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The *Kébang*: A Decaying Traditional Institution of the Misings

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Abstract

The Misings had been nomadic in nature during pre-historic period. Due to inter-group rivalry and attack of the neighbouring tribes, they had left their original homeland and migrated and settled in their present habitats since the beginning of the Christian era. It may be noted that during their migration period, politically and socially they were not well-organised. As nomads these people perhaps did not come under the spell of any chief or king; they might be under the wider canopy of some authority without any tangible impact. In absence of some administrative system, the Misings had to evolve the system for regulating social life for peace, security and development by involving all the people. Thus, they evolved the village council – the *kébang*.

In all probability such life regulating social institutions of the Misings originated before the migration to their present habitat. This can be deduced from the commonness of many characteristics of the *kébang* prevalent amongst the Misings and their cognate tribes – the Adis. Kuttik Moyong, an experienced Adi political interpreter who had been to Tibetan border many a times, is of definite opinion that *kébang* system was there even when they were in Tibet.¹ Therefore, it is possible that the village council originated even

before their migration to the present habitat but the force with which this social institution has become functional today must have been from their entrance into the region as an independent society.

KÉBANG

The Misings possess a social structure of democratic type in common with their next of kin – the Adis. Like the Adis, the Misings have a traditional political organisation known as *kébang* which means ‘public meeting’ held for the purpose of discussing various problems and welfare measures of the village community. The problems may be related to settling inter-personal, inter-family and inter-village disputes of all kinds and developmental and welfare measures of various kinds etc. Generally, a *kébang* is convened in connection with judicial matters.

Every Mising village is run by a council called *do:lung kébang* (Village Council). All the adult members of the village are its members, and they participate in the sessions of the *kébang*. The deliberations of the *kébang* are guided by the elders of the council who are known as the *kébang-abus*. Thus, *kébang* has a collective leadership. The *kébang* leadership is not hereditary but is acquired by an elder by virtue of his personality, influence and ability to present a case in the traditional manner. During the British rule, some village elders who had been appointed as *gams* (village headman) also served as *kébang -abus* in the village council. At present, all the experienced and mature leaders, orators and *gaonburahs* of the village are the *kébang-abus*. Previously, the *kébang* was largely dominated by the priests.²

The *do:lung kébang* is the supreme social body of the village which controls the social and political life of the villagers. Any complaint or anti-social activities are brought to the notice of it. The *do:lung kébang* may very aptly be compared with the village panchayat which is supreme in all matters within a village. It delivers judgement and punishes the offenders. A *do:lung kébang* is presided over by the *gam* – that is the village headman and participated by the elderly men of the village.

Theoretically, the *do:lung kébang* is a democratic institution and all elder members of the village participate in *kébang* deliberations. Practically, the participation

of women in the *kébang* is not allowed; they, however, could attend as complainant, accused or witness.

Generally, there is no fixed place for holding the sessions of the *kébang*. Traditionally it is held in a public hall called *Mírong*, which is generally located in the contract place of the village. At present, in some villages, the *Namghar* also is the centre of solving disputes of Mising villages.

In any *kébang*, generally matters are introduced and moved by experienced members and they guide the proceedings of the session. Matters of interest and importance are discussed, debated and argued in detail. All the members of the *kébang* give patient hearing to the arguments forwarded by the speaker of both parties. But no written procedure is prevalent. Decisions are not taken by a formal vote but discussion continues until general unanimity is achieved. On such discussion, the contending parties are backed by their fellow clansmen and supporters who appear before *kébang* and try to convince the members. Both the disputing parties have to agree to the view that emerges from the discussion. The deliberations have to continue till all including the disputants come to a consensus. The aim of the *kébang* is to make the parties agree to a compromise in the court and not to pass a judgement to be enforced. If the charge is proved, the accused has to repair the injuries and pay compensation for the loss. If charges are denied, or when contending party does not agree on the *kébang* decision or when human discretion proves inadequate for deciding disputes, super-natural guidance is sought through ordeals.

