

GRADUAL STAGES OF CHINLAND ADMINISTRATIVE TRANSFORMATION
from
Aristocracy or feudalism towards modern constitution of Chinland.

by
Lian Uk

Pre British Chinland as an Independent territory which started ending 1892-1927

The Chin society before British annexation was almost one village one kingdom and it was like every village under their respective chiefs were a nation even during the British administration from 1890 -1948. One example which I think is very cute is, two villages usually dealt their inter village trade.

One of them violate its promise and for that reason when any grain was sold to that village which violate its promise, a special standard measurement smaller than the one commonly used measurement was used for that particular village whenever that village bought the grains in that particular village. It has gone for generations as a tradition and the village who bought the grain will not reject it. It will be they who brought the special smaller measurement for them whenever they wanted to buy the grains.

They did not report to the authority concern that they were discriminated. They just accepted it as a tradition. That is a kind of tariff agreement between two countries.

What I want to write here is our society has been in federal system even in tradition and we need not have to copy from others too much. We are to draft the constitution in modern way to suit our society basing the structure of our traditional society.

That is most villages in the Chin state have village boundary demarcation. It has been born as a tradition that no villager is to intrude into the other village territories to get forest product, like to get firewood or timber or any other wild life games.

Every village since tradition has a council of the village formerly appointed or hand picked by the aristocrat chief who is the prince or king for the village as it was one village one kingdom.

But since there was inter village warfare, no village was founded without any chief promoter. Smaller or weaker village chief will invite the more powerful chief to protect them from their enemies villages on condition that tax would be given to them in kinds. In that way powerful chief had a very wide territories from where they got taxes in kinds. That might be the reason Chin chiefs from Chin land during pre-British period usually collected taxes from the outlying villages of Burmese settlement in the plains as they were in the Chin territories.

In some cases some villages lost the war to other powerful chiefs and became the subject of the chief who conquered them.

In that way or in the other way were Sukte chiefs, Kamhau chiefs, Khuasak chiefs, Zahau chiefs, Sailo chiefs, Cinzah chiefs, Zathang chiefs, and other many chiefs etc. became the ruling dynasty of the Chin-Lushai land before British annexation. Actually these chiefs are the princes of the Chinland. I don't know how British categorized them as chiefs. Their

subjects under their control addressed them as lords. The contemporary chiefs of Chinland in what is now Mizoram under British India were known as raja if it is man and rani if the chief is woman. Raja and rani are translated in to English as prince and princess in India.

All these chiefs have understanding each other at the time the British invaded the Chin Lushai land. According to Tuck and Carey, Sukte chiefs and Zahau chief had close relations. In the same way, Zahau chief and Tlaisun chief had close relation. In the same way, Tlaisun chief made friendly relation with Haka chiefs who ruled almost all of what is now Haka Thantlang and most parts of Matupi area especially Miram and Zotung area and some parts of Mizoram today.

Sailo chiefs also had relation within Tlaisun chiefs. This has shown that there had been a federation or common wealth of our fore fathers in the past. That was the reason why there were several principalities all in good term against the British in the Chin Hills at the advent of the British annexation

The way they controlled law and order in many places were allowing revenge or compensation in murder cases. But there was a solemn belief in native religion that ill fate in the person who was killed would go to the killer also and those who killed be revenged by the diety – God Khuazing/Pasian or Khampuhri. So even in the war they should not kill women who were pregnant and children. It was believed that there is curse to kill such unarmed people and other riligious bad omen. The religion controlled law and order .The main job of the chief was to served as judges in all cases which are decided in term of compensation even it the case was criminal nature according to the categoral way of cases and suits in criminal and civil today.

Chin Hills Administration under British

The British invaded the Chin Lushailand in three wars which they called expeditions 1872, 1888 and 1899-90. The British promised all the ruling chiefs in their peace agreement that the British recognized all their chieftainship and their power and their domains. For this condition all the chiefs were to give annual tax to the British, allow British peaceful passage in their respective areas or domains, and gave them provisions or rations for which the British shall give the cost of the rations and wages at fixed price. In return the British were also to protect the integral of the Chin territory from outside their common frontiers.

