

## CHAPTER - III

### Socio - Political Setting.

The society of the Adis, though advancing rapidly in many respects during the recent past, still now mostly follows the old, conventional practices of the by-gone ages in many spheres, and in its body few changes have been worked so long. Yet, there is a definite and regular pattern in their socio-political set-up, a close study of which will indeed be a rewarding experience.

As we have already seen, 'Adi' is a collective name for a number of communities with close cultural and linguistic affinities. It is a rather recent coinage to replace 'Abor', a name with the derogatory implication of 'savage' or 'unruly'. It represents a new consciousness among some of the progressive members of the group of an enlarged identity attempting to unite the groups into a larger unit. This consciousness is perhaps the result of political contacts with the plains in the North-Eastern parts of India. The native consciousness of cohesiveness stops short at the groups from where it grows more intense as one moves inwards towards clans and village. Each group is like a loose federation of units formed around the two factors -- clan and village, which alone, therefore, ultimately constitute the basic element of the social structure. The unity of the group is most active when it comes into collision with other groups. (1) Otherwise

it is a rather dormant feeling and the people are reminded of the homogeneity of the group by the periodical recitals of the Abangs or myths of creation during festivals. The major components of the whole fabric of Adi socio-political structure may be stated under the following sections.

### 3:1. The Village.

The country of the Adis is essentially a land of villages, since township is a rare thing in these remote areas. The distribution of the villages along the course of the three main rivers, the Siang, the Yamne and the Siyom, along with their tributaries, is an indication of the movement of the tribes. It seems from this distribution that they kept close to the river courses in their migration. But, for settlements, they always avoided the low lands lying by the river beds and preferred the nearest tops of the hills with declivities towards the rivers and steep, unnegotiable falls on the opposite side. (2)

Within a group the structure is an arrangement of adjustments between the two concepts - those of space and lineage. Village constitutes the spatial element. Every village is a unit by itself, self-contained and self-reliant in its own economic and political functions and relations. Each produces for its own consumption with its own resources, except for a limited trade beyond its boundaries. All villages have the same pattern of

lay-out settlement of habitation in a dominating and secure position, surrounded by a belt of hilly land extending to clearly discernible and identifiable features such as rivers dividing its boundaries with the neighbours. These outlying lands constitute the agricultural fields divided into patats and forests that are reserved for games and source of materials for building houses and making articles of domestic use. Stretches of rivers and streams passing through or by the village land belong to the village and are territorial waters but mainly for fishing. These form the resources and the village community provides the labour (3) for production.

Within its area each village watches over its rights on land, forest and water with a vigilant eye. Each member of the village is expected to be unflinchingly loyal to the duty of protection of the right on these national assets and to resist and repulse all attempts at infringement. No outsiders, even if related to the members by clan ties, are tolerated to encroach or poach. Individuals or families from other villages may come and settle with the consent of the village community but they have to renounce all allegiance to the villages they come from and transfer it wholly to their new home. This independence of individual villages is complete, universal and without any exception. Even new villages founded by settlers from older ones are independent from the very beginning. The system of paramount and dependent

villages is absent here. Nor is there any stable confederacy of villages on political or economic consideration. The only grouping of villages has been alliances for some specific period and during internecine feuds. Thus the village provides the geographical boundary of the primary unit of the social structure. (4)

Within the village the resources are allotted individually to households. The allotment is for the utilization for production only but theoretically the ownership vests with the community as a whole. The production is aimed at meeting the requirement of the households severally. However, continuity of the utilization of the same plots by the same households gives rise to an appearance of ownership and such ownership can also be transferred in consideration of payments. But any such transaction has to be done with the consent of the village council elders. Even the division of land within the members of a household, such as among the sons after the death of the father, has to be approved by the council. Development arising out of or related to economic activities are always internal matters of the village and dealt with at the village level. All disputes such as encroachment on land, theft, debt, etc. have to be settled in the village council and not by individuals or households involved, nor is any interference from outside sought or tolerated. (5)

In disputes with other villages, a village acts as one even if the bodies directly responsible and involved are individuals.

Flouting of fishing or hunting rights of other villages by individuals leads to inter-village wars, each village taking up the cause of its member or members involved.

Theoretically the land belongs to the people. There is no such land as may be considered free or unoccupied. But as the people are not a single political unit, but are divided into villages which are independent of one another, every village has its own territory demarcated by prominent natural features, such as mountain ridges and rivers. These boundaries are well-known and respected. Within these, the entire land falling under the jurisdiction of the village belongs to the families inhabiting it. There are clanwise groupings of holdings in some ancient villages such as Damroh and Rig<sup>a</sup>, but division is generally made not according to clans but according to families. Every inch of soil has its owner but his right to it concerns cultivation only, as in theory the land belongs to the village as a whole. An individual has no right to sell his land to an outsider without the sanction of the village community. (6)

The right to the land descends through the male line, all sons equally sharing the estate of the father. This right also persists in all the phases of operation that the land passes through. Only during follow periods individual ownership stands suspended for the grazing of the village cattle. No one can object to the cattle grazing in his land during this period.

