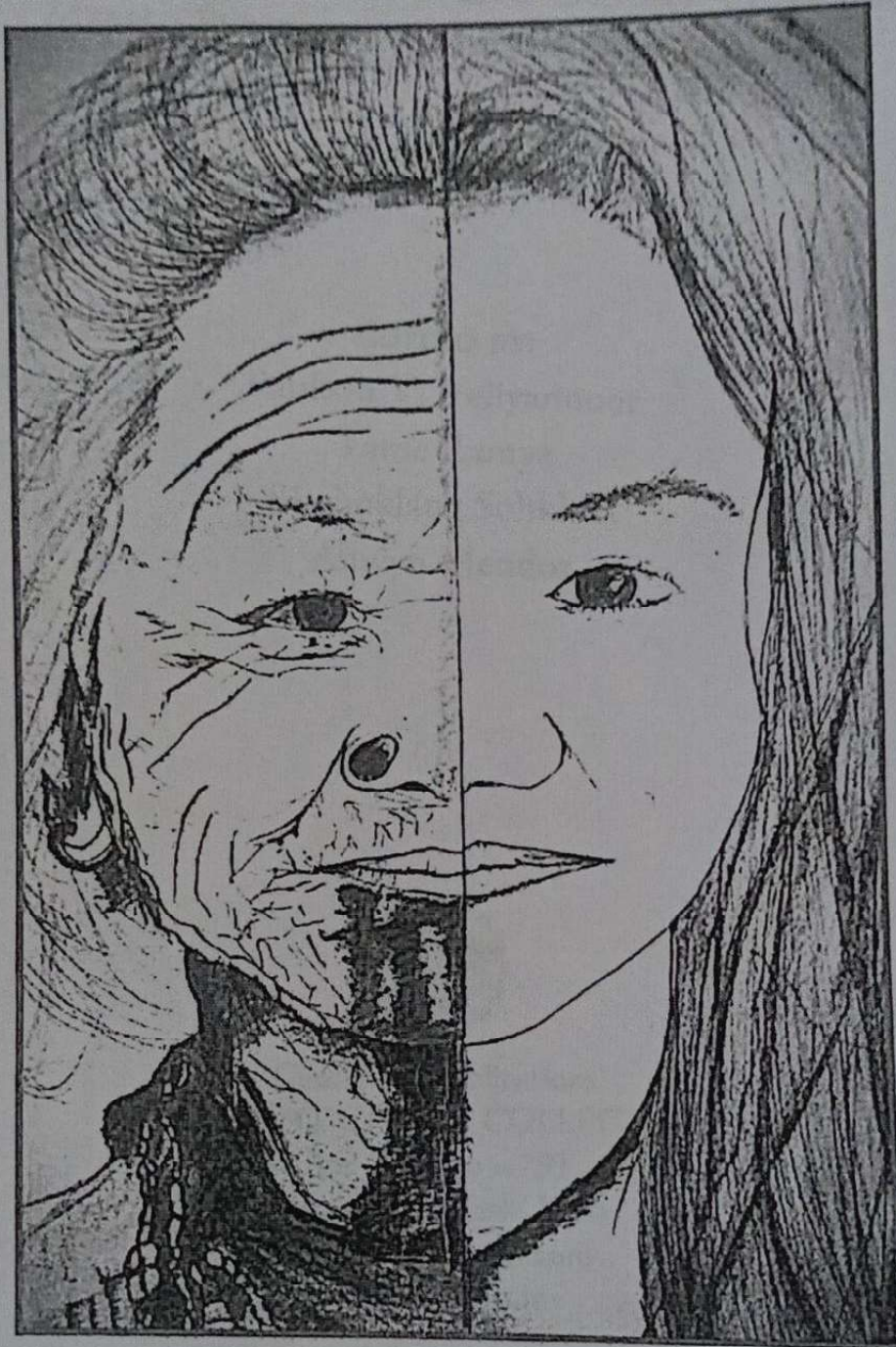


# TRIBALS IN THE CONTEMPORARY CONTEXT

MYRIAD PERSPECTIVES FROM NORTHEAST INDIA



EDITORS:

PAULSON V. VELIYANNOOR

TAME RAMYA

BHABOKLANG SOHKHLET

ALLWYN MENDOZ

SAINT CLARET COLLEGE, ZIRO

TRIBALS IN THE CONTEMPORARY CONTEXT  
MYRIAD PERSPECTIVES FROM NORTHEAST INDIA

EDITED BY:  
Paulson V. Veliyannoor  
Tame Ramya  
Bhaboklang Sohkhlet  
Allwyn Mendoz



Center for Publications  
SAINT CLARET COLLEGE  
Post Box 22, Ziro – 791 120  
Arunachal Pradesh, India  
zirocollege@gmail.com  
www.sccz.edu.in

**CLARETIAN PUBLICATIONS**  
Bangalore - 560 055, India

2018

Copyright © 2018 Saint Claret College, Ziro

*Published by:*

Center for Publications  
Saint Claret College, Ziro

*In collaboration with*

Claretian Publications  
28/12, 18th Cross Road  
Malleswaram West Post  
Bangalore - 560 055, India

Tel: 91-80-23002277 / 78 / 79 / 80

E-mail: [info@claretianpublications.org](mailto:info@claretianpublications.org)

Web: [www.claretianpublications.org](http://www.claretianpublications.org)

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means—electronic, mechanical, photocopy, recording, or any other—except for brief quotations in printed reviews, without the prior written permission from the publisher.

The ideas and opinions expressed in the articles in this book are of the respective authors and do not necessarily reflect the viewpoints of the editors or of Saint Claret College, Ziro, or of Claretian Publications.

Responsibility for factual errors or contestable/disputable ideas, if any, in any of the articles rests with the respective authors and any correspondence regarding the same must be addressed to him or her.

Veliyannoor, P. V., Ramya, T., Sohkhlet, B., & Mendoz, A. (Editors)  
*Tribals in the Contemporary Context: Myriad Perspectives From Northeast India*

Price: Rs.300.00 (\$20.00)

ISBN 978-81-89851-12-5

1. Anthropology    2. Tribal Studies    3. Northeast India

Printed in India

First Edition

# CONTENTS

Presentation .....	vii
Foreword	
– <i>C. Joshua Thomas</i> .....	ix
General Introduction:	
Tribals in the Contemporary Context of North East India	
– <i>Paulson Veliyannoor</i> .....	1
1. Arunachal Pradesh: A Unique Cultural Zone of North East India	
– <i>Batem Pertin</i> .....	9
2. The Role of Textual Translation in Tribal Languages	
– <i>Josekutty Thomas</i> .....	20
3. Community Image in Folksongs: A Case Study of the Apatanis	
– <i>Landi Pussang Tama &amp; Landi Pussang Monia</i> .....	38
4. Beliefs and Practices in Traditional Hunting Among the Adis of Arunachal Pradesh	
– <i>Tanong Tapak</i> .....	54
5. Traditional Village Councils of the Tangsa Community: With Special Reference to the Mossang Sub-Tribe	
– <i>Neelam Rupa &amp; Samsom Mossang</i> .....	75
6. Panchayati Raj System: An Instrument of Local Governance in Ziro Valley, Arunachal Pradesh	
– <i>Millo Seema</i> .....	85
7. Role of Lotha Women in the Traditional Naga Society: A Sociological Study	
– <i>M. Elonbeni Ngullie</i> .....	104

