



# INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

## TRADITIONAL CONFLICT RESOLUTION MECHANISM OF KUKI SOCIETY

Ph Dominic Seiminlal Mate\*

Dr. Punyo Yarang\*\*

\* Research Scholar, Department of Political Science, Rajiv Gandhi University, Arunachal Pradesh, 791112, India

\*\* Associate Professor, Department of Political Science, Rajiv Gandhi University, Arunachal Pradesh, 791112, India

### **Abstract**

Conflict resolution is vital for maintaining peace and social order in traditional societies. For the kukis of Northeast India, traditional methods of settling disputes have historically been key to peace, focusing on reconciliation instead of punishment. These practices are based on customary laws, family connections, and shared morals, operating under the leadership of the *Haosa* (village chief) and the *Semang Pachong* (council of elders). However, the rise of modernization, state legal systems and political changes has put pressure on the relevance and authority of these traditional practices. Even with these shifts, traditional conflict resolution methods still reflect the moral and cultural identity of the Kuki people. This paper investigates the structure, process, and importance of Kuki customary conflict resolution systems, assesses their effectiveness in today's world, and looks at how these indigenous systems can be combined with modern legal and democratic frameworks while maintaining their core values of harmony, forgiveness, and community unity.

**Keywords:** Kuki society, conflict resolution, chieftainship, customary law, reconciliation, restorative justice

## Introduction

The kukis are an indigenous ethnic group inhabiting the hilly regions of Northeast India, particularly in Manipur, Mizoram and Nagaland, with related communities across Myanmar and Bangladesh. They belong to the larger Tibeto-Burman linguistic family and share close cultural ties with other Zo peoples. Traditionally the Kukis are under hereditary chieftainship which maintain rich customs, oral traditions, and community-based governance rooted in kinship and clan solidarity (Kipgen & Roy Chowdhury, 2016).

Conflict is an inevitable aspect of social life, and the manner in which societies resolve it reflects their moral and cultural foundations. In the Kuki society, traditional methods of conflict resolution have long served as the basis for maintaining peace and social order. Rooted in customary law, kinship solidarity, and moral consensus, these indigenous practices prioritize reconciliation over retribution and restoration over punishment (Haokip, 2012).

In this context, *restorative justice* provides a useful theoretical framework. It may be defined as a process through which victims, offenders, and affected community members collectively address the harm caused by criminal behaviour and seek mutually acceptable solutions to repair that harm (Fathimabee, 2026). This perspective aligns with Kuki customary practices, which emphasize dialogue, compensation, and social reintegration. As noted by Erik Mostert (1998), conflicts arise from factual disagreements, conflicting goals, and relational tensions. These differences help in understanding how different Kuki conflict resolution mechanisms address specific dimensions of disputes through dialogue, negotiation, and reconciliation.

The chieftainship system (*Haosa*) has historically been central to Kuki social organization. Every village operates as a semi-autonomous unit led by a hereditary chief assisted by a council of elders (*Semang Pachong* or *Upa*), who mediate disputes and ensure justice through collective deliberation (Kipgen, 2021). Unlike modern courts, which emphasize legal formalities, the Kuki mechanisms seek to preserve harmony through social reintegration and community consent.

In the modern era, the intrusion of state legal systems, colonial misinterpretation of tribal autonomy, and political fragmentation have weakened these indigenous practices (Chongloi, 2022). Yet, their underlying philosophy, based on fairness, forgiveness, and communal unity remains highly relevant in contemporary discussions of justice and peacebuilding.

## Theoretical Framework: Restorative Justice and Conflict Resolution

This study adopts restorative justice theory as its primary analytical framework to understand Kuki traditional conflict-resolution practices. Restorative justice shifts the focus from punishment to the repair of harm, emphasizing participation, accountability, and the restoration of social relationships. As defined

by Fathimabee M, restorative justice is a process through which victims, offenders, and the community collectively address harm and seek mutually acceptable solutions (Fathimabee, 2026).

Scholars identifies several aspects of restorative justice, including communitarian, reparative, transformative, and victim-offender mediation approaches. These perspectives emphasize community participation, compensation for harm, transformation of relationships, and dialogue between affected parties. Such principles closely resonate with Kuki customary practices, where justice is achieved through collective deliberation, restitution, and reconciliation.