There is no legal restriction of the transfer of the right nor is there any restriction in theory about the transfer. But in practice it is limited to relatives and within the village. Transfer is usually effected through sale, lease and exchange. Land, however, is never rented out. Disputes regarding ownership of land are rare but not altogether unknown. In such cases it is customary to induce the disputing parties to agree to submit their cases to the decision of the Kebang or the village council. The aim of the Kebang is to bring about a compromise between the parties. In case the Kebang fails to secure acceptance of either or both the parties, divine intervention is sought through an ordeal. In case both the parties are proved to be in the wrong by the ordeal, the land is equally divided between them. Again, if one of the parties refuses to face the ordeal, the decision goes in favour of the other. (7)

Ownership of land in NEFA varies from tribe to tribe, though, generally speaking, it can be considered under the three categories of land owned by individuals, land owned by the clan, and common village land. Tribes which practise jhuming and those which have taken to regular cultivation, will naturally have rather different systems of ownership. (8)

Government's attitude to land in NEFA is formulated in the three Jhum Land Regulations which were promulgated in 1947-48. These Regulations give the tribal population absolute right over

their jhum-land. They also provide customary rights to jhum-land in favour of any village community which has cultivated or utilised it for a certain period. In actual practice, however, the local customs and traditions are respected and take precedence over these Regulations. The transfer or sale of land is strictly controlled. Since the whole area is beyond the Inner Line where outsiders are not normally permitted to settle and where no tribesman can sell his land to a non-tribal, it will be seen that there is very considerable protection of tribal land. (9)

### 3:2. Kebang : The Village Council.

As the village acts as a corporate body for its economic and political functions irrespective of the involvement of the individuals or the households, it has evolved a remarkable system of village administration. In NEFA tribal society indigenous system of self-government is a matter of great interest. Almost all the tribes have their own established forms of jurisprudence and administration of justice which are followed and obeyed by the people with implicit faith from times immemorial. Village government varies considerably from tribe to tribe in both its name and mode of functioning. The Abbala of the Idu Mishmis, Nele of the Deflas, Jang of the Sherduppens, Buliang of the Apa Tanis, Pherai of the Kaman Mishmis, Khapong of the Tangsas, Lengui of the Nonpas, Gembus of the Ramos, and the Kebang of the Adis are some of the names of the individual village councils of

different NEFA tribes. Perhaps the most highly developed and effective of all these different tribal councils is the Adi Kebang which may be regarded as a model for the whole tribal world of NEFA. (10)

In spite of certain differences, particularly differences in the degree of development and the authority of the councils in different tribes, certain things are common to them. They all derive their authority from ancient times and the fact that they are the expression of the will and power of the whole people. They are supported not only by social but also by supernatural sanctions and to give false evidence, for example, may cause the vengeance of the gods as well as excite the scorn of men. Sacrifices are commonly offered to avert supernatural dangers, to implore the divine blessing on the councils' deliberations, and to bring peace between the contending parties. (11)

Most of the councils are informal in character. Although certain leading individuals are always recognised as members and among these are included, as in recent times, as a matter of routine, the officially appointed headmen, the membership is left fairly vague. Anyone, unless he is an excommunicate, can attend and speak, though there are some tribes such as the Dafflas who do not seem to allow their women to do so. Decisions are taken, not by a formal vote, but by general agreement.

All the councils have judicial as well as adminis-

trative and development functions, though the latter are more elaborated in some tribes than others.

Some tribes have what may be called a junior branch of the council. The Ajang Suliangs of the Apa Tanis, the Moshup or Dere boys of the Adis, the Morung boys of the Wanchos and Noctes have always played an important part in looking after their villages, maintaining paths, helping in cultivation, providing a simple relief service, as for example, the Adis have a sort of fire protection unit staffed by these boys. Instead of introducing Farmers' clubs or Youth organisations, the Administration is bringing the existing institutions into closer union with the councils, so that their services can be utilised more effectively for village development. (12)

The tribal councils have great potentialities. Established in history and tradition, supported by social and religious sanctions, expression of a genuine democracy representing the co-operative and communal temperament of the people, they can be used not only to establish law and order but also to further progress throughout NEFA. Although in the past these councils inflicted ferocious punishments upon offenders through their verdicts, they have shown in later years, with the change in social atmosphere, practices and outlook, that they are capable of humanity, justice, and commonsense. (13)

Politically, Adi social structure and internal admi-

nistration are essentially democratic in nature, autocracy being altogether unknown in any form, and in the absence of a distinct class of nobility, oligarchy has remained equally unknown. The structure is very simple and effective. Every village is an independent, self-sufficient unit by itself, and knows no extraneous authority. It has a council of elders which exercises the highest legal and judicial powers. This is known as the Kebang and all social and political control of the village rests with it. The members are known as Kebang Abus and are chosen from within the village by virtue of their experience, wisdom, influence, and oratorical powers. Some of them are Gams, who represent particular clans. Usually, each clan has one Gam of its own, but cases of clans having more than one or none are also not uncommon. Kebang Abus are usually senior men with long experience and wide and deep knowledge of the tribal lore, but younger Kebang-Abus are not rare. (14)