8. Women's Role in the Political Developments of Arunachal Pradesh: With Reference to the Adis of East Siang District – <i>Eva Dupak</i> .....	116
9. Youth and Student Organizations in West Khasi Hills and Their Interaction with the Tribal Society – <i>Badari Shisha L. Nonglait</i> .....	123
10. Shamanism among Apatanis: Art, Practices, Beliefs, and its Reflection on Society – <i>Hibu Dindie</i> .....	138
11. Modernization and its Impact on Traditional Healing System of the Apatanis – <i>Dani Yama</i> .....	159
12. Reproductive Healthcare Services on Infant Mortality Among Karbis and Rengmas of Assam – <i>Melody Seb Rengma &amp; Sarthak Sengupta</i> .....	178
13. Commercialization of Agriculture Produces in Leporiang Circle, Arunachal Pradesh – <i>Biri Amji</i> .....	193
14. Impact of Commercial Orange Cultivation on Idu Community: A Case of Koronu Circle in Lower Dibang Valley District of Arunachal Pradesh – <i>Ravi Mihu, Philip Mody, &amp; Taba Biroy</i> .....	209
15. The Contemporary Trading and Economy of the Nyishi Tribe: A Perspective from Arunachal Pradesh – <i>Yab Rajiv Camder, Philip Mody, &amp; Tok Kumar</i> .....	219
16. Tourism Industry in Khasi and Jaintia Hills: A Critical Analysis – <i>Dakarupaya Olivia Rymbai</i> .....	228

# TRADITIONAL VILLAGE COUNCILS OF THE TANGSA COMMUNITY: WITH SPECIAL REFERENCE TO THE MOSSANG SUB-TRIBE

Neelam Rupa<sup>1</sup> & Samsom Mossang<sup>2</sup>

Human being is a social animal and the sooner one understands this, the better one will be able to live with others in community. A community, though formed on the basis of mutual interests, tends to experience disputes; and it becomes important to address such issues responsibly and have a smooth functioning of the community. Hence, since antiquity, the role of a village council or a similar mechanism at the level of the village has been imperative for the survival and functioning of a village.

The tribal organisation of justice reflects the existing traditional codes of a tribal community. In fact, the indigenous tribal legal system is based on the customary laws and usages of the tribal society. However, the concept of law in its legalistic form was completely unknown to such societies in the past.

Hartland (1924) observed that "primitive law is in truth the totality of custom of tribes" (p. 5). Arunachal Pradesh, "the land of rising sun," is located in the north-easternmost part of India. Arunachal Pradesh is the homeland of many tribals and has a population of 13,83,727 (Census of India, 2011). Under the provisions of the Indian Constitution, there are 26 communities listed as Scheduled Tribes (ST) in this part of the country. The

<sup>1</sup> Assistant Professor, Department of Sociology, Don Bosco College, Itanagar, Arunachal Pradesh. E-Mail: neelamrupa@rediffmail.com

<sup>2</sup> Assistant Professor, Department of English, Don Bosco College, Itanagar.

Mossang is one of the sub-tribes of the Tangsa community. There is much literature on almost all the tribes of Arunachal Pradesh; however, very little research has been done on the Tangsas, especially the Mossangs. This study on the village council of the Tangsas in general and of the Mossangs in particular has been taken up to redress this paucity to certain extent as well as to encourage more research into their tribal, social life. This paper briefly describes the traditional village council system of the Tangsas of Changlang district, with special reference to the Mossangs of Nampong village.

### **Objectives & Method**

The present study on traditional village council of the Tangsa Community, with special reference to the Mossangs, is done in view of the following objectives: (a) To explore the system of self-governance through the traditional village council of the Mossang community of Changlang district, and (b) To explore and document the concept of self-governing system among the Mossangs.

The present study is exclusively based on field study. Knowledgeable persons (key informants) of the tribe were interviewed and the information so gathered is analysed. Hence, the source of data is primary, using personal interview method. The study was carried out in Nampong village of Changlang district of Arunachal Pradesh.

### **The Tangsas**

Sharma (2010) states that "the tribal people in India are associated with respective territories. They manage all their affairs as members of a virtual 'village Republic' in accordance with their customs and traditions" (p. 13). The Tangsas, one of the major tribes, inhabit the Changlang district of Arunachal Pradesh along the Indo-Burmese border and parts of Tinsukia

District of Assam, in north-east India. Literally, the meaning of the word Tangsa is "children of the hill." *tang* meaning "hill" and *sa* meaning "children." They are concentrated mainly in the valleys of the Tirap and Namchik rivers, extending from the Patkai range in the south to the border of Assam in the north.