The conflict-resolution model proposed by Erik Mostert (1998), identifies three primary sources of conflict: factual disagreements, conflicting goals, and relational problems. Each type requires distinct mechanisms like joint fact-finding and communication for factual disputes, negotiation and compromise for goal conflicts, and mediation and trust-building for relational issues. These insights are particularly relevant to Kuki society, where village Authority/councils address factual and goal-based disputes through dialogue, while rituals such as Hemkham and Toltheh focus on restoring relationships and social harmony.

Further, the restorative justice framework developed by Paul McCold and Ted Wachtel (2003) highlights the importance of stakeholder participation and social discipline. Their 'WITH' approach combining accountability with community support closely aligns with Kuki practices, where offenders are held responsible while being reintegrated into society. Their typology of restorative practices also helps classify Kuki mechanisms as partly, mostly, or fully restorative depending on the level of community involvement. By integrating these perspectives, this study conceptualizes Kuki traditional conflict resolution as a holistic system that addresses factual, relational, and moral dimensions of conflict. It demonstrates that these indigenous mechanisms are not merely customary practices but sophisticated forms of restorative justice with enduring relevance.

## **Traditional Mechanisms of Conflict Resolution**

These mechanisms can be analytically understood through restorative justice principles and conflict-resolution theory, as they emphasize dialogue, restitution, and reconciliation.

The chieftainship or *Haosa* serves as the highest authority in traditional Kuki governance. The chief presides over disputes related to land, family matters, theft, and inter-village conflicts. Assisted by elders, he ensures that justice is administered through oral deliberation, negotiation, and consensus (Chongloi, 2018).

*Hemkham*, *Toltheh*, and *Salam-sat* are customary institutions for ceasing hostilities and resolving family disputes. The Kuki Village Court, known for its efficiency, reportedly settles cases without delay and restores offenders to normal life reflecting a restorative rather than punitive philosophy (Pathania, 2020).

Several traditional mechanisms illustrate the Kukis' indigenous methods:

### 1. *Salam-Sat*:

It serves as a traditional mechanism for resolving moral and social conflicts, particularly cases involving adultery, fornication, or premarital pregnancy. According to Baite (2019), such acts are considered serious offences that brings shame upon the family and community. To prevent retaliation or violence, the *Haosa* (village chief) intervenes to mediate and restore harmony. When an unmarried girl is impregnated, the man responsible is asked to marry her; if he refuses, he must perform *Salam-Sat*, a customary act of restitution. This involves giving a *sel*(mithun) and *dah*(gong) to the girl's family as compensation for dishonour. In cases of adultery or rape, similar compensatory rituals and fines are imposed under the chief's supervision. Through *Salam-sat*, justice is achieved not through punishment but through reconciliation, restitution, and communal harmony.

### 2. *Toltheh*:

It is a traditional practice used to resolve conflicts involving bloodshed or physical violence. According to Baite (2019), when quarrel leads to injury or the shedding of blood, the case is immediately brought before the *Haosa* (village chief), who orders the perpetrator to perform *Toltheh*, a ritual of purification and reconciliation. The term literally means "sweeping the ground," symbolizing the cleansing of the village soil defiled by blood. As part of this ritual, the offender must sacrifice a boar and offer a jar of *ju* (rice beer) to the *Haosa* and his *Semang Pachong* as a fine and an act of atonement. After the hearing the offender is required to pay for the victim's treatment and host a feast of reconciliation, known as *Ankong-Sokhom*, attended by both families to signify forgiveness and restored harmony. In cases where the injury occurs during an attack at the victim's home, the perpetrator must additionally offer a *sel*(mithun) as compensation to appease the victim's family and prevent further retaliation. Through *Toltheh*, justice is achieved by purifying, compensating, and reconciling, reflecting the restorative and communal character of kuki customary law.

### 3. *Hemkham*:

In Kuki society, *Hemkham* serves as a traditional mechanism of conflict resolution and reconciliation in cases of homicide, whether accidental or intentional. The term combines *hem*(sharp) and *Kham*(stop/prevent) literally signifying preventing sharp weapons meaning the cessation of violence and revenge. The practice embodies both religious and social functions aimed at restoring peace and harmony within the community.

Mediated by the *Haosa* (village chief) and *Thempu* (traditional priest), *Hemkham* begins with a *phuisam* (ritual prayer) invoking divine witness, followed by negotiations between representatives of the deceased and the perpetrator. The ritual involves the *Vohchal-tuhnga*, the sacrificial killing of a boar as an act of penance and purification, symbolizing the cleansing of the community from the pollution caused by bloodshed. A feast called *Ankong-sokhom* is held to signify reconciliation between the two families, restoring friendship and unity. The offender compensates the victim's kin with items such as

khichong(beads), *dah*(gong), pondum(shawl), and *sel*(mithun), symbolizing restitution. The verdict of *Hemkham* carries religious sanctity, believed to represent the verdict of God, and its violation invites divine wrath. Thus, *Hemkham* functions as a restorative justice system, preventing retaliation and re-establishing social harmony through moral, spiritual and communal reconciliation.