Generally, when a case is undecided due to lack of proper evidence, or witness and the decision made by the *kébang* is not agreeable to both the contending party, the aggrieved and the accused parties seek permission to perform certain rites in the name of *Do:nyi Po:lo* (God) to get final verdict from Him. The findings of the super-natural court are considered final and binding. Though oaths and ordeals had prevailed in the early days, now such methods are discouraged. Complex and difficult cases are referred to the higher *kébang* i.e. *gam kébang* and now-a-days sometimes even to the administrative officers for judgement.

The *do:lung kébang* is the earliest and the smallest administrative institution of the Misings. If controversy arises between two villages, or if the matter is complex and

difficult or the contending parties do not agree on the *do:lung kébang* decision, the matter is brought to the notice of bigger *kébang* i.e. *gam kébang*, where members of several villages assemble and take part in the discussion. It also deals with the inter-group and inter-clan relations in the Mising villages.

FUNCTIONS OF THE KÉBANG

Generally, a *kébang* is held in connection with judicial matters. In deciding the cases, the *kébang* chiefly functions as the interpreter of the existing laws already framed on the basis of traditional matter. Besides, judicial matters, however, the *do:lung kébang* has to look after the day-to-day administration of the village.

It is the administrative, developmental and judicial body of a Mising village. Detailed discussions are held in matters relating to developmental and welfare measures, such as, the construction of the village community hall, community fencing, village paths, bridges, organizing of hunting and fishing, celebration of festivals, etc. by the members present in the *kébang*. They chalk out the plan for action to be taken on the matter and distribute responsibilities and functions to all active members. When the meeting of the *kébang* comes to an end, its discussions are announced with loud voice in the village by an announcer which is known as *Barik*. When the decision of *kébang* is announced in the village, the villagers then prepare themselves for the implementation of the decision.

As all issues of the villages are brought to the *kébang*, its functions may be discussed under the headings of (a) Administrative and Developmental, (b) Judicial and (c) Political.

(a) Administrative functions

In its administrative arena, the *kébang* convenes meeting, deliberates and decides on the site of a new village to shift to, cleaning of jungle for cultivation, community hunting and fishing, construction of *mírong* and *namgarh*, maintenance of community forests, the community fencing, celebration of community festivals, such as *dobír*, *ali-aye-lígang*, *po:rag*, etc., observation of taboos (*yodnam*) in the village, the establishment of new settlements, giving settlements to the new comers (migrants) in the village,

adoption of measures for defence of the village, maintenance of peace and order in the village, construction and maintenance of bridges, roads, etc. within the village, arrangement of inter-village relief and help in the time of emergency like fire-accidents, natural calamities, etc. From the long list of administrative activities, which can be still more, one may observe that the *kébang* is the all embracing authority to administer traditional customs for peace, security and clan integrity or national integrity for that matter. In fact, the *kébang* is the life force of the Mising society wherefrom emanates all activities starting from day to day social affairs to highest political matters concerning the security and integrity of the state.

(b) Judicial Functions

In judicial matters *kébang* is the supreme authority to give verdict as per customary laws. As the *kébang* is considered as the ‘court of people’, it interprets their laws or customs. All disputes between clans, families and individuals over lands, water, properties, possessions, rights and liberties are decided in the *kébang*. Civil and criminal cases like money suit, mortgage, debt, non-clearance of dues, misappropriation, realisation of compensation, encroachment of landed properties, causing injury, divorce, elopement, adultery, rape, theft and murder are taken up in the *kébang*.³

The *kébang* awards punishment and fines to the wrong doers. When a case is undecided due to lack of proper evidence, witness and the decision made by the *kébang* is not agreeable to both the contending parties, the *kébang* also conducts ordeals and oath taking in the name of the *Do:nyi-Po:lo*, the supreme God of the Misings.

Punishments are given by the *kébang* after hearing the complaints which range from simple reprimand, imposition of fine in cash or kind to bodily thrashing and ex-communication (*yodnam*). Ex-communication is a serious punishment in the hands of a *kébang*, for, a man or women who is ex-communicated cannot claim any of the normal privileges of his tribe. He/She is not allowed to mix-up with his/her native villagers, he or she cannot get any help from the neighbours, the neighbours will neither accept rice, water nor rice-beer (*apong*) from such individual. Thus, the ex-communication is considered as serious form of punishment the *kébang* can inflict upon any villager for a serious crime. In the words of Nandeswar Pamegam,

“There are courts of law, no punishment, no jails. The only penalty is disapproval. A man who rebels against customs will be isolated and considered as ‘outsider’ or ‘out-caste’. This is the sort of social boycott”.⁴

Adultery or such moral turpitudes are viewed with all seriousness and is dealt with accordingly. In such a case, fine is imposed and purification rites are imperative. It has been told that in olden days the offenders were thrown into gorge from a hillock, after putting them together inside a cage called *dírdang* (cage).⁵

Thus, it appears that the *kébang* could try all kinds of offences including murder according to their customary procedures and even give the verdict of death sentences.

