

VILLAGE COUNCILS OF NAGALAND: CUSTOMARY LAWS, GENDER-ROLES AND DEVELOPMENTAL CHALLENGES

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Abstract

Nagaland is a sparsely populated Indian state located in the northeastern region. The village councils are the traditional local government body that administers villages based on Article 371 A of the Indian constitution. The village identity is the central part of Naga identity, and individual identifies themselves as part of a village. The researcher stayed in deep rural areas, namely Goching, Hongphoi, Pongkong, and Chi (Chui) Villages of Mon district, Nagaland, from October 2021 to December 2022 and traveled extensively in these villages. This study explores the role of village council in addressing gender roles and developmental challenges.

Keywords: Village Council, Village Development Board, Angh, Konyak tribe

Introduction

Nagaland is a mountainous state bordering Myanmar, and many parts of Nagaland suffered heavy fighting during the Second World War. Nagaland's tribes speak over twenty languages that are incomprehensible to each other. The majority of the seventeen recognized tribes in Nagaland are Christian, including the non-Naga Kuki and Kachari tribes, who have rich cultural diversity and customs (Tzudir & Krose, 2024). Known as the land of Anghs, the Mon district in northern Nagaland is home to the Konyak community. The anthropological monograph "The Naked Nagas: Head-hunters of Assam in Peace and War" by Furer-Haimendorf who conducted fieldwork in Wakching village of Mon district between 1936 and 1937, brought the Konyak tribe to the attention of anthropologists (Von Furer-Haimendorf, 1938).

The Mon district can be classified into the lower Konyak and upper Konyak areas. The Lower Konyak region has a unique culture distinct from the Upper Konyak area, with seven kingdoms ruled by chief anghs or hereditary kings from established royal lines (Featherstone & Harvey, 2021). Anghs governs and guards the villagers and their belongings (Tiwari et al., 2013). The Morung is the heart and soul of customary practices and justifies patriarchy, particularly in politics (Longkoi, 2024). The Konyaks practiced headhunting and facial tattoos. Local rivalries, such as those involving resources between tribal areas, between plains and hills regions, and between the indigenous population and migrants from the Bengali plains, Nepal, or central India, are at the heart of violence in the Northeast (Lacina, 2009; Weiner & Katzenstein, 1981). The skulls of buffalo and Mithun are used to decorate homes in Konyak villages, symbolizing their passion for hunting. There have been conflicts between morungs in the same town (Von Furer-Haimendorf, 1938). According to Konyak tradition, they take the head of their enemy during battle, allowing them to decorate tattoos on their face and body as an act of bravery (Konyak, 2008). The village council system remains a Pandora box for many, creating significant ambiguity in policy formulation. The core idea behind the village council system is to implement government schemes for the welfare of villagers in the hinterland areas by respecting their traditional values and tribal customs.

Method

The qualitative study used case study method to understand the role of village council in every day life of residents in the remote villages of Nagaland namely Chi, Goching, Hongphoi and Pongkong under Mon district of Nagaland from December 2021 to November 2022. The secondary data for the study was obtained from journal articles, books, and other relevant documents. The study attempts to answer the following question: What is the role of traditional village council system in achieving gender inclusive development in rural areas? The research study also exposes the role of the conventional leadership style in dispute resolution.

Panchayat, village council and gender roles

In India, local self-government bodies in rural areas can be generally classified as Panchayats and village councils. The 73rd constitutional amendment in India was a significant milestone in democratic decentralization and devolution of power (Sukumar et al., 2019). Village councils are traditional local self-government bodies in tribal majority areas of North East India. Village councils under autonomous district councils of Meghalaya (Garo, Khasi, and Jaintia), Mizoram (Mara, Lai, and Chakma), Tripura and Assam (Bodoland, Dima Hasao, and Karbi Anglong) mentioned in the sixth schedule of the Indian constitution (Constitution of India, 1950) are different from village councils of Nagaland. The village councils in Nagaland were established based on the Nagaland Village and Area Councils Act of 1978.

