

CUSTOMARY LAW AND WOMEN AMONG THE CHAKHESANG NAGAS
A Case Study of Khezhakeno Village

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Examined
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CHAPTER – I

INTRODUCTION

Statement of the Problem

According to Williams (1990), “cultural anthropologists tend to use a definition that sees law as a special set of social norms and mores where violation sets in motion a procedure, which is mostly formal in nature, begun by an individual, or a group of individuals acting together, who are recognised by other persons in a society to have the power, or the right and privilege, of establishing facts in a dispute, to make a finding of guilt, and to impose some type of punishment on guilty individuals or social groups”. Radcliffe-Brown (1952) has used the term 'law' to include most if not all processes of social control and regarded it as coterminous with that of organised legal sanctions. He states that “The obligations imposed on individuals in societies where there are no legal sanctions will be regarded as matters of custom and convention but not of law; in this sense some simple societies have no law, although all have customs which are supported by sanctions”. Mair (1965) says that “law means the whole process by which rules that are recognised to be binding are maintained and enforced, including the motives and values that influence judges, and

all the manifold social forces that prevent the majority of people from having to come before a judge at all”.

The following definitions of law by some anthropologists also show that law is concerned with rules of conduct and the way, which operates to secure respects for these rules. According to Pospisil (1971) “law is conceived as rules or modes of conduct made obligatory by some sanctions which is imposed or enforced for their isolation by a controlling authority from man's feelings or sense of right”. Vinogradoff (1974) defines it as “a set of rules imposed or enforced by society with regard to the attribution and exercise of power over things”. Malinowski (1922) also states that “an anthropological approach to law is flatly behaviouristic and empirical in that we understand all human law to reside in human behaviour and to be discernible through objective and accurate observation of what man do in relation to each other and the natural force that impinge upon them”. Cultural anthropologists tend to distinguish technically between law that defines permissible individual behaviour and law that provides the authority to try and punish law breakers.

Law contributes to social order in human life by dealing with disputes that arise regularly before it leads to continuing social disorder by constant recriminations, the seeking of personal revenge, or lasting feuds between individuals. A society cannot get on with its day to day affairs if it permits individuals to be law unto themselves, i. e., to take law into their own hands when they feel aggrieved or have a

conflict with another person or group, and so the existence of law in a society can allow the individuals to deal with the new condition of life experienced in societies changing to other ways of life. Evans-Pritchard¹ states that "Within a tribe there is law: there is machinery for settling disputes and a moral obligation to conclude them sooner or later".

According to Fallers (1969) customary law has been used by most anthropologists for uncodified and unwritten rules. Pospisil (1971) is also of the opinion that customary law should be backed by the people's conviction and that the society cannot function without it. Therefore it could be seen that anthropologists consider law as a means of social control which is found to be in existence in both simple and complex societies though the system may vary. It is a fact that law emerges from customs and usages through the passage of time. Custom is the major source of law and it regulates human behaviour in early societies when written laws were not in existence and again, the origin of custom lies in habit, i. e., when a group of people adopt a particular habit it becomes a custom of that community. However it must be noted that custom is not law and is not imposed by state but when customs are recognised and get accepted then they attain the status of law. Law draws its strength from concepts of morality and morality is influenced by law but they are not identical. The former deals with the external action and the latter with the inner conscience of

¹ E.E. Evans-Pritchard, "The Nuer of Southern Sudan", *African Political Systems*, ed. M. Fortes and E.E. Evans-Pritchard, Oxford University Press, London, 1940.

individuals. Custom can therefore be said to be the oldest form of unwritten law established by usage.