(c) Political Functions

In the early days when feuds and warfare’s were frequent, the problems of village defence and warfare were discussed in the *kébang* under careful guard and strict secrecy. The *kébang* called upon the people of the village to meet and resist any threat or aggression from outsiders. Offensive and defensive measures and peace negotiation were conducted by the *kébang* when such situation arose, the unmarried young men of the village used to sleep in the *mírong* and kept the villages guarded.

But now it takes up matters even relating to the election and election campaign, besides the developmental activities and adopts measures for the maintenance of the unity of the village. It convenes meeting for submitting memorandum to the political leaders and receive them who visit the villages. If controversy arises between two villages, regarding village boundary or in any dispute, the matter is brought to the notice of the bigger *kébang*, i.e. the *gam-kébang* for peaceful settlement.

CHANGING TRENDS

With the development of society and changing of time, the system and the procedure of the *kébang* have also been changed gradually. With regard to the leadership structure of the *kébang*, it has also been undergoing changes since long. These changes

have been noticed when the Misings came into contact with the people of the plains of Assam during the days of Chutiya and Ahom rulers. These changes further accelerated during the British rule in Assam. Again, after independence, the Govt. of Assam introduced the Regulation of Panchayat Raj System in 1959, which also made impact on the *kébang* system.

As already mentioned, previously, the *kébang* was largely dominated by the priests which were known as *mibus* and they were supposed to have derived their authority from the supernatural power. The *mibus* being the traditional priests of the community had to conduct all religious and social functions under their guidance and supervision. Hence, their impact and influence in the society were very intense. Since the *Mibus* had been said to have empowered with some supernatural powers, so, they (*mibus*) presided over the *kébang* sessions. In such *kébang* sessions, they were the keen observer of their traditional laws and they had to maintain a strict impartiality towards both the contending parties.

Moreover, during the Ahom reign, to some extent it got changed. It was the Ahom policy that gave recognition to the clan elders or chiefs of the Misings as *gams* and headmen that precipitated the transformation of the *kébang* into secular body.⁶ Since the *gam* who represented a particular clan, had been also the spokesman or political agent of the Ahom Kings,⁷ so, their power and status grew day by day. Therefore, the appointment of *gams* changed the *kébang* to a great extent, for they naturally became the *kébang* members and caused the authority of the priest to decline.

But this system and procedure of leadership structure got changed during the British administration in Assam. Keeping the Ahom tradition, the British rulers retained many of the leading Misings as *gams* or *kotokis* to maintain a peaceful relation,⁸ but under the British rule, instead of clan chief, the village elders had been recognized as the village chiefs or leaders. Regarding the appointment of *gams*, in *Adi kébang* during the British days, L.R.N. Srivastava writes;

“During the British, the village elders had been recognised as the village chiefs or leaders. They were appointed as *gams* and were held honorary posts, they also acted as intermediaries between the administration and the people”.⁹

However, it is observed that the same system was adopted among the Misings too. Hence, this practice initiated during the British raj has been continuing even today among the Misings' *kébang* system. The appointment of official *gams*, changed the *kébang* system to a great extent, for these officially-appointed *gams* became *kébang* members which reduced the autonomy of *kébang*, thus paving path for government interference and influence. The official *gams*, because of his link with the government, enjoyed an elevated position and a hierarchy of members of importance grew in every village. A *gam* owed his position and importance to the government and would retain it on the pleasure of the government rather than to the mass people. Thus, the aim of the *gam* was to make the people obey the orders of the government. In this way village democracy was weakened and the government control was extended to the Mising villages. The official *gams* superseded the position and social respect of the *kébang-abus* in the society as a whole.