Originally the Adi Kebang was largely dominated by the priests, and derived its authority from the supernatural sanctions that they were able to invoke. It was firmly rooted in custom and tradition and had wide authority over every aspect of Adi life. During the British days it was to some extent transformed. Official Gams, as the headmen are called in Siang, were appointed one for every clan in a village. Because of their being recognised by the government, they gained a certain amount

of authority. They caused the authority of the priests to decline. They introduced an official element that had previously been absent. The chief difference between the older Adi councils and the modern transformed ones is that the latter do not have the same supernatural or social authority. They are more sophisticated and official. Now-a-days we find minutes being kept and resolutions typed out in English and forwarded to the Administration. Here is the beginning of a potential modern political organisation which must be encouraged and sensibly guided towards serving some definite constructive aims, ends, and purposes so as to make it fully effective. (15)

The Kebang directs all village activities according to the traditional laws and customs of which it is supposed to be a repository, and punishes those who deviate from the right path in any way. Before doing anything in practice - political, social or religious - the opinion of the Kebang must be sought. All matters of common interest are placed before it and nothing can be done without its approval and sanction. The opening of agricultural plots, building of new houses, settling of newcomers, going on hunting excursions and every matter concerning the welfare of the village either individually or communally is discussed and decided in it. It is the Kebang which judges all guilts and imposes fines on the offenders. It is Kebang, again, which evokes a spirit of co-operation and unity among all the

members of the tribe. The Kebang-speeches are usually lengthy, loudly delivered with formidable gesticulations, always advocating impartial justice, with constant references to the ancient history and glory of the Adi race, and are mostly attended with distribution of drinks. The Kebang may be called some form of democratic parliament which is the final authority in all affairs of the Adi society, the injunction of which are always obeyed to the letter and no one ever complains against its verdict. (16)

The Kebang has three main organisational institutions. They are: the Dolung Kebang or council of a village; the Banggo Kebang or council of villages, and Bogum-Bokang Kebang or the council of the tribe. Of these three indigenous bodies, the Dolung Kebang is the oldest, smallest and most effective unit of rural self-administration. It deals with the affairs of a village and its jurisdiction is limited within the boundary of a single village. The Banggo Kebang deals with the affairs of some villages within a compact area. It exercises its traditional authority within the limit of the Banggo or area. When a problem or a dispute goes beyond the village jurisdiction, automatically the Banggo Kebang takes up the matter. The Bogum Bokang Kebang sits on top of all these. It deals with problems concerning the tribe as a whole. Various disputes and feuds involving sub-tribes or clans are brought before it for settlement. It is the Supreme Court of the Adis. It is jointly led by active members

or influential elderly Kebang-Abus drawn from various sub-tribes and clans. It is organised on district level and as such it is not easy to arrange frequent sitting of this Kebang.<sup>(17)</sup>

"The Adis are, so to say, republican democrats in taste and practice", says Oshong Ering. "Their villages form the units of their democracy. The Kebang is an outcome of the age-long traditional democratic aspirations and practices. The Adis maintain their solidarity, integrity, unity, cultural affinity and democracy through their Kebang."<sup>(18)</sup> The Kebang is divested with four important functions -- administrative, judicial, political and developmental. It is responsible for the day-to-day administration of the rural Adis. All the activities done on social basis, like hunting, fishing, performing festivals, construction and repair of village roads, bridges, receiving visitors, clearing jungles etc. are directed by the Kebang and it also maintains peace and order in the village society. Though Kebang is the court of law for the Adi society, it does not make new laws but only applies the old traditional laws and customs of the people. It tries and decides judicial cases of all nature, imposes fines on the offenders and settles disputes. Politically, it maintains inter-tribal relations and co-operation, directs the people in resisting external threats and aggressions, and decides offensive and defensive measures during inter-tribe war. Lastly, it receives and entertains developmental schemes of the government, associates itself with national community development pro-

jects and undertakes the extension of such schemes chalked out by Blocks for the upliftment of the tribal areas. "It is through the Kebang that the various aspirations and sentiments of the Adi community are effectively expressed."<sup>(19)</sup>

The significance of Kebang lies in the fact that it is more a board of arbitration, equally sympathetic to both the parties who present their case to its judgements, than a body of stern dispensers of justice which the offenders fear and try to evade. It tries to bring about a compromise, even through divine ordeals, acceptable to both the parties and its method is that of persuasion rather than awarding a coercive verdict following abstract principles of justice. The Kebang considers every offence or wrong in terms of concrete damage or injury caused by it and redress is given in the form of adequate compensation, taking into account the material condition of the offender. That makes the offender feel the weight of the wrong done by him without suffering a moral degradation which gives rise to a criminal class. In the socio-political life of the Adis, Kebang thus occupies a considerably important place.<sup>(20)</sup>

The proper extent of power and function of the Kebang will be best understood from one concrete example. On 14th July 1970, there took place a great Kebang at Along about the construction of a Donji-Pole temple started by the then NEFA Administration. It was a heavily attended gathering which lasted for

four consecutive days. All the prominent members of the tribe, old and young, of the surrounding villages as also the Deputy Commissioner, the chief engineer and other government officers took part in it. The discussions started with the customary Adi recitations traditionally known as Abe, telling with much gusto and formidable gestures about the greatness of the Adi race and impartiality of the Kebang, which ran as follows:- "Oh, you brothers, you have gathered in this Kebang for justice. Our words and actions should be bold, just, straightforward and uniform. We should be guided by reason and see that justice is done. In this holy place we have assembled for justice. We should all speak in one voice, our decision should be uniform and the verdict unanimous."