According to Maine (1917), “aristocracies were universally the depositories and administrators of law”. Referring to the early ancient society where there was no written form of law he says “in the East aristocracies became religious, in the West civil or political” and thus, this was the reason why the customary laws are always followed by rites and rituals, beliefs and taboos especially in the traditional society. Maine further explains how customary law came into existence saying “The connection of ideas, which cause the judgements of the patriarchal chieftain to be attributed to supernatural human dictation still shows itself here and there in the claim of divine origin for the entire body of rules, or for certain parts of it, but the progress of thought no longer permits the solution of particular disputes to be explained by supposing an extra-human interposition”, which explains the principles of the need for bringing about a social control when there was no sort of any form of control or law and order situation in the society and that “What the juristical oligarchy now claims is to monopolise the *knowledge* of the laws, to have the exclusive possession of the principles by which quarrels are decided” and this, according to him, is the customary law for he says “We have in fact arrived at the epoch of customary law”. Thus, according to Maine, customary laws are the customs or observances which exist as a substantive aggregate and that, “The law thus known exclusively to a privileged minority, whether a caste, an aristocracy, a priestly tribe, or a college, is true written

law” and says “Except this there is no unwritten law in the world”. Maine’s view about customary law is also reflected by Schapera (1956) who says “we can no more speak of ‘primitive government’ generally than we can of ‘primitive law’ or ‘primitive religion’ generally, except perhaps by contrast with some major characteristics of more advanced systems”. It can therefore be seen that traditional customs need not be considered as primitive law because in both the laws of primitive and advanced state of governments, laws were present which helped to regulate the life of the people in almost every walk of life.

According to Mair (1962) “People argue whether primitive societies have government. They also argue whether they have law. But nobody questions that they have rules of some kind which everyone thinks it is right to obey”, and further says that there are two aspects with regard to the meaning of law as, “If we can give a very broad meaning to the word ‘law’ we can express this fact, in the proposition that there are social groups which recognise the rule of law among themselves, but do not consider that outsiders come into it, and if we give the very, broadest meaning to the phrase ‘the rule of the law’, we can say it is a situation in which peaceful relations are regarded as normal, and there has to be something to justify a breach of these relations”. Explaining further, the existence of law, Mair says, “The minimum that people expect from peaceful relation is security of life and property”. She again states that “Between members of a single tribe the use of force is governed by what might be called rules and conventions” and that “one cannot make distinction between law and

convention that is made in societies which have written laws. But one can say that there are recognised claims and obligations, and conventions as to the extent to which these are acted upon”.

Radcliffe-Brown² says “in any social system the political institution, the kinship organisation, and the ritual life are intimately related and independent”. He writes: “In studying political organisation, we have to deal with the maintenance or establishment of social order, within a territorial framework, by the organised exercise of coercive authority through use, or the possibility of use, of physical force”. According to him there are two forms of sanctions: “There is first the sanction of moral coercion as distinguished from physical coercion; the individual who does wrong is subjected to open expressions of reprobation or ridicule by his fellows and thus is shamed”. “Secondly, there are the various kinds of ritual or supernatural sanction. The most direct of these is constituted by the unquestioned belief that certain actions bring misfortune upon the person who is guilty of them”. Therefore, it can be seen that the habitual course of conduct of a given society is the customary law of that particular society.

Tribal customary law can be said to be a part of the study of tribal society because the existence of the tribal customary law is as old as the tribe itself. The term

² A.R.Radcliffe-Brown, “Preface”, *African Political Systems*, ed. M. Fortes and E.E. Evans-Pritchard, Oxford University Press, London, 1940.

'tribal customary' law can also be said to refer to the tribal laws, which are more refined, logically accepted and more prevalent among today's tribal societies. Therefore, customary rules or laws are to be understood in contrast to the written or modified rules of personal or public conduct or constitutional laws passed by certain legislative bodies or organisations. But human conduct is so varied and so unpredictable that every movement of conduct can hardly be put in written form to cover all the patterns of behaviour of individuals of a particular society. Besides, such rules and practices may undergo changes, modifications, alterations, etc., with the progress of time. Customary laws thus include those rules, which are acknowledged and approved by the public opinion of the society and sanctioned by the will of the community. It is thus apparent that customary laws existed even prior to the emergence of the nation or the state and which continue to exist along with the change of time.