The total population of Tangsas, according to the 2011 census, is 1,47,961. The Tangsa community consists of mainly four sub-tribes: *Lungchangs*, *Mukloms*, *Tikhaks*, and *Pansas*. The *Pansas* are further divided into *Mossangs*, *Kimsings*, *Juglis / Yuglis*, *Rongrangs*, and a few others, according to their dialectical variations and social customs. Each sub-tribe has a number of exogamous clans. They follow patriarchal system of society and live in joint families. "The Tangsa tribe used to have a limited Chieftaincy system of Village Council. The head of the Council is selected from a particular class after taking into consideration his wealth and intelligence" (Swain, 2006, p. 36).

The Mossangs constitute the highest among the Tangsas in terms of numbers (about 40% of the total Tangsa population) and are distributed all over Changlang district.

### **Kha-Pho-Rung: The Traditional Village Council System**

There is no known date of origin for the Mossang village council *Kha-pho-rung*. *Kha* means "case," *pho* means "decision," and *rung* means "assembly." The Mossangs do not have any idea as to how and when the village council originated nor do they have any myth relating to its origin. However, it is believed that *Kha-pho-rung* came into existence with the beginning of society.

### **Structure of the *Kha-pho-rung***

The Mossang *Kha-pho-rung*, the council of elders, consists of a leader known as *Ngowa* and a few members known as *Tetwas* or *Phongwas* chosen by the villagers. The leader is selected from

a particular clan, consideration being given to his wealth and intelligence, while the members represent various clans. Another particular trait that is taken into consideration while choosing them is that the leader and the members should have good oratory skills. The *Kha-pho-rung* is very powerful and the verdict of the *Ngowa* is considered to be final.

There is no educational bar for selection of the council members but sex, status, and experience in social affairs as well as knowledge in the traditional custom are the main criteria to become a member of the village council.

The *Kha-pho-rung* assembles at the house of the *Ngowa*, as there is no particular place for designated this purpose. The place for such sitting is called *Rung*. The *Kha-pho-rung* adjudicates all disputes and ensure the maintenance of law and order in the village as per traditional customary rules.

### **Jurisdiction**

The jurisdiction of the village council is confined to the village. Generally, one particular village council cannot go to settle disputes of other villages unless the same is initiated by the host council to settle their disputes. In case of inter-village dispute, the village councils of both the villages will get together jointly in a convenient place to settle the dispute. They also invite council members from the nearby villages as mediators to settle the dispute. Inter-tribal disputes are settled mutually between the two tribes through mediators of both the tribes.

There is no fixed time or session for holding a village council. The village council sits as and when required. And the council's decision on any dispute or crime is considered significant, final, and respected by all. Thus, the council of the *Tangsas* is democratic in nature.

### Cases under Kha-Pho-Rung

*Agau-kha* (Theft), *Krey* (non-payment of bride-price), *Gha-wei-kha* (encroachment on others land), *Mik-tai-kha* (murder), and *Aa-kacham* (seduction) are some of the offences tried by the council. The offences were also given terms according to the seriousness of the crimes. *Mra* is the term for less offensives ones and *kha* is for the serious ones. Disputes arising out of the *Krey* (bride-price) continue for generations. A dispute could be *ke-mra / ke-kha* (intra-village) or *ke-wei-ke-mra / ke-wei-ke-kha* (inter-village). Intra-village disputes are settled by the council of elders of the particular village, whereas inter-village disputes lead to frequent raids and head hunting. In order to prevent such situation, the *Kha-pho-rung* of both the villages hold a joint *rung* to reach an amicable position.