As the main part of the proceedings started, each member was allowed to present his own opinion, for or against the issue on hand, in a very orderly and free manner. The participants were clearly divided into two camps. One thought that the construction of such a temple was absolutely against the traditional Adi ideology because the very conceptions of a temple and the actual image of Donyi-Pole were unknown to Adi religion and folklore and as such the proposal of the construction of such things was abhorrent to them. But the other group thought that such a proposal put forward by the government was highly indicative of its honourable treatment to the Adis and their religion and as such should be accorded a cordial welcome. But the most trying fea-

the parties are indigenous to the tract. An important section lays down that no pleader shall be allowed to appear in any case before the village authorities. (21)

This Regulation does, in fact, give the tribal councils very wide powers, for it is recognised that they will function and inflict punishment or order compensation according to their customary law. Since, according to custom and tradition, all sorts of crimes can be excused by payment of compensation, it is possible to bring almost every kind of offence, except those committed against the state, within their jurisdiction. This will also extend to non-tribesmen who are involved in disputes with or offences against the tribal people. Where tribesmen are accused by non-tribesmen, their cases will be heard by village councils, except in the immediate neighbourhood of the Divisional Headquarters. The Regulation has also limited the type of punishment to be inflicted upon the offender by the Council in necessary cases. The people of their own accord, have now adopted the system of compensation according to the gravity and seriousness of the offence done, which, in practice, is adjusted to the wealth and position of the accused. (22)

The policy of the Administration is to accept this situation and to strengthen the councils and work through them. Where an autocratic system has previously existed, it is trying to associate with the Chief a number of village elders and give them a stronger voice in village affairs. Where the council's autho-

rity is weak, it is teaching the people how to develop it and make it more effective. Great care, however, has been taken not to over-administer the council and make them conform to our own idea of what they should be. For imparting simple and nominal legal and financial training to the councils and also to impress on the people the Administration's concern for law and order, an official arranges to be present in the council meetings, but only to help and not to control the proceedings of the council. The decisions of the council are reported to the nearest local official who records them if he is satisfied. If he is not, he sends the matter back to the council for further consideration, and if he is even then dissatisfied, he sends it to the Political Officer for a final decision. In practice, therefore, the main task of the Political Officers is to settle finally all disputes and criminal and civil matters which cannot be solved by the Councils. These, in an area where responsibility is so often corporate rather than individual, are usually highly complicated and demand from the official concerned a profound knowledge of local tribal custom and the utmost sympathy and patience to and for the people whom he has to deal with. (23)

In the sphere of development, the value of the Councils has frequently been proved. The people naturally take much greater interest in any project if it has been considered by themselves rather than imposed upon them, and as they will become more

accustomed to the responsible use of money and to wise planning, more and more responsibility for development will be transferred from official dom to the tribal bodies. There can be no doubt that this will do a great deal to give the people self-confidence, to make them feel that they are the masters of their own destiny and that nothing is being imposed upon them, and thus to initiate true progress throughout the hills. (24)

### 3:3. War and its Accessories.

In a firmly settled agricultural community like that of the Adis, warfare on a large scale is seldom likely to occur. There may be occasional inter-village or inter-clan disputes but a full-scale battle is most unlikely. Yet there was a time in the past when the Adis had a war-like tradition and as such they had a complete range of weapons both offensive and defensive and also various fighting tactics and principles. Now all those have become things of the past, but still an Adi would fondly like to think of the heroic martial tradition of his society in the by-gone days. Without a discussion of this vital factor, a study of the Adi socio-political set-up is not complete.

With the change of time and passage of years the Adi people are no longer in a migratory stage but have settled permanently on a particular land and now they do not have to use those war weapons of the past. But they still maintain some weapons like shield, helmet, spear, bow and arrow, sword, dao, spikes,

wristlet and small knife. Their weapons are made of cane, bamboo, wood and metal. The elevated position of their villages serves them a lot to watch upon the approaching enemy. Every vital question relating to the mode of war, means of attack and the like is settled in the Kebang. In warfare the Adis lay stress mostly on camouflage and trepping tactics very characteristic of jungle life, rather than on frontal attack. They do not usually like to show heroism and die prematurely; they should rather utilise their cunning and try to fell the enemy by sudden attack from behind or from ambush beside the path or place a network of traps where the enemy will be caught unawares and rendered a helpless victim.  
(25)

After winning a battle they cut off the right hand of the enemy and carry it to the village in great pomp and glory where they are welcomed by the girls of the village. The hero is then taken to the elders and after reporting the great feat in war he has to perform a ceremony called Petar along with the sacrifice of a fowl in order to satisfy hungry evil spirits. The whole group then comes to the moshup where they dance and make marriage. Here again some more sacrifices follow. For three nights the warrior has to stay in the moshup with all the girls and old men of the village standing guard upon him. After that period the whole village goes out for hunting for three nights performing some more ceremonies and sacrifices to satisfy evil spirits. When

all these elaborate formalities are over, the hero goes first to his mother's brothers and after resting there for sometime goes to his own house where his wife puts a piece of white cloth and ginger hanging on the door in order to prevent the entrance of evil spirits. (26)