The primacy of the customary laws and practices is to maintain social order while prescribing rules of conduct for each individual, age and sex-wise. In tribal societies it can be said that there is no clear-cut division between civil and criminal offences. The offences are primarily considered to be directed at individuals, groups or the society as a whole. The customary law regulates the day-to-day life of the tribal people in both the socio-cultural and eco-religious aspects. Harmony and disharmony, co-operation and conflict, conformity, observance of social norm and their occasional violence are easily observable in any functioning of socio-cultural unit. Violation of

the standing customs generates indignation among the law abiding neighbour. Should any disturbances occur due to non-observance of the customary rules and practices, society has some socio-cultural mechanism for the maintenance of equilibrium, social order, tranquillity and peace among the members. These socio-mechanisms are taboos, sanctions, social rituals, culture and supernatural public opinion, good sense and ethics of each individual. These are the unseen socio-ritual forces, which generally restrain the patterns of behaviour of individuals.

Thus, in the beginning of human existence the individual was free to seek his own self preservation but it was found that there were certain inconveniences in it and was in need of protection and so he surrendered his natural right and brought into existence rules for the regulation of human conduct or behaviour. Individual minds are not adequate enough and so do not know what is best for social life and secondly, even if our minds are adequate and have capacity to perceive what is true, our individual wills may not be willing to accept the good for which our conscience is groping for in darkness. Therefore, law has its source from human needs and every society has its rules and regulations. Some call it law and some call it custom or customary law.

It cannot be denied that human societies are the outcome of joint enterprises of men and women, their roles in society are reciprocal and one cannot be understood without understanding the other. Women's roles have not been evaluated in a realistic

perspective. It is true that there are some literatures on the importance of women but these are not, so to speak, explanatory.

The history of anthropological studies suggests that it has always been dominated by the male point of view. Therefore, this sort of study may not highlight the total picture of the society. This may have resulted due to the fact that the male anthropologists cannot find easy access to the domain of women, and thus they have to concentrate themselves on the male members of the community. It is a very good sign that during the recent period the shortcomings of such studies are being over come.

Anthropologists have given specific attention to the roles played by women folk, and their behaviour patterns in the perspective of diversified social phenomena are now being recorded with general emphasis to view the workings of a society in its traditional set-up. Though in each society women are regarded as indispensable partners of men, their importance differs from society to society. It is taken for granted by all concerned that women have been playing substantive role in society.

Naga society being a patriarchal society, women are not equal to men. Yet enough evidences are not available to substantiate this point. Therefore the present research work is an attempt to show how the Naga customary laws look at their women. This is based on the case study of Chakhesang tribe.

The advent of Christian missionaries in the Naga society brought about a great change in the outlook of the people. This is because the missionaries were completely against some customary laws and traditions, which were against their religion and also which were considered not good for the people to practise or follow. Therefore, along with the changing condition in the society many taboos and beliefs were set aside and new forms of culture were introduced into their society. But as could be seen the influence of custom is still very strong in the Naga society and it regulates the life of the people whether they are literate or illiterate, living in urban or rural areas and whether rich or poor. Therefore, the study of the relationship between customary law and women is important.

Review of Literature

The British ethnographers or administrators have discussed the traditional cultural life of the people in their monographs on the Naga people. Hutton has described the traditional cultural set up of the Naga society in his monographs on two Naga tribes, the Angami Naga (1921a) and the Sema Naga (1921b). In both these tribes customary law has an immense importance in the life of the people. Mills has also discussed the influence of customary law on the life of the Naga people in his monographs on some of the Naga tribes such as the Lothas (1922), the Aos (1926) and the Rengmas (1937). Furer-Haimendorf (1939) gives an interesting account of the early life of the Nagas before they were influenced by the administrators and missionaries and also describes the developmental process in the Naga society. Elwin

(1969) in his book *The Nagas in the Nineteenth Century* published the original account of some of the early British administrators. An interesting report on the Naga people can be seen in this book where some aspects of the social life of the Naga people can be known from the personal observation and the first hand accounts of different writers. In all the different aspects recorded by the writers it can be seen that the traditional customs and laws were important in regulating the life of the people. Mackenzie (1979) traces the annexation of the Angami Naga tribe by various British administrators and the hardships they faced in trying to conquer the people and in doing so gives a clear picture of the traditional Angami way of life.

