



## Inheritance and Succession Custom of the Nagas

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### ABOUT THE AUTHOR.

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## **ABSTRACT**

*Inheritance and Succession of the Nagas in general and Tangkhul in particular are vital and important. The Nagas being Patriarchal society the inheritance of property mainly landed immovable or ancestral properties are confined to the male line of the family. Female child do get some properties mainly moveable goods, like, money, ornaments etc even immovable properties which are not of ancestral are also given. The eldest son gets the best and lion share as he has to shoulder responsibility of the family. In case of no male issue the nearest family from male line will inherent his properties. Physical deformity, even lunatic cannot be the cause of disqualification to inherit father's property. As the Nagas are following such customary practices family ancestral properties are well keep and maintain through the customary practice of inheritance and succession.*

**KEY WORDS: Family Lineage through Inheritance Custom.**

### **Introduction.**

Inheritance and succession relates to the properties of a family. The properties of a Tangkhul mainly consist of both moveable and immovable possessions. The immovable properties include land and other superstructure such as Memorial stone and other monolith etc. The movable properties include costume, ornaments like earring, Kachao (bracelets) for both male and female mostly made of brass. Har (armlets made of lead) Huishon (a ring like chain hang from head till knee with bell at both end) wear as ornaments by women. Kongsang (Necklace made of shells and beads) Zeithing (Sculptor made of steel used by women) valuable beads and shells weapons in different shape and size, guns etc. Apart from this other movable properties like Buffalo, Mithun, Cow, and other domesticated animals. These properties are some of the properties which are inheritance and pass on from generation to generation.

The Tangkhul have social strata. Classification of society based on birth of elder and younger. This same clan but classification of status based on elders and younger are apply in a family also. The eldest male and female are call Amei-Achon. The middle strata are known as Achui-Ayai and the youngest is called Achei. The social strata and family strata is one of the main criteria for inheritance, succession and division of parent properties. Usually the best and the biggest go to the eldest (Amei) and the second best to the Achui-Ayai and the remaining last goes to the youngest (Achei). Sometime particularly landed properties nothing is left for the youngest. But since it is part of customary culture people accept it with smile.

The Tangkhul society is patriarchal and the inheritances of properties mainly landed properties are confined to the male line of the family. Particularly ancestral properties which cannot be parted with other accept to their sons. Movable properties mainly of the women ornaments and other related item particularly the assets of the mother can be inherited to their daughter. The father is the head of the family and he is the owner of the property. Before marriage, of his children all the family member share and enjoy jointly the father's properties. The son cannot demand any of his shares before their marriage. But as soon as he married he is entitled to his share.

The other sons successively separate from the father one after another after their marriage. All the family members help to build new establishment

According to the customary laws of the Tangkhul Naga Long, (Tangkhul apex organization) inheritance and succession is:

- i. A person taking properties (including landed properties) of another person is known as shimluikat (Heir)
- ii. A son inheriting his father properties is not call “Shimluikat” but known as “akhavaiya”.
- iii. If all the family members die and the nearest relatives took the properties than it is “Shimluikat”.
- iv. If the couples do not have a son and the properties is inherited by the nearest heir than it is shimluikat.
- v. Women cannot inherit the father properties.
- vi. In case if all male family lineage of the hereditary chief of the village are expire and extinct, than the eldest decent of the clan who came along with the village headman in the first village settlement can inherit kingship and his properties. And may continue to his family line.
- vii. Any clan who came along with the village chief in case of no more male family heir, which is extinct, than the village chief can inherit their properties.

It is also a custom of the Tangkhul Naga that, in case of selling any properties both moveable and immovable, the first one to approach is his nearest heir and then his clan and if no suitable buyer is found than it goes to the outside/ public. In case of selling its landed properties to other village also the boundary of the village is unchanged.

Usually illegitimate son cannot inherit father’s properties. This is because the society assigned him in a lower social status. A child born out of illegitimate union cannot get affiliated to a social unit for establishing its identity. But if the adulterers marry the girl which is not incest than the son can rightfully claim his father share of properties.

Physical deformity, in other word physically challenged cannot be the cause of disqualification to inherit the father property. Even, a lunatic, dumb and blind has right to inherit his father properties.

The widow, although she acts as a guardian of the younger members of the family, yet she cannot claim to succeed to the property of her deceased husband. She remains in her deceased husband family as a guardian but her eldest son is the actual head of the family and legal heir according to customary laws.

