



NAMGHAR IN ASSAM AS AN INSTITUTION OF DISPUTE RESOLUTION

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Abstract: The paper is a product of field study on the local dispute resolution mechanism through *Namghar* at villages. The paper reflects the multi-faceted role of *Namghar* in the Assamese society in Assam. Still *Namghars* in the society have significant role, even lessening its role compared to the past in the context of dispute management. The paper is an analysis of the existing role played by the *Namghars* in the society in the light of field study. The method in the study was field investigation and the data are primary as well as secondary.

Keyword: Namghar, Dispute resolution, Assamese society, Role.

1.0 Introduction

Namghar is a temple built in villages by followers of Lord Vishnu that initiated at the beginning of 16th Century in Assam. It serves as an institution of faith closely associated with the cultural life of the Assamese society that created after neo-vaishnavite movement led by Mahapurush Srimanata Sankardeva (Bhuyan, 2007). *Satra* is a temple of vaishnav where priest resides. Sankardeva constructed first *Namghar* in Bordowa in the year 1503 with the help of his a few followers (Bhuyan, 2007). He composed the prayers himself which are known as *Borgeet* and *Kirtan Ghosha*. The regular prayers of the *Namghars* are hymns of Bhagavata Gita and songs of *Kirtan Ghosha*, *Borgeet*. *Bhaona* (epic drama) is found commonly played during religious festivals especially in Janmastami, Rash Yatra (Barkakoti, 2006). *Namghar* serves as an ideal platform to show the art, culture, traditions and language thus attract the common mass by identifying with the philosophy of the Neo- Vaishnavism.

The existence of the *Namghar* is observed in almost all the communities in Assam so much so that the identity of village folks is closely tied to the *Namghar* they go to. In fact, the *Namghar* came to serve as a forum of not only religious but socio-cultural activities of the community (Barkakoti, 2006). For the last five hundred years the *Namghar* has been serving as the village public hall with the multifaceted role of a village prayer hall, a cultural centre, a village court and a village parliament, thereby providing a common forum for the villagers to accumulate in an ambiance of care and support. The ideals of Sankardeva of an equal society, where members from all sections of life irrespective of caste, creed, tribe and community will be able to sit together for the prayer of God and dine together were fulfilled by the evolution of the *Namghar* (Barkakoti, 2006).

1.2 Subject Matter: The *Namghar* engages in resolving disputed of village. The parties in dispute appoint their own *Raijmedhi* or the *Barmedhi*, both collectors of contributions from disciples of *Satra* and start trial of cases in *Namghar* (Hemkosh, 2013). *Raijmedhi* takes important decisions on issues of community life, *Namghar* and education. Punishments are decided through a verdict after the end of meeting and it is always done in accordance with the nature of the offence are meted out and the rulings are binding to both the accuser and the accused. The *Raij* tries out cases of moral or social delinquency. There are certain limitations also regarding the nature of the cases tried as such criminal cases are kept out of the jurisdiction of the *Namghar* and minor cases of moral and civil in nature are tried (Barkakoti, 2006). Thus, the *Namghar* provides a common platform for the villagers to assemble and discuss on a collective basis and resolve their local disputes and problems in accordance with their local judicial procedures. There (M.K.Gandhi, 1962) were various methods of disputes resolution in Bihdia -Jajikona Development Block, which used to exist in various forms such as religious institution like *Mandir*, *Masjid*, *Namghar* and *Satra* and Social institution like Village Development Committee, *Gaonburah* or village head, and *Club*. But all institution has not played important role to resolve dispute. It is evident that the social issues are normally resolved in mosque for believer in *Islam*. It is also found in the tribal society in Assam such as *Bodo*, villagers assemble together in the campus of *Bathou* temple to resolve dispute locally in the presence of all. All the matters relating to fine, punishment or purification, remarriage, divorce are settled amicably before all after listening the allegations and answers of both the party (Brahma,1992). For long, *Namghar* is found as the only trusted village institution that practice to resolve dispute or disputes locally.

1.3 Location: The study is confined to the geographical area of Bihdia-Jajikona Development Block falls under Rangia sub-division of Kamrup district of Assam. It is one among the 14 blocks of Kamrup district of Assam that the block has 75 villages and there are total 22,939 families in this block. The population of Bihdia-Jajikona development block is 1,08,401 of which 55,634 are males and 52,767 are females. The major social group of the area are Hindu, Muslim and Bodos. Literacy rate is 77 % of which 82 % are males and 72% are female (Census of India, 2011).