Some of the Naga writers have also thrown light on the living condition of the Naga people. For instance, Alemchiba (1970) gives a systematic account of the ethnological affinities and history of the Nagas. Hokishe Sema (1986) discusses the Naga relation with the Indian Government with special reference to the Naga underground problem. The custom of the Naga people was also discussed relating it to the Naga political system. Piketo Sema (1992) also discusses the influence of the British rule on the traditional customary law of the Naga people. The aspects of change and continuity are also discussed in detail.

Dozo (1978), while writing about the growth of Christianity among the Chakhesang tribe, stresses on the importance of traditional laws in the life of the

people. He also mentions how the Christian religion has changed some social customs.

Horam (1988) describes how outsiders see the Nagas and tries to explain the mysterious and exotic living condition of the people relating to tribal laws and practices, both of the past and of the present. Ruivah (1993) gives a comprehensive ethnographic account of the Tangkhul Nagas and tries to analyse the traditional culture and social system, which are rapidly vanishing under the impact of modernisation and Christianity. Epao (1991) differentiates between Naga religion and Christianity in the Naga society and says that Christianity has changed the entire culture of the people in almost every aspect of their life. Zehol (1998), while writing about the people of Manipur, says that traditional customs have an important influence on the life of the people.

In the 1980s a pioneering work was done to codify the tribal laws by the Law Research Institute of Guwahati High Court. Basing on the origin and evolution of various laws prevalent among the tribals, their historical development and the basic synthesising influence in the north-east region, studies were done on the Aos (1982), Tangkhuls (1982) and the Angamis (1985). In 1980 several scholars wrote on tribal customary laws dealing with different tribal areas, concentrating more on the customs, which regulate the life of the tribals unlike the earlier ethnographers who tried to study the society by writing about the different aspects of life as seen personally by them or

through records and diaries of the previous administrators and also that of the missionaries. Roy and Rizvi (1990) also portray how traditional culture plays an important role in the life of the tribal people of north-east India. According to the *Statistical Handbook of Nagaland* (1991) customary laws still regulate the social life of the people. Singh (1993) gives an account of the ethnography of the people of Nagaland and says that customary laws still have an important place in the society. He also deals with tribal ethnography, tribal customary law and the process of change in the traditional society of Nagaland.

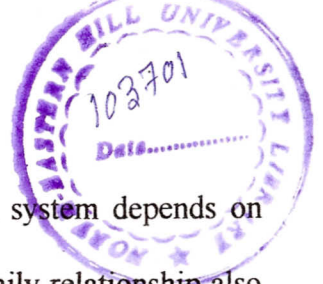
From the various accounts of the authors, it is seen that social behaviour is controlled by certain sanctions or customs, which make up the customary law. Radcliffe-Brown (1952) says that some societies have no law but all have customs which are supported by sanction. Mair (1962) also says that law is concerned with rules and conducts and in a wider field is called social control. Williams (1990) says that human societies control social behaviour through sanctions or norms. Singh (1993) has also made a distinction between sanction in primitive society and law of the more advanced society and also between the uncodified customary rules recognised as binding by a tribal community and the laws enforced by formal state system. The monographs show that society is controlled or regulated by sanctions or norms, which are traditional in nature and which form the customary law of the people.

Studies done on different African tribes by various scholars show how the tribal societies are still influenced by customary laws. The people were accustomed to adhering to their own customs. The highly complicated system of social laws helped in maintaining social equilibrium in their society. In all social systems it can be seen that both men and women have an important role to play in the proper functioning of society but as is the case with patriarchal or tribal societies laws were more stringent for women than for men. Some relevant studies have been reviewed below:

The book *African System of Kinship and Marriage* edited by Radcliffe-Brown and Forde (1950) throws light on how the tribal people of different communities conduct their life in the absence of any written laws. The authors have explained how kinship and marriage systems affect the relationship of the people, which shows how social control is maintained, which forms the customary law of the tribal societies.

The book *African Political System* edited by Fortes and Evans-Pritchard (1940) also shows how the political organisation of the different tribal communities of Africa function in the absence of any written laws.

