

# Decentralised Governance and Customary Institutions: The Keba System among the Galo Tribe in Arunachal Pradesh

Ripi Bagra

Independent researcher and Assistant Professor at Don Bosco College, Itanagar

## Abstract

In many tribal areas of India, governance is not only defined by state or written laws but by old-age customs and way of doing things. Customary systems, rooted in tradition, collective memory, and lived experience, continue to guide everyday decision-making, conflict resolution, and community organisation. These indigenous institutions have long shaped how people live together, negotiate disputes, and maintain order, often operating parallel to, or in dialogue with, the formal structures of the state.

**Keywords** - Keba system, Customary institutions, Indigenous governance, Galo tribe, Tribal justice system, Legal pluralism

## Introduction

Indigenous communities are closely embedded within their surrounding environments, with everyday life shaped by long-standing interactions with land, forests, rivers, and seasons. Cultural practices, social norms, and belief systems have evolved alongside these ecological settings, forming a coherent way of life in which material needs and spiritual values are not treated as separate domains. Instead, they exist together, reinforcing social cohesion and cultural continuity. Knowledge in such societies is not abstract or institutionalised in formal texts, but transmitted through practice, ritual, and collective memory, informing how communities govern themselves and resolve internal matters.

Over time, these communities have developed their own systems of rules, obligations, and mechanisms for addressing disputes. These arrangements command legitimacy not because they are enforced by an external authority, but because they are widely accepted and observed within the community. Customary law, in this sense, functions as a binding framework that regulates behaviour and maintains social order, often operating independently of formal legal agreements or codified statutes. Compliance is ensured through shared norms, moral authority, and social accountability rather than coercive enforcement.

The idea of local self-governance in India has deep historical roots, with references to village-level administration appearing in early texts and practices. In the eastern Himalayan region, tribal societies developed distinctive systems of governance that placed strong emphasis on community participation and consensus. Justice in these settings was administered through indigenous institutions that prioritised reconciliation and social harmony over legal technicalities. Such systems long predated the arrival of modern courts and continue to influence how justice is understood and practiced in these regions.

Colonial engagement with the tribal areas of Northeast India did not entirely dismantle these indigenous arrangements. From the early nineteenth century, British administrators acknowledged the presence and importance of customary rights and attempted to govern through existing institutions rather than replacing them outright. This recognition allowed indigenous justice mechanisms to continue functioning alongside the emerging formal legal system. As a result, many tribal areas came to operate under parallel systems of justice, where village councils addressed local disputes while remaining loosely connected to the broader judicial framework of the state.

Tribal legal traditions are deeply shaped by social values, customary norms, and collective practices. Rather than being static or rigid, these laws evolve through continued use and community acceptance. Custom, in this context, is not merely habit but a socially sanctioned norm that has acquired authority over time through consistent observance. It is this embeddedness within everyday life that gives indigenous governance systems their resilience and enduring relevance, even in the presence of modern legal and administrative institutions.

### **Historical Background**

Customary councils have historically been an integral component of tribal society in Arunachal Pradesh. Until the colonial period, Galo villages functioned as autonomous sociopolitical units with little outside intrusion. Each village was controlled by a council led by the Head Gam (village head), who was joined by elders to form the Keba. Decisions were made jointly and enforced using community norms rather than formal legislation.

During the British colonial period, the administration established the positions of Gaon Bura (village headmen) and Political Interpreters (PI) to enable indirect authority in these frontier districts. However, they essentially retained the existing customary institutions and incorporated them into the colonial governing system. After independence, the Indian state continued to recognise these councils through administrative regulations, including the Assam Frontier (Administration of Justice) Regulation, 1945.

The Galo tribe of Arunachal Pradesh still lives by tradition. One of the most longstanding tradition is the Keba, a village council that continues to play an important role in local governance. In a place where written laws have never quite taken root, the Keba continues to function based on shared norms, lived experience, and a deep understanding of what keeps the community together.

People don't go to the Keba just because they have to. They go because they trust it. Whether it's a dispute over farmland, a conflict between families, or the need to organise a village feast or ritual, the Keba brings people together to listen, speak, and come to an agreement. It's not a formal court, but its decisions carry weight, often more than any official order might.