Treaties in war are known to the Adis. The party seeking treaty sends a message to the other. The boundary of the village is chosen for the meeting between the two opponent parties where a prolonged discussion is held by the Kebang on the matter. After a settlement is reached, mithuns or oxen from both sides are sacrificed, the meat is distributed among the people of both the villages and thus the treaty is concluded which is seldom broken afterwards. The party seeking treaty has to pay a considerable amount of compensation to the other, taking into account the loss and damage suffered in the battle. The war weapons are protected with great care and reverence and no woman are ever allowed to touch them. But if any woman touches any weapon by mistake, sacrifices of fowls are made to the angry spirits in order to avoid defeat in future battles. In the whole system of Adi warfare the elements of superstition, trickery and opportunism are blended together and it is difficult to say what exact percentage of real heroism and chivalry goes with it. (27)

### 3:4. The Individual.

The individual is, so to say, the backbone of a society. A society exists because the individuals forming its basis are held together by some factors. If the individuals fall apart, the society becomes disintegrated. Therefore, the position of the individual, both man and woman, in relation to the society, is an important point of study. One of the basic features of Adi character is the co-operative spirit, a quality that has enabled them to build up a society where the individual blends imperceptibly into it and puts the best of his ability for its upliftment along with his fellow men.

In the Adi society the respective position of a male and a female is clearly demarcated, as also within the family. There is no segregation, nor is any seclusion of women observed; but each has a special sphere of activity clearly distinguished. No elaborate ceremony, for example, is observed after the birth of a girl. A girl grows up uncared for among other members of the family. From the early childhood, a girl knows the type of work she had to do and the boy knows his. While a boy learns the art of self-defence, <sup>n</sup>hunting and other manly jobs, a girl gets habituated to tasks as looking after her younger brothers and sisters, fetching water, cooking, singing, nursing, weaving, and lots of other household duties. A girl, as soon as she learns to take care of herself, and

that also very early, is expected to employ her energy in odd jobs to help her mother and elder sisters. She has still less games or sports to play than a boy. A boy idles his time away in play or otherwise with no particular duty. But she has odd errands always allotted to her. A boy always looks up to his elder brothers and father for guidance in regulating his behaviour. In the same way does a girl derive her instructions from and build up her behaviour on the pattern of her mother and sisters. Thus the girls and boys grow up in different ways, one already a small helping hand in the family, the other just a blank adjunct to it, till they attain the age that qualifies them to enter the community life through two different organisations, the Moshup for the boys and the Rasheng for the girls. (28)

The division of labour is scrupulously observed and both the man and the woman accept the traditional pattern without any question and grumbling. Of course, their idea about activities suitable for man and woman differs from ours. An Adi man, for instance, may not mind looking after a child while his wife is away from home in the fields. He may even lend a hand in cooking. But in no case will he handle a loom. So will a woman refrain rigorously from felling a tree and setting fire to the debris in a jungle clearing. In social life no woman will formally join a Kebang, though she may not hesitate in making her voice heard and her opinion felt. This distinction of man and woman makes itself

manifest in the behaviour of the household members also and unconsciously young boys and girls have their character and outlook thus moulded in the traditional form. The girls in Adi society take the clan of the father; but in case of extra-marital relations, they belong to the mother's clan. (29)

Within the family the supreme authority rests with the father. This continues unchallenged till his sons and daughters have reached the dormitory-going age. After that, the responsibility of training with growing age is divided between the community and the father, the community being represented by the dormitories. The respective parts to be played by the boys and girls at this stage in respect of their relation with the family are well-ordered. In the day-time the boy finds his time engaged in both family and community works like cutting the jungle, clearing the forest for agriculture, building houses, joining hunting parties, attending the Kebang and so on. But after taking his meal with the family at night, his relation with it ends since he has to go to the moshup to spend the night there along with other boys of the village. As soon as the son gets engaged, the family loses a further claim on him because thenceforward ~~his~~ his shares of games killed go to his would-be parents-in-law. All claims on him cease to exist when he starts his own household or becomes attached to the family of his father-in-law as one of its members. In the case of a girl, on the other hand, after her attainment of the dormitory-

going age, the family surrenders its control over her nights but her whole day she devotes to the household duties. In the morning she helps her mother in cooking food and feeding the pigs and fowls. Then she accompanies her to the field and there sows, weeds and reaps according to the season and comes back in the evening with loads of harvest, fuel and water. Even then she has no rest. She has now to pound the rice and boil it. Only after the evening meal is over, she is free to visit the rasheng and spend the night there. She is now considered as one of the adult members of the house and is often consulted over family affairs. (30)

With the growth of her physical ability, her economic value in the family as well as in the society increases, but that does not much alter her position as a hard-working labourer. When she becomes engaged, her father profits slightly from the dowry which she fetches from her would-be husband. <sup>7</sup> Though marriage her owner only changes from the person of her father to her husband, in whose family she becomes a great asset for doing plenty of manual labour. Even after her marriage she usually continues to stay in her father's family till the time when her husband builds his own house for their independent family life and she goes over there only to carry greater burdens as the mistress of her own household. Her position is enhanced if, in course of years, she is able to bear her husband a male child of his own. Thus the Adi girl in general pulls on a heavily loaded life of burden and responsibility

till her end. Her only solace lies in those young days of her life when she enjoys the jovial company of her lively rasheng friends and in occasional snatches of dance and songs in festivals and ceremonies. In the absence of this little entertainment and recreation, the existence of a common Adi girl would have been altogether futile. It is often flatteringly said that the life of her husband would be impossible without her; but the husband who once thought of economic gains by marrying a prospective bride has seldom any appreciable scope for such high effusions.