Besides, appointment of *gams* the British government also created some new posts called political *jamadars* and *kotokis* (interpreters) and appointed them to represent the government in settling disputes in the village *kébang*. As already mentioned keeping the Ahom tradition, the British rulers retained many of the leading Misings as *dubhasis* or *kotokis* and employed them to carry an intercourse between the government and the hill tribes. For example, a *parawana* of appointment was issued and register giving details of the man who held the post together with his address was maintained at the headquarter.¹⁰ "The duties of the *kotokis*", wrote Capt. H.S. Biver, "were to proceed to the hills on any occasion when required to do so in connection with the tribes and render aid in furnishing information on the tribes and in interpreting any matter, as also to attend upon the Deputy Commissioner when he proceeded to control bordering or the hills of the tribe to which they were attached".¹¹

But the system of *kotokis*, which the British government introduced in Mising area, was gradually changed later on. The *kotokis* now ceased to be intermediaries between the tribesmen and outsiders, but became merely translators and conveyors of the decisions and orders of the administration of the people¹². They accompanied the officers on tours, and the villagers learnt about the government through them and the people could convey their prayers and appeals through them.¹³ Their influence and power were

further, enhanced and consolidated by the practice of making them to represent the government in settling disputes in the village *kébang*.¹⁴

Thus, it appears that *kotokis* has now been considered as the plenipotentiary between traditional *kébang* system and modern administration.

However, the political *jamadars* acted as a regular area superintendent where the posting of officials was not possible.¹⁵ Sometimes, the *jamadars* toured their area with *gams* and solved many problems amicably and decided cases efficiently.¹⁶

Thus, it appears that during the British rule in Assam, they had employed *gams*, *kotokis* and *jamadars* to the traditional *kébangs* of the Misings as well as to the Adis. It is clear that the creation and appointment of such posts in the village administration had weakened the position of the village elders and the village *kébang* system. Particularly, the appointment of *kotokis* and *jamadars* usurped the powers and functions of the indigenous village authority i.e. *kébang*; and they ended the exclusive supremacy of the village within their territorial jurisdiction.

The enactment of Assam Panchayat Act in 1959 had also a great modernising effect on the traditional village structure and the village council i.e. *do:lung kébang*. The newly introduced panchayats interacted with the traditional village councils and made an impact on them. The old political isolation of the village has been broken and its independent status has been shattered. The village is now a part of a larger political unit and it has frequent contact with administration through panchayats. Moreover, it has facilitated the entry of political parties into village politics, particularly in panchayat elections and the traditional village solidarity is being replaced by a polarisation on party lines. Therefore, the village council i.e. *do:lung kébang* which operated on a completely different set of principles to those of modern bodies has undergone a silent and painful change in its operation.

The council which operated on the basis of unquestionable loyalty, unanimity of decisions, adherence to customs and traditions and respect for age and experience has to replace many of its tenets. Loyalty and adherence to customs have come to be questioned and decisions in the council are being taken by majority rather than unanimity.¹⁷ Education and acquaintance with modern political processes of the leaders rather than their age and experience are being given more and more importance in the village.

Deliberations in the council have come to be influenced by political considerations.¹⁸ The emergence of party system has divided the villagers on party line and it has affected the unity of the village in general and the *kébang* system in particular.

Originally, *kébang* knew no political parties. They believed in a sort of a party less, classless and casteless system of democracy in the village. But emergence of different political parties, with their demagogues carry out propagandas, particularly in Panchayat elections, has led the traditional village council to lose its indigenous character. Thus, the deliberations in the, *kébang* have come to be influenced by political considerations.

The *kébang* which held a sway over the life of the individuals no longer enjoys the same position today. Unlike in the past, the villages do not abide by the decisions of the *kébang* in all cases, in many villages. Traditional leaders are losing ground and their place is being taken by growing influential persons with numerical support in the village. Instead of traditional leaders, elected Panchayat members are being accepted as the leaders of the, *kébang* as well. Thus, the introduction of Panchayats have also made an impact on *do:lung- kébang* and has brought about a number of changes in it.

In case of, *kébang* deliberations also, another change has been noticed recently. Now-a-days, rationality rather than superstition marks the deliberations and decisions of the *kébang*. The practice of performing certain rites in the name of *Do:nyi-Po:lo* to get final verdict from Him when a case is undecided due to lack of proper witness are now discouraged, though it is still in practice in some remote villages.

