

# The Traditional Institutions of *A-king Nokmas* as A Part of Rural Governance in Meghalaya: Some Observations

## Abstract

The traditional institution of Nokmaship is as old as the first settlement of the Garos in the Garo Hills of Meghalaya. The word 'Nokma' is the guardian and custodian of a particular motherhood. The position of a male Nokma (husband) is the guardian and manager of his wife's *ma'chongs'* property. In Garo society 'Nokma' refers to *A-king Nokma* i.e. the land of a particular clan. This study will examine and dwell thoroughly the Nokmaship as it is prevailing and functioning in Garo Hills.

**Keywords:** Traditional, Institution, Nokma, Guardian, Manager.

## Introduction

The word, '*Nokma*' means a 'Mother of a house' or a 'motherhood' (*nokni ma-dot* or *ma-bikrom*) whereas the position of a husband is that of a guardian and a manager of his wife's property. According to the Laws and practices of the indigenous Garo tribe of Meghalaya, the *A-king* land belongs to the *ma-chong* (motherhood) in which a mother of a house (*Nokkrom*) belongs to her and not the husband. The *A-king Nokmas* both the husband and the wife are merely the guardian and the custodian of the *A-king* land on behalf of the particular motherhood. Any decision pertaining to affairs relating to the *A-king* Land must be consulted with her *chra* (male members of the family). She can exercise her power and authority, and even carry on responsibilities bestowed on her by her *chras* and the *mahari* through her husband and protect the unity and integrity of her *ma-chong's A-king* Land. Traditionally she has to perform all social and religious functions of her clan. However, *A-king Nokmas* has to take a lead in all the social, religious, political, administration of justice and the welfare of their own people.

## Aims of the Study

1. The paper try to highlight the working of the traditional institution of *A-king Nokma* in Garo Hills of Meghalaya
2. This paper will also examine the changes that have taken place of this institution.

## Pre-British Period

Prior to the advent of the British into Garo Hills, every *A-king* Lands were Independents of each other. People living within the *A-king* land were governed by a simple system of administration in both civil and criminal cases. Nevertheless the administration of justice was carried on by the *A-king Nokmas* and his Council. The procedure for administration of justice was through an act of '*Bobil dinga*' or '*Gro dinga*' and *be-en malua*. With passage of time this system was modified to be more refine as an administration of justice through a Council known as "*Melaa* or *Bichal*" by the village elders and the *mahari* headed by a *Nokma*. The decisions taken in such a *Melaa* or *bichal* is very strict and have to be executed by all means. Any unlawful acts are considered wrongs because they violate and obstruct moral precepts as well as hamper an individual reputation or feelings. In order to appease the feelings of an offended person or to compensate for any loss or death penalty through an act of '*be-en malua* or *Gro dinga*' was awarded to the guilty. *A-king Nokmas* play important role in managing the village affairs and the administration of justice within their own respective jurisdictions.

## British Period

When the British occupied Garo Hills in the early part of 1824, they recognized that the *A-king Nokmas* were Independent of each other and subject to none of the outside power. They even refused to co-operate with neighboring rulers. And so, British Government appointed *Laskers* and



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*Mouzadars* to look over them to help in collecting revenues, taxes and administration. The *Laskers* and *Mouzadars* were appointed in place of the *A-king Nokmas* to rule and serve for their own interests. They snatched away all the political, administrative and judicial powers from the *A-king Nokmas*. In this way they have reduced the position and status of *A-king Nokmas*. Apparently the *Nokmas* became mere titular heads of their own respective *ma-chongs* (motherhood). They continued to be the custodian and guardian of *A-king* lands without any revenue, administrative and judicial powers even though the traditional customs, laws and practices were left untouched.

Under this new acts of arrangements the administration of justice as per the existing Customary Laws and practices were conferred to the newly appointed *Laskers* and *Sardars*. British administration then introduced the system of payment of 'dai' (Compensation) in lieu of death penalty imposed by the people by practicing "Gro dinga" or 'B-een malua' with motive of killing others. The *Laskers* so appointed were given a *Sanad* by the Deputy Commissioner and were empowered a third class magisterial power to try cases and offences of certain categories. *Laskers* were empowered to try offences of theft, injury to property and persons, house trespass, gambling and drunkenness and enforce fines up to Rs. 50 to the guilty.