### 3:3. The Family.

In a discussion about the Adi Society, something must be said about the family which is an integral part of the society as we have seen already. An Adi family consists of a nucleus of father and mother with separable units in sons and daughters. The parents too, are not tied together with unbreakable bonds as divorce and desertion may occur with no great difficulty. The family remains a solid unit so long as the sons and daughters are still in their adolescent stage. From the time they begin to attend the dormitory, the family's hold on them begins to get loose. When they marry and build separate establishments of their own, the family is reduced to a small unit consisting of the parents only, provided of course no minor son or daughter is left behind. A father of many girls would be considered very fortunate in terms of the high economic value of women in Adi society. So long as the father lives, he

enjoys absolute authority inside the family. But in case of a dispute, his is not the final say in the matter which ultimately has to be submitted to the mediation of the Kebang. Thus, the personal and the public merge together and nobody complains about it. From among the old, experienced and influential heads of families the Kebang-Abus are selected and thus the family gets a chance to represent itself in the council of the village community. (31)

The economic stability of the family has to depend to a certain extent on a sense of economic security of all the component elements. This adjustment has been achieved by dividing the property into two categories, personal and joint possessions. ~~consists of land~~. When a village is founded, each family is allotted a piece of land. This belongs to the family as a whole and as the family splits after the death of the father, the land is also divided equally among the sons. Another item of immovable property is the house. Though the house is used by the family as a whole, it belongs to the father and each son can claim a share in it after his death. But as usually the elder sons start independent household during the life time of their father, the youngest son by virtue of his being the last to remain with him, comes to an automatic possession of it after his death. None have been yet known to dispute such possession by the youngest brother. But in case all the sons separate before the death of the father, the

house is equally divided among them. The widowed mother should, in normal cases, be the responsibility of the eldest son, but in practice she prefers to live with the youngest son, as he generally continues longest in the parental house. (32)

Widows and daughters do not inherit anything. In case a man dies without any issue, the property may remain in the possession of the widow until she marries again. If a man leaves a minor son or sons behind, his brother shall look after the property as a guardian of the minor son or sons during his or their minority and hand over to each his share according to the customary law of partition as and when he attains majority. Hunting and fishing rights of every family on its allocated areas are very carefully guarded and violation of the rights of ownership has to be compensated by payment of amounts equal to the prevailing market value of one mithun. (33)

Every family has its movable property in the form of domestic utensils, implements, livestock and ornaments. Beads and silver ornaments brought by a girl from her father's house and those given to her by her husband are her personal belongings. These are generally inherited by her daughters and daughters-in-law. In the same way, the father may have beads inherited from his father, his trophies of war and chase, his bows and arrows and items of dress woven for him by his wife. Some of these go to decorate his grave. The remaining ones are inherited by the sons. The live-stock is

equally divided. Where physical division is not possible, as for instance, where only one mithun or ox is possessed by a man, the division is made on the basis of its value. In case of any dispute over division, arbitration may be felt necessary and the village elders sit in Kebang on it. (34)

In this discussion about the Adi society and respective roles of various institutions and members in its working, we should not forget the tremendous importance of the deep spirit of fellow-feeling, unity and co-operation which has kept the people so well integrated all along and held the village community on a sound and stable basis. An individual, in the family or as a member of the society, understands his importance in the social set up and takes an active part in its working. Whatever be the work, clearing the forest for cultivation, going to hunting, participating in any community work, taking part in any entertainment, the Adi male folk, old and young, lends an active hand to it and completes the task in a zealous spirit of friendliness and co-operation. All tasks of the village are divided among them and no <sup>one</sup> thinks or complains whether his burden of work is great or small. This division of labour is clearly noticed in development undertakings, such as construction of roads, clearing of jungle and mounting guard against attacks. In the absence of this remarkable spirit of co-operation and understanding, the village community particularly and the Adi society in general would have become weak

and unstable.

The Adis do not have any written law book. The rules of conduct that the Adi society enjoins on its members are mainly based on the ethical principles that have grown out of historical and economic circumstances which have conditioned the development of the society. These go to form the conscience of the members of the society individually and the group as a whole and so a simple standard is set up to which the society and individuals subscribe without any question and reservation. Naturally, very rigidly or carefully defined codes are not necessary and subtle distinctions such as between crime and tort are not made. It will also be seen that the Adi society does not prescribe physical punishment to an offender as is done by civilized societies. The Adis are a very practical - minded people who judge a guilt in terms of actual economic loss done by it and that is why in their society payment of fine or compensation is more prevalent than any corporeal punishment to the offender. Any violation of one of these laws is taken up by society through the Kebang, to which individuals come for redress of their wrongs when they are directly concerned. There is no denying the fact that it is through the application of these unwritten but forceful and effective customary laws that the Adi society has been able to maintain its integrity since long  
(35)  
past.

