CHAPTER 6

TRADITIONAL INSTITUTIONS OF ADIS: THEIR RELEVANCE AND EFFECTIVENESS

Local traditional institutions, both homogeneous and heterogeneous, have been playing different but complementary roles in the rural tribal societies of Arunachal Pradesh. Among these, the heterogeneous institutions like the traditional land tenure systems and common property rights because of their linkages to household livelihood strategies and outcomes, and in providing access to assets and sources of income were regarded to be more effective.

However, with the opening up of the tribal economy of the state, and with the introduction of different formal institutions and policies at various levels, the traditional tribal institutions are at competing ends today.

6.1 TRADITIONAL INSTITUTIONS AMONG THE ADIS: ROLE AND NATURE

In Arunachal Pradesh, the various traditional institutions like the tribal socio-political institutions, traditional land tenure system and common property resources which have had a dominant role in sustaining the hill economy, today find themselves in a new environment where with the introduction of institutional reforms, the formal institutions too co-exist.
6.1.2 THE KEBANG

The Adi tribe of Arunachal Pradesh with traditional rights over land, water and forest resources within their surroundings possess a unique traditional four tier self-governing social system with the Opin Kebang, Dolung or Dolu-Kebang, Bango Kebang and Bogum Bokang administering clan, family, village, inter-village and council affairs including maintaining social order and formulating laws and issuing ordinances for preserving age old religious traditions, and ensuring collective economic activities and delivering justice. The latter two – the Bango Kebang and Bogum Bokang were superimposed by the British to have a smooth administration.

The Kebang, or the village council evolved in course of time in the Adi society constituting mostly the village elders. However, any experienced village tribal dealing with village affairs could become a member of the council. This very Kebang whether it is the Dolu-Keba of West Siang district or the Dolung-Kebang of the East Siang district of Arunachal Pradesh has been informal in character functioning mostly following customary laws deriving their authorities and powers from accepted social norms and traditions. The Kebang’s decision on any matter which it takes up, however, is binding.

The domain of a Kebang besides administrative, social and judicial matters also covers development functions in areas like agriculture and natural resource management. In agriculture, the Kebang has a role in deciding allotment of new land for cultivation, farm fencing, types of crops and cropping pattern, water distribution system from natural sources, constructing small check-dams and irrigation channels, measures for pest and disease control, and extension of support for farm extension services.
implemented by government and non-government organisations and managing fallow lands. In natural resource management, the Kebang regulates the use of forest timber and non-timber forest products, community fishing and hunting and afforestation programmes.

6.1.2 LAND TENURE SYSTEM

The Land tenure comprises the customary and legal rights that individuals or groups have to land, and the resulting social relationships (Kirk, 1999). Land and resource tenure is equivalent to a property-rights regime in resources, since it consists of sets of institutions that define the conditions of access to, and control over, goods and services arising from any natural-resource system (Swallow, 1997).

On a continuum of resource management, where the public and state sectors seem to represent the polar extremes, community ownership, is conceived as being between these two. In Arunachal Pradesh, under the prevailing land tenure system, there are three types of land ownership namely, (a) Community land, (b) Clan land, and (c) Individual land. These three types of land ownership in the state are found to vary among the different tribes depending on lands put to various uses.

Jhum lands, among tribes other than the Adis, are supposed to belong to the village community. The Adis, while practising jhum cultivation have evolved, in the course of centuries, a method of doing jhum cultivation on permanent, well defined and well-demarcated plots, whereby they return exactly to the same plot at the end of each jhum cycle but do not have a permanent, heritable and transferable right. However, a
homestead site used to belong to the common village land and was controlled by the village council, the Kebang. The forests were considered as community land used for hunting.

6.1.3 COMMON PROPERTY RESOURCES

Resources accessible to and collectively owned, held, managed by an identifiable community and on which no individual has exclusive property rights are termed as common property resources (NSS, 1998). The element that is important for identification of common property resources (CPRs) is the nature of access to these CPRs. In traditional societies, CPRs are therefore, either collectively owned or the community has exclusive rights. Many of the rights are traditionally defined, rather than imposed by the State through law.

Whether it has been shifting cultivation, wet rice cultivation, horticulture, bamboo plantation or timber plantation, the Adis of Arunachal Pradesh have adopted them suitably. Among the Adis, the customary land ownership pattern may well be classified into two broad types - (a) individual or family land, and (b) common village land. Within the area earmarked for each family, the Adis do jhum cultivation, wet rice cultivation and horticulture and also maintain hunting ground, grazing ground and so on. But there is no mathematical precision in dividing the land equally. These common property resources, mostly the forest though, continue to provide a wide array of essential items of food, fiber, fuel, timber, medicinal herbs, building materials, raw materials for handicrafts, etc. for subsistence and economic use (Gyati, 2003).
6.2 EVOLVING CHANGES: ROLE OF TRADITIONAL INSTITUTIONS

The Adi society with access to market forces is evolving. This evolution is changing the role of the traditional institutions, limiting their domain of activities and decisions. The Kebang, today, is more a traditional social institution. In the event of market access, there is a change in the mode of operation in the land tenure system and common property resources. In the three villages of Mirbuk, Boying and Rasam in the East Siang district, and Liru, Dipa and Pale in the West Siang district, it is observed that the role of Kebang as a traditional village council no more holds in matters pertaining to agriculture practice.

