textsuperscript{462} n. 5, p. 68.

\textsuperscript{463} n. 392, p. 40.

\textsuperscript{464} n. 93, p. 194.

\textsuperscript{465} n. 5, p. 70.
5.9.3. Settling of disputes

The village council headed by the chief is the highest authority in the village to settle all disputes. There is no separate house for the purpose of holding case hearings. When a case is to be heard, all activities relating to it takes place either at the chief's courtyard or at the public gathering place. Cases are to be settled in the first instance at family or clan level. Only if it cannot be settled, a case is filed to the chief. The chief summons the councillors and the parties involved in the case and *genna* is declared. During the discussions, the opinions of the elders may be openly criticised by the other villagers who also take part in the debate. Since even the largest village is small enough to be well known to all, often only a declaration of the customary law applicable to the facts is required from the elders, who are rigorously bound by their own precedents. However in some cases among the Pounmai tribe, the involved parties are asked to leave the premises. After assessing the opinion of at least twenty elders, the chief proposes the line of action to be taken and if it is found justified, the council endorses the proposal. The verdict is announced and it is followed in letter and spirit by the people. In the cases where facts are disputed, all the concerned parties are to take an oath and the matter is considered settled.

Oath taking is considered to be something very serious and dangerous. A person who resorts to wrongful oath for fear of heavy fine, punishment or shame is punished by god in one way or another. It is generally believed that some of the families or clans are totally wiped out due to wrongful oaths by their forefathers. Therefore people prefer paying a fine rather than resort to oath taking unless they are very sure of their claim. Among the Kacha-Nagas too faith in oaths is so very deep rooted.

\(^{466}\) n. 93, p. 192.

\(^{467}\) n. 50, p. 109.

\(^{468}\) n. 93, p. 192.

\(^{469}\) n. 50, p. 109.

\(^{470}\) n. 93, p. 192.
and respected that they are very rarely taken. Generally these are resorted to only in most serious and difficult cases when all other means have failed for resolving the issue.  

Oaths are common to all tribes though practical application of them may vary from village to village in the symbols and words used in taking the oath. Among the Poumais, Chacho (oath) is one of the most common ways to settle both civil and criminal cases like land disputes and thefts especially when both parties claim to be right. While swearing the oath, the person who swears holds his spear and a pair of leaves from a Lou plant and pronounces the dictated words in the name of God: “This land truly belongs to me, never to you; if not let the wrath of god fall upon my family members”.  

Chayu (curse) is administered to seek punishment from god against an unknown thief or criminal. This is performed annually on a fixed day for all stolen properties, destroyed goods, murders, etc. On the appointed day, all the adult males of the village gather at a place and curse the evil doers in the following manner: ‘Oh.... let the thief who has stolen ...... be not alive this complete year, let him cry with pain like this chicken and die, let the villagers walk over him’. Then a chicken held by the priest is pierced with a stick through its anus. In response the people respond spitting: Oh... thuw. If the footprints of the thief are found but it is not possible to identify the culprit, spearing of the footprints is done by the priest and all the adult males present. Among the Kacha-Nagas, oaths are taken by breaking the egg, keeping earth on the head, biting the tooth of the tiger, diving into the pond and remaining under water, swearing in front of the oath taking stone, etc. In all these cases the individuals or parties concerned are to repeat the words of the oath, e.g., in the case of keeping earth on the head, ‘if I am the culprit, I shall go under the earth

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471 n. 402, p. 169.

472 n. 392, p. 41.

473 It could be cat, dog, chicken depending on the village. Its meat is not be eaten by the people.

474 n. 392, p. 42.
soon'. Oath taking among the Maos, is similar. The words of the oath go thus: 'I did not commit the crime in question. If I have committed it, let the members of my family, kith and kin, clan and khel, perish this year'; 'I did not utter those words. Have I said so, I will not survive up to the last day of this year'.

Oaths are mainly administered to invite punishment from god against the wrong doers who claim to be right and take oath in the name of god. According to tribal beliefs such persons bring upon themselves punishment from god.

5.10. Conclusion

Thus we see that the customary laws and administrative practices are by and large the same among all the Naga tribes. The differences if any are in minor details or in the execution of the punishment. This brings about their commonality and the individual tribe's and village's uniqueness. The moral sanctions imposed on the individual or a group ultimately affects the whole society. The various customary laws are made effective with the help of the leaders, elders and representatives from different groups within the village.

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475 n. 402, pp. 170-171.
476 n. 93, pp. 192-193.
477 n. 392, p. 42.
478 n. 198, pp. 56-57.