### 3:6. Customary Laws.

Each and every tribe of NEFA is quite serious about maintaining its socio-political integrity by strictly following the age-old customary laws, regulations and code of conduct that have been orally transmitted from one generation to another. Any attempt to disobey or violate them has always been considered a serious breach of social principles and becomes a punishable offence.

In this connection, two important points are to be remembered. First, these tribes are very practical and materialistic in their attitude to life and do not follow any double standard of morality as most sophisticated people generally do. The result is that they consider and judge every action from the strictly materialistic point of view, with an eye to their practical impact on both the society and the individual. Secondly, since these people do not have a rigid and idealistic ethical standard, for the possession of which many of us will feel proud, many actions which appear nasty and immoral in the eyes of sophisticated people, are quite common and easily acceptable to them without being in the least unethical. The most common customary laws of the Adis are relating to matters of the utmost practical interest as marriage and conjugal relationship, divorce, parent-child relationship, status of widows, theft, assault and battery, and lastly, inheritance.

The activities which go by the name of crime in

sophisticated civilised societies are present in the <sup>society too. They</sup> Adi approaches the problem of crime from a different standpoint and as a result makes it a <sup>less</sup> ~~more~~ complicated matter. In Adi society an act of so-called crime is easily met up by the amount of compensation which is paid to the wronged by the Wrongdoer and there the matter ends. In this sense their approach to a so-called wrong act is simple, rational and humane. If the dispute can be settled properly, the matter comes to an end, without every giving rise to a criminal class. (36)

In the olden times, Kebang or the village council was the final authority in dealing with the problem of crime. It was a time when inter-clan or inter-tribal feuds and encroachments were quite frequent. The punishments imposed by the councils were severe - retaliatory raid, wide destruction, lasting blood-feuds. Capital punishment was commonly inflicted in former days when human life in the wild frontier mountains was not held of very great ~~xxxx~~ account. But things changed in later ages; the mentality of the people also changed considerably. Brutal punishments of the past were replaced by lesser measures, like excommunication and compensation. The people's strong sense of self-respect was a major factor in the gradual decrease in acts of crime. The fear of humiliation has always been a powerful deterrent. Excommunication of the wrongdoer is a serious weapon in the hands of a council, for a man or a woman who is excommunicated can not claim any of the

normal privileges of his tribe. Threats of supernatural punishments also are not unknown. But the most common way of settling disputes or punishing crime has always been by multiple restitution. This system applied to almost every kind of offence and in some cases the amount of restitution was worked out in considerable detail. To-day under the humanizing influence of the Administration, the savage punishments of former days have almost entirely disappeared and the universal custom is for the councils to demand compensation for every type of offence. (37)

The system of compensation is well-founded, for the offender not only suffers materially, but his pride receives a severe blow and he is put to shame. Pride and self-esteem is a powerful psychological force in Arunachal. It, is probably true that this loss of face before others through paying compensation is often a greater punishment than going to jail. The fear of humiliation extends even beyond the grave. Tribal eschatology does not reward or punish in the afterlife. You do not go to heaven for being good or to hell for being wicked. A man's status in another world reflects his status in this. This belief certainly means that if a rich man commits a crime and has to pay compensation, it will react seriously on his position in the other world and this, (38) curious as it may appear to us, is a real deterrent against crime.

The principal customary laws which apply to different spheres of the Adi life and society and most of which have already

been stated in patches in their relevant contexts in the foregoing pages, can be summed up as follows along with their total impact and implication. The tribal society which allows maximum liberty to its male and female members during their pre-nuptial intimacy at bachelors' dormitories known as Meshup for boys and Resheng for girls, insists upon sexual fidelity to each other after marriage. The customary law<sup>s</sup> says, on the other hand, that a man may enter into sexual relationship through matrimony with more than one woman, one after another, even during the lifetime of the wife or wives married earlier. The law does not forbid the husband even after marriage to have relation with other women but such a relation is to be kept strictly confined to the premises and members of the Resheng only. Outside it will amount to a breach of social custom and conjugal fidelity. Despite provisions in law, monogamy is the general practice and not too often is a second wife taken before the first has died or been divorced. But instances of a man with two wives are not rare. Co-wives living under the same roof have seldom been known to cause domestic strife or rupture. It is strange yet true that the proverbial dislike of a step-mother for step-children is rather rare in Arunachal tribal society, the credit for which must go to the accommodating and tolerant nature of the women.