1.4 Nature and Scope of the Study

The *Namghar* has been serving as the village public hall with the multifaceted role of a village prayer hall, a cultural centre, a village court and a village parliament, thereby providing a common forum for the villagers to assemble in an atmosphere of goodwill and cooperation. The Priest of a *Namghar* maintains the social harmony through spiritual process inform of advice. He is also considered as the inter-connector of God and the people reading the religious texts before devotees. The Chairman of a *Namghar* committee holds a prestigious position. He also takes over all the issues arose in the society to resolve through meeting in *Namghar*. He is the responsible person to settle down the disputes erupted among the village members. The truth on relevance of traditional local institution such as *Namghar* in the context of resolution of village disputes is cost effective and value based in compared to the modern legal courts and Panchayats (M.K.Gandhi, 1962). Today, even urbanization and growing elite in the society the *Namghar* committee play a significant role in social harmony. There are many types of indigenous dispute that comes out in the villages taking land, distribution of property among kins, sexual abuse, inter-family issues, marriage separation, purification considering the simplification of resolving issues using indigenous method and practice that also bases upon culture, value and norms of society in Assam.

2.0 Objectives of the study

- To find out the disputes resolved through *Namghar*.
- To study the engagement and effectiveness of *Namghar* committee in local disputes management.
- To investigate its relevance in contemporary society.

3.0 Methodology

3.1 Method

The study is primarily based upon field investigation method. The obtained data are analyzed in application of percentile method.

3.2 Data

3.2.1 Primary data: The **primary data** is collected from the information obtained through the applying interview method using schedule during the field study. Schedule was prepared in Assamese language.

3.2.2 Secondary data: The **secondary data** of this paper includes book, magazine, article, local publications, newspaper and journal of national and international repute.

3.3 Sample: Total forty samples are collected from four villages taking ten respondents from Athara, Madhukuchi, Nagaon and Dagaon village. The category of respondents is priests, *ayoti* (female prayers), teachers, social workers and other villagers are selected randomly from each four villages.

3.4 Procedure: They are informed earlier about the investigation. On the day of interview, they are made familiar with the issue. Respondents are given sit in an isolated room and allowed to answer one by one on the questions on test items.

4.0 Limitation of the Study

The study is confined to the geographical area of Bihdia-Jajikona Development Block falls under Rangia sub-division of Kamrup district of Assam. The primary focus of the paper is on the technique of resolving dispute, engagement and effectiveness of society through *Namghar* and investigations about the changes and relevance of *Namghar* in contemporary society.

5.0 Results and Discussion

5.1 *Namghar* Committee

The *Namghar* committees of the study are as below Athara (Hari Mondir) *Namghar* Samiti, Madhukuchi (Vishnu Mondir) *Namghar* Samiti, Nagaon (Krishana Mandir) *Namghar* Samiti and (Kali Mandir) *Namghar* Samiti Dagaon. Village *Namghar* committees play similar kind of power and function but their composition are not same with each other. Athara (Hari Mondir) *Namghar* Samiti comprises all the members of village including one president, one vice president, one secretary and one assistant secretary for one years. The committee size decided in a general meeting before selection procedure. Selection procedure held immediately after end of one year tenure. For selection of member or official Athara (Hari Mondir) *Namghar* Samiti called general meeting (Rajmel) and select the member on basis of peoples' demand. Till now, Athara (Hari Mondir) *Namghar* Samiti does not need to held election for selecting the member of committee. On the other hand, Madhukuchi (Vishnu Mondir) *Namghar* Samiti comprises all members of village including one president, one vice president, one secretary and one assistant secretary for one year. Selection procedure is same with Athra (Hari Mondir) *Namghar* Samiti. Nagaon (Krishana Mondir) *Namghar* Samiti is slide different above two



committees. It comprises members of all near village's member including one president, one vice president, one secretary and one assistant secretary for three years. Committee formed on basis of election. The election process held within the selected member for selecting president, vice president, secretary, assistant secretary and executive member. On the other hand, Dagaon (Kali Mondir) *Namghar* Samiti comprises all the members of near village and own village including one president and two secretaries for one year.

5.2 Meeting and Quorum

All the *Namghar* samiti called a general meeting within a limited period. Generally, *Namghar* samiti called general meeting after three months from a meeting. And also, *Namghar* samiti called emergency meeting for resolving any disputes.