Naga villages are located on the summits of hills, divided based on Morungs or Khels, subdividing the village's territory based on clans (Natarajan, 1977). There is a village council in every recognized village, and they have a five-year tenure. The term of the village council can be extended for one more year or dissolved before completing five years by the Nagaland government. There is no uniformity in the period of selection of village councils from one village to another, which creates confusion about the tenure of the village council. The village council chairman is the head of the village government, and the village council secretary assists the village council chairman in administration. A member recommended by the chairman acts as chairman during the chairman's absence in a village council meeting. The village council secretary may or may not be a village council member. A government employee or a person convicted by any court in India is not eligible to become a member of a village council. The Nagaland government can remove any member of the village council in case of misconduct, and the removed person is not eligible for re-election into the village council except with prior permission of the Nagaland government.

The village council chairman determines business conduct at village council meetings, which meet at least once every three months. The village council chair can request a village council meeting if at least one-third of its members ask for it. There is no election for village council members, and the villagers will select the members of the Village Council in compliance with customary practices and usages. The absence of the election process results in the elite capture of the village council. A village council member must be at least twenty-five years old and an Indian citizen.

The Village Council Act of 1978 conferred authority to administer justice following the village's customary law. The Hereditary Angh (King) will be an ex-officio member of the village council having voting rights. The Konyak community has a Chief Angh in each chief village, such as Longwa, Mon, and Chi, and smaller Anghs in the villages that fall under each chief village.

There is no separate village chief in villages like Goching Village, which was formed from Chi Village. The chief Angh of Chi village has jurisdiction over Goching Village.

The village development board is constituted under the village council for infrastructure development and administering various government schemes. The village development board (VBD) secretary may or may not be a member of the village council, and the VDB secretary has no voting rights if he is not a village council member. The VDB secretary heads the village development board, and the VDB can raise funds for utility services within the village with prior approval from the state government. The Village development board can take preventive action in any epidemic or infection in the village. The village development board was very influential during the COVID-19 pandemic in providing health care support in the rural areas of Nagaland. Women get one-third of the seats on the village development board but are not permitted to serve on the village council. VDB secretary can be a woman, but she cannot be part of the village council; at the same time, if the VDB secretary is a man, he can be part of the village council.

The Nagaland government modified the Nagaland Municipal Act in November 2016 to implement the constitutionally mandated 33% seat reservation for women in urban local government bodies (Thejalhoukho, 2024). This time, however, several tribal organizations, including the Konyak Union, objected to this provision, arguing that it violated the Naga customs and, subsequently, violated the special constitutional status granted to Nagaland under Article 371A. Gaon Bura (GB), who administers justice at the village level based on customary law, will also be a member of the village council. The GBs wear red overcoats or blankets, distinguishing them from other ordinary citizens. The number of Gaon Buras differs in Villages according to the village population. In the case of more than one Gaon Bura, the village council elects a senior Gaon Bura as the head Gaon Bura of the village.

Customary Law

The "social capital" inherited from traditional practices and institutions is one of the main advantages modern Naga society has carried over from its past. Social discrimination and the caste system are non-existent among Nagas, unlike other parts of mainland India, and there is a strong sense of community spirit and social bonding. Aspects of the community's cultural history and agricultural knowledge passed down through the age groups connected to the bachelors' or men's dwellings known as Morungs (Imchen, 2024).

The 1997 Indo-Naga ceasefire agreement marked a turning point in the conflict between the Indian government and Naga rebel factions (McDuie-Ra & Kikon, 2016). The Eastern Naga People's Organization proposed bifurcation of the present-day state of Nagaland into two states, Frontier Nagaland and Nagaland (Wouters, 2016). Compared to other regions of the state of Nagaland, Eastern Nagaland shares characteristics of being backward, and the districts of Mon, Shamator, Tuensang, Kiphire, Noklak, and Longleng, make Eastern Nagaland or Frontier Nagaland, which borders Myanmar (Ziipao, 2022).