There was a plan to make the Chin territory as a province under a British governor . But there were people who did not accept the peace term who accasionally attacked the British even after the peace agreement was made. The British there fore found it too difficult to rule them as a province. So the plan to make it to be a province under a governor was dropped out.

The law that had been drafted to enforce in the Chinland province under a governor was dropped and the title of the Law was changed to the Chin Hills Regulations 1896. The Chin Hills Regulation 1896 amended later in 1819 and probably in 1927 was passed and adopted by the Governor in council in August 13, 1896.

But the Chin Hills Regulations was still applied to all the Chin people no matter whether they were in NagaHills or Chin Hills or Lushai Hills or Chittagong Hills Tract or Tripura or in Manipu as if they were in one province. It was because the para 2 or 3 of the Chin Hills Regulations provided that the term Chins includes Lushai, Kuki, Naga and Chins

in the Chin Hills and its adjoining areas. The Chin Hills Regulation 1896 served as the Constitution of the Chin land to some extent till independence of the Union of Burma in 1948.

Under the Chin Hills Regulation 1896 the Chin Hills territory was under a British deputy commissioner or Resident officer, for civil administration. The administrative areas of all the ruling chiefs in the Chin Hills regrouped together for administrative purpose into five sub-districts. Paletwa, Kan Petlet, Haka, Falam and Tiddim and each sub district civil administration was under a British officer known as Assitant Resident officer (ARO). Each Assistant Resident officer had several chiftain administrative areas in which he helped to control peace and order.

The chieftains had to do only what they had agreed with the occupying military forces. They heard cases civil and criminal as it was before British administration according to the local Chin customary law .Those who did not stisfy with the chieftains decision applied for revisions to the RO who were given session judge power. This sytem was practiced till 1948.

That was the reason why Pu Pum Za Mang or Thawng Za Khup , the Chief of Kam Hau, representing all the chiefs in Tiddim Sub division(the present Tiddim and Tonzang townships), Pu Hlur Hmung, the chief of Lungbang, representing all the chiefs in Falam sub Division, and Pu Kio Mang, the chief of Haka, representing all the chiefs in (Haka Sub division (Present Haka, Thantlang and Matupi townships which at that time were all in Haka sub division) signed the Panglong agreement. Those areas in the Chin Hills which could not send their representatives to Panglong conference rectify the agreement signed at Panglong at the Ritz William Maymyo Inquiry. Thus these chiefs at Panglong Agreement represented all their subjects under their rule and the subjects of other chiefs whom they represent.

Chin Sepecial Division Administration

After independence, Chin Hills was given Special Division status to be under a cabinet minister of the government of the Union of Burma known as Ministry of Chin Affairs under the Chin Affairs council in the constitution of the Union of Burma. By judging the formation of Arakan Affairs Council and Mon Affairs Council as interim administration before they joined the Union as the constituent states of the Union, the formation of the Chin Affairs Council could be known that it could join the Union as a constituent states of the Union at any time in their choice. The Chin State was represented by the chieftains in the Chamber of nationalities

Shortly after independence, hereditary chieftainship system was abolished in peaceful democratic process at the Chin National Conference of the Union of Burma at Falam on February 20, 1948 which is now observed as the Chin National Day. All the chief tains who ruled Chinland in continued dynasties since time immemorial were given compensations in lump sum money estimating might be the cost of the taxes each chieftain should get for ten years for the agreement they made to abolish aristocracy or hereditary chieftain system.

The Chin Hills Regulation 1896 was amended as Chin Special division Act 1948. Chin Hills was renamed as Chin Special Division and the Chin Hills Regulation was amended as Chin Special Division Act 1948. We can say that Chin Hills Regulations was

amended as Chin Special Division as many sections of the Chin Hills Regulations was re-adopted in the Chin Special Division Act 1948.