If she does not marry again after her husband death and prefer to stay in her husband family, she is entitled to residence in the family house and the eldest son should care and look after till her death.

### Partition of property

The Naga society being patrilineal, the inheritance and succession is in male line only. Distribution or partition of property is mostly done in male line only. As it has been mentioned earlier that particularly the Tangkhuls have classification of social strata by birth, the elder clan or elder in the family are in higher strata and thus they enjoy the best and lion share. The younger brothers are in lower strata thus they get smaller or lesser share of father's properties. Such favor shown towards the eldest born son is widely known as primogeniture.

The main reasons for such unequal sharing of father properties where eldest get the most is of the following points.

- i. It is to shoulder extra responsibilities when the father become old or dies like repayment of debts, loan, etc.
- ii. Looking after the minor brothers and sisters when the father dies or is too old to look after them. Usually in the village there is no population control so sometime a father have as many as children he wants.
- iii. The eldest son has also responsibility to look after aged parents and his younger brothers and sisters born in the family when his parents are old.
- iv. The eldest son becomes a father figure and guardian when all of his brother and sisters get married also. When there is any problem in the family and where there is any ceremonial occasion or during the financial constrain in the family, the eldest son who is Amei (A kind of status title) look after them and cares for them. Therefore, being the eldest and taking care of the family he need to have sound economic position that is the reason that the best of all is given to the eldest son. It is also an honor shown to him for being the eldest (Amei Kharar).

The other sons too get their share according to the hierarchy. But it also depends on the desire and wishes of the father who divides the property. Usually, the father before the sons got married divides the landed properties but do not declare before they got married. But if the father dies suddenly and have not spelled our divided the properties before he dies, the eldest son with the help of his nearest relatives distribute the property. The ancestral valuable properties like, precious stones, gongs, spears and other ritual related items are retained in the hand of the eldest which will pass it on to the eldest male line so that the ancestral properties are kept and secured in the head of the family or clan.

Usually the property shares of the sons are given after getting married. But when they have a joint family system, they use the properties in common. But joint family systems are rare. As soon as the sons get married, a new establishment – a new building is constructed for him and given his due share of properties.

Regarding the daughters' share of properties, in fact, there are no rules that are strictly adhered to but common practice guides their instinct. Usually the landed properties inherited form the ancestral and other movable, religious or ritual related items are not given to daughters because it means that ancestral properties will goes to

the other clan. Thus it may confuse and twist the past history. Because the traditional Tangkhul since there is not written documents most of the stories of the ancestral is maintained in song and in properties. But the parents may even give landed properties to their daughters if it is bought by them and if it is not inherited and of ancestral properties.

The second way of getting landed properties is – females are allowed to collect and accumulated presents and gifts etc. in cash or in kinds. The relative usually give some gift to the girl for her service rendered to them. Sometimes a basketful of paddy, corn, etc. are given to her. She can sell these collected goods and save the money and kept with parents. When the money is sufficient enough to buy a land the parents do so and give the land during the time of her marriage. This cannot be counted as fathers properties after all it is personal saving of the daughter. Such kind of properties is called ‘THAMUI’.

Daughter also receive properties mostly ornaments, costumes and other necessary daily usage items.

### **Conclusion**

Inheritance and succession customary has been practice by the Nagas from the traditional time till now, for they believe that through this system their ancestral properties and their identity can be preserved. Moreover giving most of the father asset and giving due importance to the eldest male in the family can sustains their family in time of any kind of constraint in the family. Recognizing the significant and practical utility of it as per their believes social custom, it is most likely to continue in a generation to come. However it is true that by following such practice daughter are always in the receiving end they are deprived of the parent’s properties to great extent.

### **Glossary**

<i>Achui</i>	= Title address to middle strata of man and women
<i>Akhavaiya</i>	= The real owner
<i>Amei-Achon</i>	= Title address to eldest of man and women
<i>Achui-Ayai</i>	= Title address to middle strata of man and women
<i>Amei kharar</i>	= eldest among the highest strata of the clan or family.
<i>Har</i>	= armlet made of lead
<i>Huishon</i>	= a ring like chain made of brass women ornament
<i>Kachao</i>	= Bracelet
<i>Kongshang</i>	= Necklace
<i>Shimluikat</i>	= heir
<i>Zeithing</i>	= Sculptor made of iron used by women.