The jhum fields among the Adi Gallongs of the West Siang district today are well demarcated and permanently fixed. A tenant’s rights to re-enter and to exclude others from it are well recognised. The right to use an abandoned plot of jhum land at the end of each cycle is recognised by the Adi society as a permanent right. The practice of transfer of jhum plots has also developed in the villages. Thus, the Adi Gallongs enjoy a kind of permanent right of use and occupancy on the jhum lands. The Adi Padams and Minyongs, the two other sub tribes of the Adis of the East Siang district on the other hand, do jhum cultivation for two to three years at a stretch in a compact area. From the point of view of land rights, there is no difference when plots are fixed, whether it is settled cultivation or jhum cultivation. Community service in jhum cultivation are no more in vogue except for erecting a common fencing and occasionally doing the slash and burn jointly.

Unlike the past, no household can acquire new land by clearing the jungle, as there is no more common forest land reserved for expansion of cultivation by any village. Land
which is unfit for cultivation is kept as family reserve forest. Usually it is found that landless are given the excess lands on rent – paid in kind or cash, or gratis. A needy villager having no cultivable land acquires waste land or forest land of another family on rent or gratis.

The decision of the Kebang in management of community land and forest resources is also dwindling. The villages under study are no exception too. All community forest lands within the village boundaries are at the disposal of each family for the purpose of jhuming. In case of individual land management and transfer issues, the role of Kebang is found to be declining. The sample households across the six villages have reported that issues pertaining to individual land transfer and sale are no more decided by the traditional village council. In fact, the practice of leasing out agriculture land on adhi is a recent phenomenon observed mostly in the villages situated nearer to the market in both the districts leading to a new agrarian relationship. The market forces have introduced the leasing out system in the Adi society, though leasing in is not practiced by the tribal households. Land is leased out on adhi (share cropping with an arrangement of providing 50 per cent of the harvest to the harvester) to a tribal or non-tribal from outside the state. The recorded fact that most of the land leased out is given to a tribal or a non-tribal from outside the village is contrary to the existing customary law which allows only intra-village transfer of land. This is a pointer to the verity of the Kebang having almost no say in matters relating to land transfer today. The wet rice plots are permanent, and are heritable and transferable. In case of homesteads also, a regular system of land rights has emerged. Delivery of possession, mostly in presence of witnesses, is the usual method of transaction in the rural tribal villages under study. These customary land rights today, are therefore, in the process of evolution in the light
of the regime of changing use and occupancy rights over these common property resources in the Adi society.

6.3 TRADITIONAL INSTITUTIONS VIS-À-VIS FORMAL INSTITUTIONS

Prior to the introduction of Panchayati Raj in Arunachal Pradesh, the traditional socio-political institutions like the Kebang among the Adis played a dominant role in the tribal society. Till a few years ago, every tribal village in the state was an independent unit in itself and knew no extraneous authority. The traditional authorities in rural Arunachal Pradesh working through the traditional institutions regulated access to land, as well as mediated disputes over land, and thefts of crops, and also mobilised people to participate in community activities and thus organised developmental functions.

Since the promulgation of the Panchayati Raj Regulation with three tiers in the state in the year 1969, the powers of the traditional institutions like the Kebang, is said to have declined with most of the functions under its fold also becoming the prerogative of the village panchayats, most importantly the developmental functions. More so, with the introduction of institutions like Gamship and Political Interpreters, a change has been introduced in the structure of the village council too. The Kebang today is comprised of Keba-Abus or Gams who are appointed by the administration as political interpreters representing the administration.

The village council representing the people in Arunachal Pradesh once had the right to dispose off the land or forest produce in any manner it liked. These rights of the village council on forest land, however, seem to have abolished with time. This trend has been further activated by the adoption of a fortified stratification. The rights today, are
therefore, stratified in the state with recognition of (a) Reserve Forests, (b) Anchal Forests, (c) Unclass State Areas of Arunachal Pradesh.

Other formal institutions like the co-operatives has also entered into the domain of activities of the traditional village councils to diversify the village economies, located particularly in remote parts of the state, by making them available loans, share capitals, subsidies for infrastructure facilities as per the pattern of financial assistance approved by the government to achieve the twin objectives of economic growth and social change.

Various government sponsored programmes such as Jawahar Gram Samridhi Yojana (JGSY), Employment Assurance Scheme (EAS), Prime Minister Gramodaya Yojana (PMGY), Integrated Wastelands Development Projects (IWDP), Indira Awas Yojana (IAY) and Prime Minister Rozgar Yojana (PMRY) also has had an impact in developing villages with roads, drinking water facilities, generating employment etc. In the study villages too, especially those near to the market centre, road connectivity has been developed with government aided schemes.

6.4.1 A FEW OBSERVATIONS

The linkages between traditional institutions and rural livelihoods in the tribal society of the Adis provide an empirical basis for a few key analytical relations contributing to a better understanding of the attributes of these traditional institutions towards the livelihoods of the Adis in Arunachal Pradesh.
It is observed that the traditional institutions like the Kebang, land tenure system and common property resources based on traditional norms of solidarity and reciprocity were the key elements in the livelihood strategies adopted by the Adis to ensure food security and also a safety net for the tribal households. However, a vacuum always existed as there was a lack of strong link between participation in these type of traditional institutions and the achievement of higher levels of income and consumption. These institutions lacked resources, rationale, and influence and thrust to move beyond maintaining social order. Enabling market forces are filling in this vacuum.

When repression of local institutions gives way to more tolerant and enabling policy environments, experience shows that many of these institutions are highly resilient (FAO, 2000). Traditional institutions also appear to be able to adjust to changes in economic conditions in order to best represent the interests of their communities and maintain overall social order. In the tribal society of the Adis, it has been found that though the role of the Panchayats is on the rise, the traditional socio-political organisations are also playing their respective role in the rural gamut of the state. Provided with right trainings, the local institutions can expand their traditional roles to become full partners in local development planning and implementation in the state.