Geographical remoteness and development challenges

There is no marketing facility for local agricultural produce, and the roads connecting the villages to the nearby district headquarters, Mon town, are poorly maintained. Enhancing rural road connectivity is essential for Nagaland's development since many of the state's villages are difficult to access (Humtsoe, 2020). These roads are also of strategic importance since they are located on the Indo-Myanmar border, and China's Yunnan province is in the vicinity. Hiring a vehicle is

expensive which is not affordable for many villagers. Small-scale farmers in the villages suffer post-harvest loss due to lack of marketing opportunities. There has been internal factionalism in the Naga armed conflict in addition to the Indian counter-insurgency (Goswami, 2017), which has resulted in a lack of infrastructure and industrial development in Nagaland.

There is a lack of healthcare facilities and an inadequate number of professionally trained healthcare professionals in the deep rural areas of the Mon district. A study suggests that to increase childhood vaccination rates in Nagaland, dependable transportation between villages and health facilities is essential (Kim, 2021). Access to hinterland villages like Pongkong is difficult during the summer and monsoon seasons. The roads will be dusty during the summer season, which results in breathing difficulties for travelers, while in monsoon season, the tire will get stuck in Mud, which makes the travel like getting blood out of a stone. The village council of Pongkong, with the help of civil society organizations, constructs and maintains roads.

Border Road Organisation is a government agency responsible for constructing roads in border areas of India. In the Mon district, some highways are maintained by the Border Road organization. When receiving treatment in Mon district hospital, the rural patients have to spend the night at a relative's house in Mon town after traveling for three to four hours on foot or by private transportation (Das et al., 2014) due to inaccessible roads and security challenges. The village health committee assists the district administration in implementing government schemes related to health care. The village health committee is a sub-committee of the village council consisting of a village council member to ensure better and more efficient health service delivery through primary health centers in the village.

The villagers depend on Mon town, the district headquarters of Mon district, for all their essential needs, including grocery and health care services. There is no all-weather road connectivity to villages like Pongkong; any road blockade due to severe rainfall, natural disasters, or armed conflict will badly affect the daily affairs of villagers. The village students will enroll in hostels in Mon town after they complete middle school for higher education. If students or their parents cannot afford the cost of living in Mon town, they reside in their relative's place and help them with household chores after school hours. Personnel working for the Indian government are required to pay the militant groups 15 to 25 percent of their salaries in militant groups' dominated areas in Nagaland; failure to do so may have fatal consequences or lead to disappearances (Goswami, 2008). In order to generate money, the militant groups in Nagaland engaged in terrorist, kidnapping, and extortion (Mampilly & Thakur, 2024). The extortion from the militant groups and poor road infrastructure in the deep rural areas force the government officials and health care officials to stay in district headquarters, eventually leading to inadequate service delivery for the rural population.

Christianity and Naga worldview

Christianity made its way to Nagaland in the early 19th century. The introduction of Christianity by British colonists impacted Nagas' daily lives and worldviews (T. Longkumer, 2021). Nagaland Baptist church council is one of Nagaland's most influential religious organizations. The Konyak Baptist Bumeinok Bangjum (KBBB) heads all Baptist churches in the Mon district. The Baptist church came to Nagaland, followed by the catholic church. The major denominations in Nagaland are Baptist, Presbyterian, and Catholic. Other tribes have revered the Ao tribe since they first accepted Christianity, and they got the opportunity for Western education.