### Penalties for Certain Cases

In case of *Agau-kha* (theft), generally *Achang* (fine) is not imposed but the *Agau* (thief) has to return the stolen articles or items to the owner. However, *Achang* of cash is sometime imposed. An *Agau* is seen more of as a stupid person than a criminal by the Mossangs.

In case of *Aa-kacham* (seduction) of a married woman, *Achang* is imposed both in cash and kind. The accused is to give a buffalo to the *Kha-pho-rung*. No fine is imposed upon the woman, but if the husband wishes, he has the liberty to leave her.

In case of seduction of an unmarried girl, and if a girl becomes pregnant, the accused is to marry the girl. In case of denial of his crime and refusal to marry the girl, then the accused has to pay *Achang* in cash to the girl's parents. In case of elopement, the boy has to give a cow and a buffalo to the girl's parents or their equivalent in cash.

In case of *Gah-rei-kha* (encroachment of others' property), the *Ngowa* and the *Tetwas* or *Phongwas*, visit and examine the disputed land. Demarcation of the land with stones or by planting trees to mark the border is done later. The encroacher gives an *Achang* of one pig. In case of dispute over property among brothers, the *kha-pho-rung* decides the share but usually the eldest brother gets the biggest share.

Mossangs consider *Mik-tai-kha* (murder) to be a serious crime. The murderer has to pay a heavy *Achang* to the victim's family. The murderer along with his entire family has to leave the village in order to escape revenge. In case of accidental murder, like hunting accident, the man has to inform the *Ngowa* and leave the village. The murderer's family has to give two cows to the victim's family. This is the beginning of negotiation which prevents retaliation. A week after, two buffaloes and two bronze plates should be given as a compensation for the *head* of the murdered person, two *dao* (swords) for *hands*, 1,000 rupees for the *heart*, one long chain of beads hanging down to the navel for *intestines* and two spears for the *legs*. All compensatory items are to be sent through the older relatives of the family of the murderer. The murdered family should never visit the murderer's family. Similarly, the murderer's family cannot go to their original village where the incident took place.

A person who cannot pay *Achang* is kept as a *Winsa* (servant) of the village. The *Ngowa* engages such person as his personal *Winsa* on payment of the fine. Sometimes, such offenders are made *Winsa* of the person against whom the offence is committed. A *Winsa* can marry and settle in that village, but in this case, the head of the family remained a *Winsa* for the rest of his life. If a daughter is born to the *Winsa*, *Krey* obtained at the time of marriage of the daughter would belong to the master.

After a case is settled and accepted by both the parties, *Khatong* (sitting fee) is paid to the *Kha-pho-rung*.

### Scheme of Punishment

Corporal punishment is not imposed by the *Kha-pho-rung*. *Achang*, in cash or kind or both, is the only punishment imposed on an offender and it varies according to the seriousness of the offence. The verdict is given in presence of all and the *Achang* is imposed. If a guilty person is unable to pay, the *Achang* is kept in the custody of the *Ngowa*. He or she is also taken out on bail by his or her friends and relatives on assurance of the payment of the *Achang* within a stipulated period fixed by the council.

### Role of Oath (*Aa-Katam*) and Ordeals (*Katam-Katong*)

In case the *Kha-pho-rung* is unable to give the verdict, then the accused and the petitioner in question are to take *Aa-katam* (Oath) in the name of the spirits or deities, who they believe to be the witnesses of the crime. It is believed that, if the person lies under the oath, then he or she will meet with an unforeseen danger or if the person is being truthful, no harm would come to him or her.

The Mossangs also practise the act of *Katam-katong* (ordeals) to be faced by the accused in question. It is taken as the last option to deal with a tricky case when the *Kha-pho-rung* is unable to give a verdict. The accused is asked to touch fire, earth, red hot burning charcoal, fang of a tiger, a stone of thunderbolt, or drink the blood of a black hen or rooster. It is believed that an offender will die shortly due to accidents caused by the thing they touch. The idea is to instil fear of death in the mind of the offender and in order to avoid death (would accept their crime and punishment).