The Keba is particularly important because it serves as the center of village governance, even with formal state structures like the Panchayati Raj in place. Rooted in oral traditions and passed down through generations, it reflects the values, ethics, and daily logic of the Galo people. While official systems follow set procedures, the Keba depends on collective memory, experience, and a shared sense of justice. Today, it operates alongside formal institutions, demonstrating how indigenous and modern forms of governance can coexist and enhance each other in meaningful ways.

### **Structure of the Keba System**

The Keba operates at three hierarchical levels:

### **Dolu or Bane Keba (Village-Level Council)**

This is the foundational level of the Keba system. Every adult male is considered a member, and the council operates through open discussions in the Dere (traditional dormitory). Women have historically been excluded from participation, although in recent years, some have been appointed as Gams by administrative authorities. The Dolu Keba discusses village-related issues. It could be about village peace, mobilisation, agriculture, development schemes by the government etc. The *Keba* sessions continues until and unless a solution is reached. Incase, one party in not in agreement with the decision take then they knock the door of court.

### **Bango Keba (Inter-Village Council)**

The Bango Keba addresses disputes between villages. It generally deals with the larger development issues. It is convened by a Bango Secretary, often selected or appointed, and includes representatives from multiple villages. These councils discuss issues that go beyond individual village matters and aim to reach a consensus. Unlike the Dolu Keba, it is more structured and includes a broader range of participants like Gams, elders, and recognised leaders from many communities.

### **Bogum Boka Keba (District-Level Council)**

This top body consists of representatives from various Bango and Dolu Kebas. Known as the "Galo Parliament," it deals with tribal law, culture, inter-district disputes, and policy suggestions to the state. Political Assistants (PAs) and political Interpreters (PI) appointed by the District Commissioner often attend these meetings, which further link traditional and state structures. It is highest decision-making body of the Galo community.

All three levels work through oral procedures. Decisions are based on established standards and precedents. There is no official election mechanism, fixed membership, or fixed tenure. Authority is formed by social recognition, seniority, and experience.

#### **Functions of Keba**

The Keba performs several roles, which are primarily classified as judicial and administrative functions:

#### **Judicial functions.**

The Keba handles both civil and criminal issues, including land, marriage, inheritance, and restitution for injuries or theft. It does not draw clear differences between modern legal categories. Evidence is admissible in the following types: direct, circumstantial, oath and ritualistic. Judgements are implemented through communal consensus, with social punishments imposed on individuals who do not comply.

The Assam Frontier (Administration of Justice) Regulation, 1945 empowers these councils to handle minor criminal and civil cases, including the ability to levy fines. In serious cases or if the parties reject the Keba's decision, the matter may be sent to state courts.

#### **Administrative and Developmental Functions**

Traditionally, the Keba organized communal labor for agriculture, maintained village infrastructure, coordinated festivals, and managed natural resources like forests and streams. It also communicated with government authorities and oversaw the execution of welfare activities.

At the inter-village and district levels, Bango and Bogum Boka Kebas discussed larger development projects, settlement policies, and collective rituals. In the absence of formal democratic bodies, these institutions took on a quasi-administrative role, particularly during the North-East Frontier Agency (NEFA) period.

The following table shows the nature of crime and punishment and or fines according to Bogum Boka, the booklet on Galo Customary laws:

Crime	Punishments and or Fines <sup>1</sup>
Murder	Five-Ten number of <i>Hobo</i> (Gayal) and <i>Ho</i> (Cow), one <i>Hiko</i> (Brass Saucepan), two strands of <i>Dogne</i> or <i>Lisum-Likar</i> (traditional beads), one <i>Barte</i> or <i>Barko</i> (brass plate).
Theft	One <i>Hobo</i> or <i>Ho</i> along with 1000 rs along with a fine of 25,000 and above, depending on the decision taken at <i>Keba</i> .
Adultery	One <i>Hobo</i> or equivalent amount of money.
Incest	Two <i>Hobos</i> and a <i>Ho</i> . The individuals indulging in incest are ostracized from the community.
Rape	Three <i>Hobo</i> and Rs. 5000 and above.
Attempt to Rape	One <i>Hobo</i> and Rs. 1500 and above
Divorce	Two <i>Hobo</i> and Two <i>Ho</i> or equivalent amount of money.