The Konyaks were the last tribe to accept Christianity. The American Baptist strategy was to train local evangelists to preach to the people in interior villages and to make the church self-sufficient in Nagaland (Joshi, 2007). The church is the center of social life in every Naga village. The motto "Nagaland for Christ" has gained traction in the pursuit of "Greater Nagalim," which unites the Naga people, as all Naga tribes are Christian (Konwer & Rizvi, 2023). Church positions are organized in a vertical hierarchy due to the institutionalization of groups and churches based on denominations, which has contributed to the bureaucratization of churches (Achumi, 2022). The new Christian faith encouraged villagers to give up their old headhunting practice. Christianity gave the majority of Nagas a "moral authority" and some degree of internal cohesion, outpacing both territorial divide and "tribal" loyalties (A. Longkumer, 2018).

Illegal coal mining and jhum cultivation

About 88% of the workforce in the Mon district is employed in shifting cultivation, or Jhum, as it is known locally. Considering agriculture constitutes the primary source of income in Naga society, women have always collaborated with men in all agriculturally related tasks (Jamir, 2014). The topographical feature of the land in Hongphoi, Pongkong, and Goching villages of Mon district is marked by gentle slopping everywhere with rich and fertile soil suitable for minor irrigation and agricultural activities. Traditionally, the predominant method of land allocation in Mon district has been redistribution, whereby excess crops are provided to the Anghs, who then distribute them to low-income families (Saikia & Bhaduri, 2012).

There is a decline in the agricultural area for Jhum cultivation in Nagaland due to youth migration for better employment opportunities and soil infertility (Nongkynrih et al., 2018; Ritse et al., 2020). The area of land allocated for Jhum cultivation is decreasing due to the increase in population. The illegal coal mining in Naga villages, with the support of political and insurgent leaders, resulted in environmental degradation, contamination of rivers and streams, and destruction of agricultural land (McDuie-Ra & Kikon, 2016). The decline in the Jhum field results in a reduction of the Jhum cycle and a decrease in productivity. The crops like maize (*Zea mays* L.), rice (*Oryza sativa*), tapioca (*Manihot esculenta*), potatoes (*Solanum tuberosum*), and ginger (*Zingiber officinale*) are produced in Jhum sites of Mon district, also known as shifting cultivation. (Mishra & Francaviglia, 2021). Indigenous Peoples' food systems and nutritional status have received relatively little attention; however, preserving and documenting Indigenous knowledge and food systems is essential, particularly in policies and intervention programs that address food and nutrition security (Kuhnlein & Leach, 2017).

Drug abuse

Mon district shares a border with Myanmar, and its proximity to the Golden Triangle special economic zone, located in the trijunction area of Myanmar, Laos, and Thailand, increases the drug menace in this area. The political unrest in Myanmar has created favorable conditions for the expansion of a thriving drug industry, and the northeastern region of India has been well-recognized as the primary route for the transit of drugs originating in Myanmar (Sarkar, 2024). In Nagaland, socioeconomic hardships such as unemployment or dropping out of school have an impact on an individual's decision to take drugs (Kermode et al., 2007).

Conclusion

The Village councils need to be strengthened for improving lives of thousands of rural residents in the deep rural villages of Nagaland. In Nagaland, village councils perform a significant role in grassroots decision-making. The effective functioning of village councils contributes to preserve Nagaland culture and traditions. At the village level, good governance and efficient service delivery depend on strengthening village councils through administrative training and capacity building. The presence of two female lawmakers in Nagaland legislative assembly and a female parliamentarian from Nagaland will promote more gender inclusiveness in the political process.

Village councils have the power to document Naga folklore and register it under a society or association because of the collective communal ownership of this knowledge. This protects the intangible cultural heritage of the Naga people from unjust commercialization and appropriation (Varah et al., 2021). For the benefit of future generations, Nagaland's unique culture must be conserved. The rural populace might be encouraged by the village councils to protect biodiversity by reducing animal hunting and tree-cutting. The village council currently serves as a liaison between the village's citizens and the government, conducting a number of programs pertaining to health, horticulture, and rural development. By combining additional plans from different departments, village councils can serve the rural population more effectively.

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