The matrimonial laws do not permit a girl, however, to marry another person during the lifetime of her first husband

without a proper separation having been granted by the Kebang. If the husband habitually performs conjugal infidelity or shows inability to do the sex act to her satisfaction, she may develop a natural feeling of repugnance against him and may be compelled to seek solace in casual Rasheng partners. When both the husband and the wife agree, they may separate with the approval of the Kebang. Thereafter, the girl is free to marry another man of her choice. But if she marries before any legal divorce is obtained, she will have to pay a heavy compensation. Similarly, if the husband divorces the wife before the birth of any child, he is liable to pay a heavy fine for the disgrace he has brought upon the girl by his act and also forfeits his claim to the personal belongings of his wife. (39)

There is another set of customary laws concerning the parent-child relationship and position of widows in the society. A child born of casual relations in the Rasheng prior to the formal social marriage, shall belong to the man who marries the woman afterwards. But if he disagrees to own it on the benefit of doubt allowed by the society, and refuses to marry the girl, the child will go to the man who later marries the mother. A child begotten on the wife of a man by another will belong to the original husband. If a man takes away the mother of a child from the custody of the legal husband and marries her later on, after obtaining proper divorce, he will be liable to pay heavy compensation to the first husband of the woman for the maintenance

of the child.

In the case of the death of a husband, his immediate younger brother is supposed to marry the widow, but if he is already married, or has his own different choice, and so does not agree to marry the widow, the remaining brothers shall have preference in order of age. If none of them agrees to take her as wife, she may either continue to stay in the family of the deceased as a widow, without having any claim to the property of her dead husband, or may go back to her father's house, or <sup>marry</sup> ~~marry~~ any man she likes. The uncle, or son of the deceased cannot marry his widow. If a man marries the widow of another, ignoring the prior claims of a brother of the deceased man, he is liable to pay an amount of compensation as decided by the Kebang, to the aggrieved brother.

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Cases of theft of property, causing injury, and assaulting a person are not considered as very serious crimes. In such cases the Wrongdoer is usually let off if he pays the required amount of compensation to the person wronged. When a theft is detected, the guilty person is compelled to return the article to its rightful owner. If he does not do so, he must pay an amount of compensation along with the value of the stolen thing, as decided by the Kebang. But theft of food in times of acute necessity or starvation is never looked upon as a punishable offence and in such cases, the person involved does not have to pay any compensa-

tion as a price of his action.

Similarly, in any case of causing injury and assault to a person with the sole purpose of harming him, the offender is required to pay a graded scale of compensation in accordance with the seriousness of the offence. Reluctance and negligence in community work, or refusal to help in the burial of a clansman are usually fined with the payment of a certain amount of rice beer, food, corn or pig and oxen. If the offender refuses to pay the fine, these particular things and items are taken away from him forcibly by the order of the Kebang. In a case of intentional and purposeful arson, the wrongdoer has to pay the price of the damaged property as compensation. Murder is looked upon as the greatest and most serious offence which is compensated with the heaviest amount to be paid to the relatives of the deceased by the guilty person. Inability to pay the compensation may be settled by the selling away of the criminal <sup>as</sup> Misak or slave to the family of the murdered person by the order of the Kebang. (41) Now a days, of course, cases of murder are handled by the official police department, and not by the village council.

The customary and traditional laws of inheritance are also quite well-ordered and are followed with great care and a fair amount of strictness. These laws are concerned primarily with hunting and fishing rights and ownership of <sup>of</sup> property. Every village and family has its allotted hunting and fishing grounds

and full rights to it. Any violation <sup>of</sup> <sup>^</sup> of an encroachment upon such rights has to be compensated by the payment of the prevailing market value of an ox. Violation of such rights caused innumerable occasions of strife in the past. It is a very common <sup>place</sup> incident in Arunachal tribal society and the Kebang has to arrange for frequent sittings over the settlement of such disputes.

In every family the rights of inheritance of property is always maintained with pretty strict procedures. During the life-time of the father, no son can inherit any property but he is allowed to start his own independent household after marriage outside his father's control. On the expiry of the father, all his movable and immovable properties are equally divided among his sons. Daughters and wife or wives do not have any claim on such property. The daughters usually inherit only the personal ornaments and other belongings of their mother. If a woman dies without any issue, her personal belonging<sup>s</sup> mostly go to her husband. Similarly, if a man dies without leaving any son after him, his widow enjoys his property until her re-marriage. On her re-marriage, the property is equally divided among the members of the deceased person's sub-clan. Again, if a man leaves a minor son or sons at the time of his death, his younger brother looks after his sons and property. The property is divided among the sons on their attaining majority. Any violation of this responsibility and any misappropriation of the property by the person concerned

will be seriously dealt with by the Kebang.<sup>(42)</sup>

The customary laws of the Adis are concerned more with redressing the wrong than physically punishing the offender. The practical nature of the people makes them feel that it is more convenient and gainful to make the culprit pay an<sup>u</sup> adequate amount of compensation for the damage or injury done, thereby making it possible to redress the wrong to some extent, without getting involved in lengthy legal procedures. Their traditional concept of justice is thus successfully maintained. This way, again, justice is speedy and absolutely free from subtle manipulations.<sup>(43)</sup>

To-day the tribal council works within the framework of the Arunachal Administration. The Administration which, however, is the sole authority in matters of criminal justice, works through the tribal councils with their full support and is guided by a feeling of compassion and understanding of human and tribal needs. To-day the Adi customary laws are entirely free from any traces of vindictiveness and barbarous cruelty.<sup>(44)</sup> They also enable the people to lead their lives in peace and tranquillity and develop a disciplined code of social behaviour. But though formless and rather elastic, these laws are very effective because through their application the offender is made to feel the weight of the wrong done by him without suffering a moral degradation which gives rise to a criminal class.

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