Though in the past as mentioned earlier, some inhuman customary laws, such as, punishment to an offender like drowning and throwing down into the gorge from a hillock after putting them together inside a cage called *dírdang* are not practised now. To substitute this point, however, it should be mentioned that recently, a study was conducted by social scientist B. Banerjee, of the Directorate of Research, Government of Arunachal Pradesh. He stated that *kébang* is democratic court of the people and it considers death sentence below dignity of the human life.¹⁹

Today under the humanizing influence of the administration, the savage punishments of former days have almost entirely disappeared and the universal custom of *kébang* is to demand compensation for every type of offence. The advantage of the system of compensation is that it does not involve sending anyone to jail: it inflicts a serious material and psychological penalty on the offender; and the justice is speedy, on the spot and visible to all. Yet it does not make him an outcaste from society or deprive the village community of his services.²⁰

Recently, another decline and erosion of the authority and jurisdiction of the *do:lung- kébang* has also been noticed. The *do:lung kébang* is now made to share its one time unrivalled authority with the newly constituted Panchayats and another village youth organizations called *mímбір- ya:me*. In many villages it is now left only with administration of justice, such as, settling of disputes and performance of religious rites etc. This is due to the taking over some developmental and administrative functions of the *kébang* partly by *gaon*-panchayats, such as, construction and maintenance of village roads, bridges, tracts, etc. within the village boundary, construction of community hall etc. and partly by *mímбір-ya:me* another youth organization of the village.

Today, there is a general tendency among the villagers to look towards the Panchayats or Administration even for a small thing to be provided in the village. So, the government spends huge amount of money every year in response to the developmental needs of the Panchayats. On the other side, the *mímбір-ya:me* organization also plays a vital role in narrowing down *kébangs* jurisdiction. This organization is also responsible for any collective works and performances of the village. As such, the developmental and welfare measures are done by this organization. This way *kébang*' jurisdiction has been eroding now-a-days.

Not only the jurisdiction of the village councils are eroding, but also their authority is declining. At present, it seems that a growing tendency has crept in certain villages to bypass the authority of the council and take judicial matters direct to the administrative court.

The reasons for the by-passing and violation of traditional norms is due to degeneration of the *kébang* for many reasons. The Mising customary laws are not yet codified, due to which, sometimes, *kébang* fails to recite the relevant rules or customary

laws of the past, which directly effect the decision of the *kébang*. Further, sometimes the influential person of the village influenced the *kébangs*' decision. Sometimes, the *kébang-abus* in spite of their knowledge and experience are also often found to support their clan or village members, irrespective of the issue involved.

Moreover, the establishment of modern appellate courts and the newly emerging educated classes directly or indirectly effect the smooth functioning of the *kébang*. With passing of time, people show less respects to the *kébang* decision as they know that they have superior courts of appeal, which could over rule the decisions of the *kébang*. The emerging educated class of Mising people always prefer to follow modern judicial procedures, as they are more aware of the existing legal procedures. As such, a growing tendency has crept in certain villages to by-pass the authority of the, *kébang* and take the judicial complaints direct to the administrative courts. The authority and jurisdiction of the *kébang* has thus been gradually eroding.

With regard to the place of holding *kébang* also, there seems to be another change now-a-days. Earlier, the *kébangs* were usually held in a community hall called *mírong*. Hence, it was the usual venue for holding *kébang* to deliver judgment of different cases.

But at present, some of the functional aspects of *mírong* have been losing importance as the institution itself is partially at a dying stage. Only in some interior and big villages, the existence of *mírong* has been noticed. As such, now-a-days in practice, *kébangs* are held at *namgarh* in stead of *mírong*.

Thus, the *do:lung-kébang*, the 'little republics' having nearly everything they want within themselves and almost independent of foreign relations, has gradually lost its indigenous character and traditional procedures.²¹ With passing of time, the system and procedures of the *kébang* have also changed gradually. These changes were noticed during their (Misings) contact with the Ahoms, but it further accelerated during the British rule, when they introduced some official elements into it. Moreover, it has continued changing after independence especially after introduction of the Panchayati Raj in Assam.

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