Chin Special division was politically in the charge of a cabinet minister of the Union government known as Minister of Chin affairs and the Chin Affairs Council. Its civil administration is in the charge of a high ranking civil service officer known as Commissioner. Chin Special division was divided for civil administration into 6 subdivisions.

They were originally from south to north Paletwa Sub Division, Kanpetlet Subdivision, Matupi Subdivision, Haka Sub Division, Falam Sub Division and Tidim Sub Division. Each Sub Division was administered by a civil service officer known as Sub divisional officer as it was since British time. The civil services official by now were no longer English, they were all Chin nationals of Chin Civil Service (CCS) people. Each subdivision officers were responsible for peace and order and development of the subdivision to which each sub divisional officer was assigned. They also served as magistrates and judges of both the criminal and civil power in addition to their administrative power. They were very powerful as there was no division of administration and judicial lines.

In the Chin Special Division Act, each chieftain administrative areas which were once under a sub district officer were now called sub division as the Chin Hills district is no longer a district, but it is now known as Special Division. So the chieftain administrative areas which were once in sub district were modified now as circles (*tlangkulh* in Chins) in each subdivision. The Chieftains and their councils were replaced by Circle Chairmen and Circle Councils who were elected by the people in the circles under the Chin Special division Manual which replaced also The Chin Hills Manual.

The circle chairmen served as consultants of the sub divisional officer or as sub divisional council. They decide all cases criminal cases of some level and civil suit of some level and can collect funds for development for private schools and extra teachers and for other circle development. The number of circles in each subdivisions will be still available to get them without difficulty.

When the parliament electoral constituency was formed the circles became the main references and the circle chairmen became vitally important for the success of each parliamentary candidate in the election..

So when we are saying that we want federal system and decentralization of power, what we mean mostly is the decentralization of the Union government power. Previously, the constitution of the Union of Burma was a unitary form, because all political power were only in the Union government monopolized by the Burmese or Burman in Burma proper and the rest of the union territories which were given the name states all became under the control of the Burman State control..

So we want to decentralize first and foremost distributing the Unitary power to the constituent states, the Panglong Agreement signatory nationalities or territories that is Chin, Kachin, Shan, Burmese or Burman, Kaya, Karen, Arakan and Mon.

The Union sovereignty is to be divided among these eight constituent states of the Union The eight constituent states are to share Foreign relation or external affairs, even then we express in our draft that the Chinland will reserve foreign relations on economics, health, education, agriculture, religion etc and share Defense, interstate affairs, post and telegraph

and the rest should be subjects of state legislature. In all this subjects state has the sovereignty. They can pass any law so long as it is not against the union constitution. That should be our agreement among the states of the federal Union. That is the point where we practice federalism.

Whether the legislature will elect the executive and the Judiciary could be a question. But in our draft, the legislature is, if I am not wrong to form the government of Chinland with the governor as the head of the state elected by electoral college or the population of the Chin state is to be enacted in the governor electoral law. That could be Chin state number 1 law.

Then in our draft, there is chief minister and its cabinet ministers. We prefer to have the name governor, chief minister and ministers so that it will be more easy for our public as it will be more familiar with our legal system. So the Chinland legislature and the government they form have the supreme power of the state in the legislative jurisdiction of the Chin state.

No law of any organization in the Chin state except the Union Constitution could supercede the Chin state constitution. So whatever the meaning of the government or administration is, what we call, local administration or local government has to share the Legislative Assembly of the Chin state. We cannot have other legislative assembly other than the Chin legislative assembly. Township and village local government can pass rules and regulations for their area. They may pass law for their local only if the Chin legislative assembly authorized them to do so by law .