#### 4. *Ki Twilut* (Trial by Water):

This ritual was employed when disputes such as land conflicts or accusations could not be resolved through discussion. Representatives of both parties would dive into a river, with the belief that the guilty would surface first while the innocent remained longer underwater. The ritual verdict was considered divine and binding.

#### 5. *Khankho* (Reconciliation Feast):

After a verdict, both parties shared a communal meal, symbolizing the end of hostility. The losing party hosted the feast, emphasizing humility and unity. Eating together marked complete reconciliation and the restoration of social ties.

### **Linking Theory and Practice: A Restorative Justice Interpretation of Kuki Mechanisms**

The theoretical frameworks discussed above can be directly mapped onto Kuki traditional conflict-resolution practices, demonstrating their analytical relevance. The communitarian dimension of restorative justice is reflected in village assemblies led by the Haosa and Semang Pachong, where disputes are resolved through collective deliberation. The reparative aspect is evident in practices such as Salam-sat and Toltheh, where offenders provide compensation and restitution to repair harm. Transformative elements can be observed in Hemkham, which not only resolves disputes but restores relationships and communal harmony among conflicting individuals. Likewise, victim-offender mediation is reflected in dialogue-based settlements and reconciliation feasts such as Khankho.

From the perspective of Erik Mostert's framework, factual disputes in Kuki society are addressed through communal dialogue and fact-sharing, goal conflicts through negotiated settlements and compensation, and relational conflicts through rituals of reconciliation and trust-building. Furthermore, the participatory and inclusive nature of these practices aligns with the "WITH" approach identified by Paul McCold and Ted Wachtel, combining accountability with social support. This mapping demonstrates that Kuki customary institutions function as comprehensive restorative systems that address multiple dimensions of conflict simultaneously.

## Effectiveness of Traditional Conflict Resolution

The effectiveness of these mechanisms aligns with Erik Mostert's (1998) argument that combining relational and participatory approaches leads to more durable conflict resolution outcomes. The effectiveness of Kuki traditional mechanisms lies in their moral legitimacy and community participation. Disputes are settled swiftly, with no case backlog, unlike state courts (Pathania, 2020). Offenders face social reintegration through apology, not alienation. Belief in spiritual accountability such as curses upon those who violate peace agreements acts as a powerful moral deterrent (Thingkho Leh Malcha, 2024). The *Haosa's* authority, grounded in tradition and kinship, commands respect and ensures compliance. These factors collectively make the system both efficient and socially binding, strengthening community cohesion and preventing cycles of revenge.

## Contemporary Relevance and Challenges

Although traditional institutions continue to function in parts of Manipur and Mizoram, their influence is declining under modern legal frameworks and political changes. Scholars such as Kipgen (2021) and Chongloi (2022) note that the chieftainship has been distorted by misuse of power and external interference. Moreover, identity-based politics and Christian denominational divides have weakened clan solidarity and traditional reconciliation practices (Haokip, 2012).

Nevertheless, the relevance of these systems endures. During ethnic clashes in the 1990s, Kuki leaders revived reconciliation feasts and communal dialogues to rebuild inter-group trust (Thingkho Leh Malcha, 2024). The moral ethos of forgiveness and reintegration continues to inspire modern peacebuilding initiatives. Recognizing this, Pathania (2020) argues that indigenous justice institutions protected under India's Sixth Schedule should be integrated into formal governance as part of a pluralistic legal framework.

Despite the presence of modern legal systems, many disputes especially those involving families, clans, villages, or even inter-tribal tensions are still resolved through customary practices of *Hemkham*, *Toltheh*, and *Salam-sat*. These indigenous mechanisms emphasize dialogue, compensation, and reconciliation rather than punishment, thereby restoring relationships and social unity. This continued relevance reflects the restorative justice principle of reintegration and community participation emphasized by Paul McCold and Ted Wachtel (2003).