Mandir (temple) is a local self-governing institution based on their local tradition, culture or belief system. Most of villages of Bidhia-Jajikona Development Block has own Mandir in Village in the name of different lords. Mandir has various and multiple functions, such as; administrative, social, economic, political and judicial which are concerned to the village. Mandir act as a village court through providing solution of problem, providing judgment on basis of *Rajmel*, Settlement of a disputes which is arises within the village or outside the village.

5.3 Powers and Function

Namghar committee has similar power and function such as socio-economic development, political, and judicial matters which are concerned to the village. *Namghar* committee is responsible for all decision and welfare of the community. *Namghar* committee supervises all the developmental activities of village such as plantation, construction of drainage and other village developmental work, and utilization of funds that come from the government (Bhuyan, 2007). Economy of *Namghar* committee comes from the annual collection from every family, *Dack* (tender) of *Beeland* public pond of village, and collection comes from the minimum fine system (Bhuyan, 2007). The *Namghar* committee uses this collection in developmental activities of village. They also observed the developmental work under government scheme and advised better implantation of the scheme.

Namghar also related with the religious function likely festival of the community such as *Durga Puja*, *Rakh Festival*, and *Jogodhatry Puja* (Barkakoti, 2006). and also observed the Assam state festival *Bihu* annually. *Namghar* also related to maintain law and order situation of the own village. They also take initiative to preserve the environment of society. The *Namghar* important function is that to maintain the law-and-order situation in the village and make ensure the peace and harmony in the village (D'Souza, 2011). The basically related with the settlement of disputed which are arises between two or more individuals, between two and more family, and also two and more community issue. When a problem arises in between individual, family or community, if one party inform Mandir for settlement of this problem then *Namghar* fixed a date to settlement the disputes on basis of different disputes resolution processes such as mediation, negotiation, avoidance and accommodation (D'Souza, 2011).

5.4 Disputes Resolved in Namghar

The present study finds out that *Namghar* is basically deal with land disputes, family disputes, child marriage, work which is not accepted by society and community clash. In case, a dispute could not be settled by *Namghar* at the village level, then *Namghar* committee informed the respective police station or administration and police will take necessary against the disputes.

5.5 Management and Effectiveness of Namghar Committee

The study shows the as per the filled schedule of villagers, it was found that 80% of total respondents were not satisfied with the intervention of police because they want to resolve problem at village level. Only 20% respondents were satisfied with the intervention of police, because *Namghar* committee could be unable to settle this problem.

5.6 Relevance of Role of Namghar

The study shows that 70% respondent were preferred the *Namghar* as it resolves early any kinds of minor disputes which is too cheap whereas 20% respondents were not preferred the *Namghar* may be due to their neo-liberal attitude where 10% respondents responded as neutral. *Namghar* committee is resolves issues locally on basis of the culture, custom, tradition and village rule. It is successful a tool to maintain peace and harmony in the society that existed from the past. The study reveals that 84% respondent agrees to participate with *Namghar* committee against 16% respondent belief in modern court system but they did not give reasons about expediency and expenses.

6.0 Conclusion

From the discussion, it can be concluded that the role of *Namghar* of villages that developed after Sankardev's Neo-Vaishnavite movement in Assam has been contributing as a cultural centre, a village court and as a village parliament. It is providing a common forum for the villagers to assemble in an atmosphere of goodwill and cooperation where cases are resolved cost effectively. Even village Panchayat is a socio-political institution and embedded to local values, it is not in a position to solve certain cases as



political in nature. Still *Namghar* committee is a spiritual and cultural body formed by village for one- or three-year's period. Selection of *Namghar* committee is held within a binding period and executive members of *Namghar* committee have limited period. The dispute resolution procedure of *Namghar* committee is found strongly respected and supported by both the villagers. It has been enjoying legitimacy among the local people because people have more confidence in their indigenous dispute resolution process than a modern system. *Namghar* committee has great possibility of its continuation in future because, it has got popularity and obedience even among the young generations perhaps much delayed existing judicial systems and expensive exercise. Still the *Namghar* committee is sustained by tradition, fairness and more feasible due to bases upon social value. This way, the disputes resolution process of *Namghar* committee still remains more effective and fairer in providing justice or solution of any problem to the people and it is recognized by the formal institutions. This study has found that younger generation has a great zeal and respect to *Namghar* committee and they want to preserve it.

7.0 References

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