## Women and Council

Women are considered the other half of humankind. However, all the members of the village council are male. Women cannot be a member of the council because of the belief that they cannot take the position of men in decision making. Women are, however, busy with their household chores and cannot spare time for outside world. Therefore, the womenfolk do not have the privilege to take part in the process of decision making. They may witness the council session if necessary or if they involve in the case.

## Council vs. Panchayat Raj

The traditional village council among the Mossangs continues to regulate the social, cultural, and legal affairs of the village. However, in certain cases, this traditional tribal judicial system fails to satisfactorily address certain serious crimes, particularly death. As a result, it ultimately necessitates the intervention of modern system of justice as a last resort. In line with this, the government promulgated the Regulation of 1947 to bring uniformity in the system of justice.

For smooth functioning of the democratic and self-governing tribal institutions, the Panchayat Raj system of local self-government has been introduced under regulation 3 of NEFA Panchayat Raj Regulation of 1967. The regulation envisages for every district a three-tier system self-governing bodies, namely *Gram Panchayat* at the village level, *Anchal Samiti* at the block level and *Zilla Parishad* at the district level. Swain (2006) observed that "the Panchayat Raj System functions as the rural local government in India, ensuring grass-roots democracy and decentralized planning. It develops power to the villages and thereby linking the people from village to the state" (p. 36). The self-governing bodies have been accordingly empowered to plan

and accomplish small developmental plans and to implement various welfare schemes.

This system also includes women for participation in decision making of the village and after the enactment of Arunachal Pradesh Panchayat Act 1997, one-third seats at different levels of Panchayat bodies are reserved for women. This led to the revolutionary change in the pattern of leadership.

### Recent Changes

The role of traditional village council among the Tangsas in general and the Mossangs in particular has not undergone major changes in terms of its constitution and functioning. However, under the influence of the new forms of administration, minor changes have taken place in the last few years. After the introduction of Indian Penal Code (IPC) and the Assam Frontier (Administration of Justice) Regulation Act of 1945, the power for settlement of case by the traditional village council such as murder has been restricted. The council is, however, empowered for trial of cases such as theft, simple hurts, house trespass, assault, encroachment of land, dispute over land and property, non-payment of bride price, deduction of girl, elopement, adultery, divorce, and similar disputes.

Despite of its importance as well as limitations, at present, people are privileged to approach before the court of law for settlement of cases when the same is not satisfactorily settled through the village council.

### Suggestions

Based on the assessment of the nature and current functioning of the traditional village council, as a concluding observation, we propose the following suggestions for its effective functioning:

- The traditional village council of the Mossangs is found to be an informal institution; this system could be made

more formal and structured for systematic and efficient functioning.

- The council proceedings, decisions, and fines imposed to an accused by the village council should be recorded in writing for future record rather than trusting the memory of the council members.
- Fine imposed by the council on an accused should be recorded with amount and quantity with approximate present value, if it is in kind. If a similar crime is committed in future, the records on the current judgement can serve as a reference point and precedent.
- Educated and literate persons acquainted with the customary laws, modern judicial process, and not those with high status on account of their money and material resources must be included in the village council for better negotiation between the government regulation and customary laws as well as for the purpose of informed judgement.
- The structural patterns, body, and the functioning of the council should be systematically studied and documented. This will help in the transferring of knowledge on traditional governing body to the coming generations of the tribe.

#### REFERENCES

- Hartland, E. S. (1924). *Primitive law*. London: Kennikat Publications.
- Sharma, B.D. (2010). *Unbroken history of broken promises: Indian state and the tribal people*. New Delhi: Freedom Press & Sahyog Pustak Kuteer.
- Swain, P. C. (2006). *Local self-government in India with reference to Arunachal Pradesh*. Itanagar: Pustak Manzil.

*The author wishes to thank Komoli Mossang, Chairperson, R. K. Mossang Memorial Society, for her significant contribution to the study as a key informant and collaborator.*