Mair (1962) in *Primitive Government* gives a detailed picture of the government of the tribal or primitive societies with special reference to the African society. In this book the author has tried to analyse the workings of the principle of customary laws in tribal society. Chiefs were found to be the main power behind the



political organisation and the effective working of the political system depends on how they execute their authorities over the people. Clan and family relationship also play a vital role in the effective working of the society of each particular tribe, whether it is matriarchal or patriarchal. The author has also described how the social needs of the family, tribe and the society are met with throwing new lights on its historical evolution. She says that “there are social groups which recognise the rule or law among themselves, but do not consider that outsider came within it, and if we give the very broadest meaning to the phrase the rule of law; we can say it is a situation in which peaceful relations are regarded as normal, and there has to be something to justify a breach of these relation”. This explains how a nation without the modern system of government functions in tribal societies.

Gulliver (1968) in *Social Control in African Society* brings out the system of social control in the Arusha society and discusses how the traditional form of government has been affected by the modern system of judicial government. He also describes the living condition of the people and their daily social life, and how it effects the system of administration in tribal societies.

Schapera (1956) in *Government and Politics in Tribal Societies* discusses the political organisation of four different African tribes and makes a comparative analysis of them. He says that though each tribe has its own distinctive form of government, the main effect of the political system on the life of the people is somewhat similar.

He says that the political organisation affects the different system of organisation existing in the life of the people be that of a simple family or clan or a tribe as a whole. Tribal societies may appear independent but was not completely isolated from each other.

Women form an important part of traditional tribal society, which can be seen right from the monographs of the British writers to the present. Hutton has shown that the status of Naga women is high but they are not free from the influence of traditional customary laws. Mills has also expressed similar ideas about the life of Naga women in his monographs stating that traditional laws bind the life of both men and women in every aspect of their life. Sachidananda (1978) opined that women's roles and status all over the world are generally determined by social situations and norms, religious ideologies, eco-systems and by class position. Chatterji (1989) says that the major aim of the women's studies is to raise the consciousness of both men and women and in doing so one has to challenge the patriarchal notion in all areas and organisations. Again Chatterji (1993) says that the traditional idea of women confined to household activities have deprived them of equal opportunities for personal growth and social development. Vinita Narain and Lakshmi (1994) say that the social institutions, norms, class positions and religion, determine the role and status of women especially the tribal women. Juneja (1994) also opines that the power of women to make decision primarily stems from the resources, which the individual can provide to meet the needs and demands of his or her partner. Sarkar (1994) says that the roles of men and

women in society are reciprocal. Thus it can be seen that women play an important role in society.

The process of bringing about change in the traditional set-up of society has been going on since the introduction of Christianity in the Naga society, which has rendered some of the traditional laws completely obsolete. However Bose (1964) says that conversion to Christianity is the main factor for the change in tribal culture both in terms of economic and socio-cultural life of the people. Phillip (1983) also says that Christianity is responsible for bringing about change in the Naga society. Syiemlieh (1990) says that change in the Naga society is due to the introduction of Christianity. Yet, it can be seen that customary laws still influence the life of the Naga people.

Objectives of the Study

Naga society is patriarchal and therefore their customary laws are more favourable towards men than women. Basing on this assumption, the objectives of the study are the following –

1. To document the customary laws which regulate the life of the Chakhesang tribe,
2. To probe deeper into certain aspects of the customary laws of the Chakhesang tribe like family, marriage and kinship which have direct bearing on women,
3. To study the place of women in the customary laws of the Chakhesang tribe, and

4. To study the changes in the life of women vis-à-vis the customary law due to factors like Christianity, education and occupation.

Methods

The present study is based on fieldwork which is conducted in a purposively selected village called Khezhakeno. The purposes of selecting this village are as follows-

1. The village is believed to be the village of origin for Chakhesang tribe and a few other tribes besides the fact that a lot of their myths and beliefs are woven round this village.
2. This is a village where, despite rapid spread of Christianity, a lot of their traditional customs and practices are believed to be extant.

For the present study, a comprehensive documentation of customary laws of this village in general and those relating to women in particular is done.

The documentation of the customary laws is based on interview as well as observation.

I interviewed one woman from each household but for the male respondents I restricted my interview to only those who were considered by the villagers as repositories of customary laws. Such males included village elders, leaders of

different clans and organisations in the village. The data so collected were supplemented with case histories and genealogical studies, especially with regard to women.