#### **Post Independent Period**

After India got an Independent in 1947, Garo Hills Districts was administered under the Provision of Para – 1 (1) of the Sixth Scheduled to the Constitution of India. Under these Provisions of Law, the Garo Hills District Council was constituted in 1952. With the establishment of Garo Hills District Autonomous Council a number of Acts were passed to assist and manage the administration, protecting and preserving the Customs and traditions of the people as well. After the formation of Garo Hills Autonomous Council, in 1952 under the Sixth Scheduled to the Constitution of India, which is meant for self-governance protecting the indigenous Tribal cultures, customs and law, continued to follow the policy of British colonial rulers by sidetracking and neglecting the indigenous tribal institutional chiefs, i.e the *Nokmas*. Garo Hills Autonomous Council, which is the authorized body under the new Constitution of India, to protect, promote and preserve the traditional institutions, custom, cultures and Laws failed to restore the powers and functions of the *A-king Nokmas* in social, political, administrative and judicial which were usurped by the British colonial ruler to suit their own interests.

The traditional institutional chiefs of *A-king Nokmaship* became mere figurehead and custodian of the properties of the *m-achong* (Motherhood). The powers and functions of these *A-king Nokmas* so long exercised by them were disturbed amongst the newly created office of *Laskers* and *Mouzadars*.

#### **Conclusion**

The indigenous institution of *Nokmaship* that has existed since time immemorial has continued till this present generation. Therefore, it is necessary to

protect and preserve these institutions by reviving and improving them. The selection, appointment and disqualification of *Nokmas* must continue as it is in the past i.e. to leave in the hands of the *Chras* and the *mahari* as per existing customary laws. Moreover, the existing structure under the Garo Hills Autonomous District Council particularly 'The Village Council Act, No. 1 of the 1958' may be amended making the *A-king Nokma*, to be selected, as the chairman in the place of *Laskers*.

There is a need to involve the *A-king Nokmas* and his Council making them more responsible in checking the Land alienation by issuing documents, sale mortgage and transfer to the people other than the indigenous tribe. The empowerment of traditional institutions and making them more responsible towards the society and their *ma-chong* by involving and participating in social, political, maintenance of peace in their localities. By doing so, it will even help them to revive their status and position as they used to enjoy in the society in the past.

As it has been discussed above that the real *A-king Nokmas* are wife or the mother and their husbands are the guardian and managers on behalf of their wives, the responsibilities of the mother in shaping their own destiny is essential. Garo society, although, it is a matrilineal society, every decision has been taken by their husbands. *Nokmas* or *nokni ma'dot* should be allowed to voice their grievances in shaping their own future destiny.

Today we find that most of the *A-king nokmas*, no longer care taker of their *A-king* lands, as they are being neglected and sidetracked by the *Chras*, *mahari* and the State Government. And if this trend continues, the systems of the *A-king* land will disappear in future. There may be some merits and demerits in empowering and involving these traditional institutions by policy and decision making body as most of the *A-king Nokmas* both wife (*Nokma*) and her husband (manager and guardian) are illiterate especially in some remote villages.

But, the time has come to empower and involve these traditional institutions in the developmental processes of rural areas. The judicial powers to try petty cases both in civil and criminal cases needs to be restored to the *Nokmas* and his Council which was once taken away by the British rulers.

Under no circumstances, Garo women marrying a non-tribal husband are selected to succeed and inherit the *A-king Nokmaship* even though one may not have female issue to succeed. Garo society, culture, traditions, customs and laws need to be continued and flourished amongst the Garo community and maintain their own identity in the midst of present challenges. *A-chik* women must unite and come up to defend their rights and the rights of their sons and the daughters. *A-chik* women need support and help by the government and cooperation from the society by making necessary legislation in the matter of marriage, divorce, succession, inheritance and so on. The necessary backups are to be given to the Garo Hills Autonomous District

Council as protector and guardian of customary laws and traditions under the sixth Scheduled of the Constitution of India.

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