Source: *Bogum Boka*, 2017

### Parallel Systems of Local Governance

The implementation of the 73rd Constitutional Amendment and Panchayati Raj institutions in Arunachal Pradesh has had a tremendous impact on Keba. Many functions that the Keba used to do are now handled by formal institutions such as Gram Panchayats and Zila Parishads.<sup>2</sup>

This change has caused a shift in administrative and development responsibilities. Panchayats today oversee public welfare programs, infrastructure development, and state-funded projects. The Keba's role has been largely limited to dispute resolution and social activities. Traditional power in some villages has eroded due to increasing legal awareness and the availability of formal grievance mechanisms.

Furthermore, political parties have begun taking a more active role in village-level politics through Panchayat elections. This has brought formal democratic processes but has also changed how leadership functions in the community. Unlike the Keba, which depends on collective wisdom and consensus for decision-making, Panchayats operate through elections and majority rule. This shift has

<sup>1</sup> During a *Keba*, representatives from each party involved in a dispute assemble at the *Dere*. The penalties imposed are generally drawn from a set of customary norms. While the system aims for fairness, outcomes can sometimes be influenced by factors such as the oratory skills of representatives, the perceived moral weight of each side, the size or status of the support group present, and the ability to negotiate or appeal to communal sentiment. As such, the final decision may reflect not only customary principles but also the social dynamics at play during the proceedings.

<sup>2</sup> In 2018, the Arunachal Pradesh Assembly passed the Arunachal Pradesh Panchayati Raj (Amendment) Bill to do away with the Anchal Samiti, the intermediate level of the three-tier panchayati raj system, and set up a two-tier system in the state. This was being done following the 73rd Amendment of the Constitution that enables a state having less than 20 lakh population not to have the intermediate level, and Arunachal had a population of 13.84 lakh.

occasionally resulted in division within villages. Decisions that were formerly taken with mutual agreement are now subject to competition and factionalism. It serves as a warning that, while new procedures provide structure, they can also upset long-standing social relationships if not implemented carefully.

### **Plural Legalism and Institutional Resilience**

Despite the development of institutional governance mechanisms, the Keba remains a significant example of legal pluralism. It provides a culturally based and geographically acceptable alternative to state-centric notions of justice. Its informality, adaptability, and accessibility make it particularly beneficial for communities that still operate under traditional boundaries.

Nevertheless, some tensions remain. The coexistence of two parallel systems, customary and statutory, frequently results in confusion over jurisdiction. Gender exclusion, procedural transparency, and compliance with constitutional rights are all ongoing challenges. While the government has made some efforts to bring traditional councils like the Keba into the formal legal framework, these steps often feel temporary. Without clear definitions and stronger institutional support, true integration remains a challenge.

Recent government efforts to offer honorarium to Gams, involve Keba leaders in advisory roles, and connect traditional practices with administrative codes indicate the emergence of a hybrid model. Nonetheless, the Keba's future depends on its ability to respond to shifting political, legal, and social situations.

### **Conclusion**

The Keba system of the Galo tribe illustrates the complexity of decentralised governance in diverse societies. It shows how indigenous political institutions can persist, change, or decline in response to state interventions and social-political changes. While the Panchayati Raj system has introduced formal democratic processes, it has also challenged traditional institutions' legitimacy and authority.

If we want local governance to truly work in tribal areas like Arunachal Pradesh, then systems like the Keba need to be more than just acknowledged. They need to be genuinely supported and thoughtfully included in the broader legal and administrative framework. This doesn't mean erasing tradition, but finding a way to work with it by respecting how these systems function while making sure they align with the Constitution, especially when it comes to fairness and equal rights for all, including women.

Supporting institutions like the Keba also means recognising the role of its leaders. Right now, Gams receive a small honorarium from the government, but for the kind of responsibility they carry, it's far from enough. If we truly value what they do for keeping peace, settling disputes, and holding communities together then that support needs to be reflected in both recognition and resources.

Understanding and strengthening systems like the Keba demonstrates that India's democracy is not one-size-fits-all. It's multilayered, diversified, and firmly based in local reality. When governance is built from the ground up and people see their own ways of life honoured, it becomes more meaningful and likely to succeed.

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