## Conclusion

The traditional methods of conflict resolution in Kuki society represent a profound moral and cultural perceptions that emphasize peace, reconciliation, and community unity over punishment and vengeance. Systems like *Hemkham*, *Toltheh*, and *Salam-sat* showcase a restorative justice framework based on familial ties, ethical responsibility, and the community's spiritual convictions. Historically these practices have upheld social order by mending broken relationships and preventing cycles of revenge through dialogue, compensation and communal involvement.

At the same time, it is important to acknowledge certain limitations within these customary systems. The hierarchical authority of the Haosa and the council of elders, while culturally legitimate, may at times limit equal participation and representation, particularly for marginalized groups. Gender dynamics also pose challenges, as women's voices are often underrepresented in decision-making processes, raising concerns about inclusivity and fairness in specific cases. Moreover, the strong emphasis on reconciliation and community harmony may sometimes place pressure on victims to accept settlements, potentially prioritizing collective unity over individual justice.

Certain traditional practices, such as trial by ordeal (e.g., *Ki Twilut*), may also raise concerns when evaluated against contemporary standards of human rights and due process. Additionally, the dependence on customary beliefs and spiritual sanctions, though effective within traditional settings, may lack compatibility with formal legal frameworks, creating tensions in a modern context of legal pluralism.

Despite these challenges, the resilience of Kuki customary institutions remains evident. Their continued use in resolving family, clan, village, and inter community conflicts highlights their lasting relevance. The alignment of these practices with restorative justice principles particularly participation, accountability, and reintegration prove their value as culturally grounded systems of justice.

In the context of modernization, political transformation, and the growing influence of formal legal systems, there is a solid circumstance for the careful integration of Kuki traditional machineries with contemporary legal frameworks. Such integration can enhance participatory justice, ensure greater inclusivity, and preserve cultural identity while addressing existing limitations. Ultimately, uplifting and adapting these indigenous practices not only safeguards cultural heritage but also offers valuable insights for building more humane, community-oriented, and sustainable methods to conflict resolution in Northeast India.

## References

1. Baite, L. (2019). *Hemkham: A theological paradigm for reconciliation in the Kuki society*. Indian Society for Promoting Christian Knowledge (ISPCK).
2. Chongloi, H. (2018). *Reinterpreting Kuki Chieftainship of Northeast India in Relation to Colonial Historiography*. *Media Watch*, 9(3), 437–446. <https://doi.org/10.15655/mw/2018/v9i3/49494>
3. Chongloi, H. (2022). *The Three Schools of Thought on Kuki Chieftainship: A Theoretical Approach*. *Studies of Tribes and Tribals*, 20(1–2), 20–28. <https://doi.org/10.31901/24566799.2021-22/20.1-2.427>
4. Fathimabee, M. (2026). *Theories of restorative justice and their application today*. *Indian Journal of Law and Legal Research*, 8(1).
5. Gollui Muchi. (2025, January 25). *Khutsoi Chungchang Kihoulimna// Episode 7*(video). YouTube. <https://youtube.be/82RltAFvz4Y>
6. Haokip, N. (2012). *Politics of Tribe Identity with Reference to the Kukis*. Unpublished paper.
7. Kipgen, S. (2021). *Tribal Polity vis-à-vis Constitutional Provisions with Reference to Manipur*. *International Journal of Humanities & Social Science Studies*, 7(2), 69-85.
8. Kipgen, N., & Roy Chowdhury, A. (2016). 'Contested State-Craft' on the Frontiers of the Indian Nation: 'Hills-Valley Divide' and the Genealogy of Kuki Ethnic Nationalism in Manipur. *Studies in Ethnicity and Nationalism*, 16(2), 283-302.
9. Mostert, E. (1998). *A framework for conflict resolution*. *Water International*, 23(4), 206–215. <https://doi.org/10.1080/02508069808686774>
10. McCold, P., & Wachtel, T. (2003, August 12). *In pursuit of paradigm: A theory of restorative justice*. International Institute for Restorative Practices. <https://www.iirp.edu/pdf/paradigm.pdf>
11. Pathania, J. M. (2020, May 21). *Conflict Resolution Practices, Skills & Orientations in the Indian Context*. The Wilson Center. <https://www.wilsoncenter.org/article/conflict-resolution-practices-skills-orientations-indian-context>
12. Thingkho Leh Malcha. (2024, January 3). *Reconciliation, the Kuki-Zo Way*. <https://www.thingkholemalcha.com/reconciliation-the-kuki-zo-way>
13. Varte, I. Z. (2018). *Traditional Peacebuilding: A Study of the Hmar Tribe*. *Journal of Peace and Conflict Studies*, 5(1), 34-46.