Plan of the Thesis

Chapter-I deals with the statement of the problem, review of literature, objectives and methods of the study.

Chapter-II deals with the customary laws of the Nagas with special reference to the Chakhesang tribe.

Chapter-III describes the various laws and classifies the same.

Chapter-IV deals with the customary laws affecting the life of women.

Chapter-V discusses the factors responsible for the continuity and change in the customary law related to women.

Chapter-VI summarises the findings of the thesis and discuss their implications.

CHAPTER – VI

CONCLUSION

The customary laws of the Khezhakeno village are found to have a direct bearing on the family, marriage and kinship systems. The traditional customs form the essence of the society because, as could be seen from the various laws documented, it is a traditional method of social control brought about by the observance of the various *gennas* or *menyi*, rituals, restrictions and beliefs based on invoking the wrath of supernatural beings if any customs are disobeyed. Therefore, customary laws are based on the needs of society and their influence can be seen in almost every aspect of people's life.

Customary laws have, however, undergone changes, which shows that the traditional customs are not closed or rigid as they are usually thought to be. As could be seen from the influence of the customary laws on the people, they are more favourable towards men than women. Women, too, have otherwise an important place in the society but when it comes to the working of customary laws their place is relegated below that of men. This is found to be due to the fact that the society is patriarchal.

The main function of customary laws is to bring about social control and a kind of uniformity in the life of people. But restrictions on women are more than on men even though laws are the same for both the sexes. This may be due to the fact that women are considered weaker physically than men and the need to protect them from harm may have led customs to be more strict in respect of them. Such a system may have protected women from unknown danger but in the long run it is found to restrict the developmental process of women in almost every aspect of their life. According to Evans-Pritchard (1965) "Women's position in society is in the long run dependent on everybody's position, that we all stand or fall together". He further shows that women do not have much choice to become free from the clutches of the customs that bind them down. The fact that the Chakhesang society is patriarchal also makes it difficult for the Chakhesang women to fight against certain customs that are found to be less favourable for their welfare.

Even in a matrilineal society, where women have the overall control, customary laws are not exactly in favour of women, as it is theoretically expected. The different customary laws of the Garos recorded by various scholars show that the Garo women are not treated very differently from women in patriarchal societies. In the words of Sangma¹: "The social organisation ... may lead an outsider to think that in Garo social life women reign supreme over the men. But this is not a correct

¹ J. Sangma, "Family Life, Marriage and Divorce Among the Garos", *The Garo Customary Law*, ed. S.K. Chattopadhyay and M.S. Sangma, Directorate of Arts and Culture, Shillong, 1998.

notion. Men are considered superior. Women have inherent shyness and they are not free to move anywhere like men". To quote him further, "There is also a division of works for men and women. Jobs like husking paddy, drawing water, cooking, washing clothes and collecting firewoods from jungle are thought to be women's job. Men are expected to be masculine and do the jobs that are more hard and tough. If the husband does the women's job enumerated above in normal circumstances, i.e., when his wife and daughter are physically fit, he would be dubbed as a foolishman by others, more particularly by his relatives". Thus it can be said that the men still have the upper hand over women.

Men, unlike women in the patriarchal society, have the privileges even in a matrilineal society. As could be seen at every stage of their life, obligations and restrictions rule women's life in the Khezhakeno village. In a matrilineal society, unlike the women in patriarchal society, men play a direct role in the administration, religion, economy etc.

In the present study, domestic laws and customs show that women are the ones to shoulder all the responsibility at home and even those associated with agriculture. The society still depends mainly on agriculture. However, the influence of traditional customs is not so rigid as before but the work carried out by women irrespective of their status in society, shows how the traditional customs still play an important part in deciding their life situation.

It could be seen that right from childhood women are taught how to look after the household works and they are not given much choice in pursuing other activities outside the home. It has also been seen that the domestic duties of women have always been the same irrespective of their different status in society. Even now there is a demarcation of roles between men and women similar to the traditional society where the males looked after the external affairs and all the menial works at home were carried out by women.