So at the grass root level the village administration or if we want to call the village government will be the smallest. But we have discussed that the government in Burmese will make the village executive to feel themselves the real supreme government and they could go out of the Chinland constitution and law. So the term “administration” has been what we have discussed before for the term for township and village administration and not township and village government.

Between village unit and the state level, we have discussed to have township administration or government level. In this case also, there is no way that they could become one township one kingdom. They have to be under the Chin State constitution. They are to send their representatives to the Chin state legislative assembly and that is the way they all should share and participate in the Chin legislative assembly.

Such township council and government or executive council may be authorized to pass township administration rule and regulation to suit their township. If they are authorized to do so, it may be the state attorney who will help them to draft the law to be in consistent with the state laws and constitution.

It does not mean that the whole governing system of the state will be automatically all federations as soon as we adopt federal system for the constituent States of the Union,.

Baptist convention and Association is supposed to be in federation that is decentralization. of central power. We usually say that Zomi Baptist Convention is formed in federation of various Chin Baptist Associations. There, each village church has their own village church pastor pay their monthly salary by the village church themselves. But some

village churches can not afford to hire their village church pastor. So they share a pastor with other village church.

Falam Baptist Association practices unitary system though they join ZBC as one of the federated member association of ZBC. That is all Falam churches give their contributions to Falam Baptist Association and the FBA is to pay the salaries of all the village church Pastors.

In that way, the Falam Baptist church can transfer a pastor from one village church to another time by time, because the FBA practice centralization. But the pastors of the village church can not be transfer by the association authority where the association is a federation of local churches. The reason is each church pastor can not be controlled by the association authority as such pastor are not paid by the association, but by the village church concern.

In the same way, the township government or the village government can not afford to pay the salary of their clerk of certain departments they have to share such clerk station at a certain station from where or to where they should send their report and their agendas.

Local village or township administration or government need to pay their village clerk and for township not only clerk, but even higher level civil service. If they are not in a position to pay the civil service salary, the state may provide them. But the state may not be able to afford to pay for several townships and the state has to limit the number of civil service in the Chin state.

That will limit the number of townships in the state. If the state depends on the federal government for the money for civil service salary, then the state will have to be dependent of the federal government and the number of village and township administration unit will have to be controlled by the federal government.

In that way the state will loss its control of the state to the federal government. That leads again to unitary which will be controlled by other state who can contribute most money to the federal Union.

In that case it is not easy at this time to make a township demarcation. At the same time we may be unable to afford yet to make a new village or township boundary at this time. We have to depend on the boundaries that have already been settled and accepted by all as a tradition. If not there will ensue so many problems on new demarcation of administrative boundaries.

A new township is not created in Paletwa, because Sami and Paletwa itself can not decide their township boundary between them. The reason was each township wanted to include Kyaukpantaung (Kimoe) area in their boundary as it is a reserved forest for wild life where there are said to be elephants and even rhinoceros.

On the other hand there could be villages who can not decide to which township they would join and there could be disunity among villages who want to join and not want to join any of the township concern.

We are very fortunate that village and township boundaries have been all settled since British time in many villages of the Chin state and to abide to the rules of the inter village boundary has become not only as a law, but almost as a custom since it has been demarcated very long ago. In that village boundary rule, no person can intrude to hunt or take fire wood or timber in other village boundary.

There are still several problems on certain village boundaries up to now. Boundary issue always is very sensitive and villages usually engage to hot fighting in groups on their village boundary. So we cannot say that we copy any thing which are good in other countries.

So long as we have got decentralization of power between the federal power and the constituent State power, the rest of constituting local administration or governance of our state should be on the line the Chin rural areas could understand and know how to practice it. That is we are to see our previous traditions whether we could adopt a new idea.

We can adopt a new idea bit by bit as we give education to the public through school text books and in other means.

We can not do all the good things in a day, because good things have responsibility and to take responsibility, we need educations and experience. We can not get good result from a good system if our laws and rules and regulations are not built on something the people could understand and accustom to first and foremost.