In the village, family is the most important unit of social organisation. Women's role in family is very important as is seen from the various customs that are known to have been observed and carried out. For instance, in the traditional custom of giving feast in the village, the presence of the wife is important because of the rituals which she has to perform even though she may not be given the right to perform the religious rites like her husband.

Women also contribute substantially to the economy of the family and the village but as the Khezha society is essentially patriarchal, the rights of women are few. In terms of inheritance, the first priority is given to the sons. Ancestral landed properties are always inherited by males. Fields could be given to women as *liina*, i.e., gifts during marriage but it would have to revert after seven generations. A widow has the right to her husband's properties as long as she remains under her husband's roof. If she were to get married without the knowledge of her in-laws then she gets

nothing, not even the custody of her children. A widower has more privilege because, unlike the widow, the consent of the in-laws is not necessary.

Certain liberties were given to both men and women where marriage was concerned. For example, in choosing their life partners both have the privilege of marrying a person of their choice and also in arranging marriages, consent of both men and women is taken. But when it comes to actual working of the principles of marriage rules in the customary law, it can be said that it is more favoured for men than women especially in case of elopement and pregnancy before marriage.

After marriage a woman belongs to her husband's clan. The children always take the clan name of the father. In case of single mother, the children belong to the father's clan. Divorce settlement is done according to the traditional customary law. The woman got her share of the properties depending on the ratio (1:3) of the things brought along with her at the time of marriage. Whatever the couple bought after marriage was to be divided equally. In case of adultery a woman gets nothing but such is not the case with the husband. Whatever properties he has would always belong to him according to customary rights.

An important finding of the study is that the personal grooming of women has undergone significant change. Nowadays, women need not keep bald head before marriage, as was the custom. There is also no differentiation between the clothes

worn by married and unmarried women as before. Instead they have the choice to wear modern dress. Even in marriage, a girl is free to choose her life partner. Women still play an important role in marriage. The go-between is usually done by women and the match need not confine itself to the village alone as could be seen from the case studies.

Women can also be said to have a certain degree of freedom in society as could be seen from the various customs still practised in the present society. For example, women have the right to divorce and remarry again. There is no social stigma attached to a divorcee or a widow, in the village.

In the field of education, people are realising the importance of educating women. The result could be seen from the various occupations taken up by them. The women in the village are not restricted to the home or village. They have the freedom to venture out of the village in search of jobs, education, and trade.

In almost all organisations of the village, there are certain posts reserved for women. The women's organisation is mainly responsible for looking after the welfare of women. Through such organisations, certain customs that hamper the development of women are done away with. Zehol² while writing about the status of Khezhakeno

² K. Zehol and L. Zehol "Women in the Chakhesang (Chokri and Khezha) Society", *Women in Naga Society*, ed. Lucy Zehol, Regency Publications, Delhi, 1998.

women says: “Though women did not have much say in the village assembly, they did enjoy certain exclusive privilege especially with matters pertaining to women. Matters confining to women are entrusted to the women body by the village authority, and whatever decisions were arrived at by the women body, was approved by the village authority” while writing about the status of Khezhakeno women. Explaining further she writes “women today can formulate their own priority schemes and implement it accordingly, which she was deprived of for so very long. This has boosted the position and status of women and they are able to actively participate in the planning and developmental process of the village”³.

In the Khezhakeno village administration, influence of the traditional village priest is completely done away with. The village has incorporated the traditional as well as the modern system of administration. It is seen that though women had no say in the administration of the village directly, they had an important role in the proper and peaceful functioning of the village.

The legends of some women acting as mediators with the warring villages show how women played an indirect but important role in their society. Zehol says: “women played the commendable role of a mediator. From the village, some outstanding women were chosen as mediator called *Demi* to mediate and call for peace

³Ibid.

between the warring villages”⁴. However, such women were not known to have any place in the administration of the village. Today women can be given opportunity to take part in the administration of the village but still their roles at home make it hard for them to participate freely in the same. In the various organisations their presence is very much necessary. However, women still need to wait for a long while before they break away from the narrow confinement of the customary laws that give them an inferior status. The need for uplifting women’s life should come not only from women themselves but also from the people in general.

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⁴ Ibid.

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