



Kha-Pho-Rung: The Traditional Village Council And Indigenous Dispute Settlement Mechanism Of The Mossang Sub-Tribe Of Arunachal Pradesh

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Abstract: Indigenous systems of governance and justice continue to play a crucial role in regulating social life among tribal communities in Northeast India. Among the Mossang sub-tribe of the Tangsa community of Arunachal Pradesh, the traditional village council—known as Kha-pho-Rung—functions as the principal institution of governance, dispute resolution, and social regulation. Composed of the village headman (Gashung-liwang), elders, and individuals well-versed in customary law, the council derives legitimacy from long-standing customs rather than codified statutes. Despite its centrality in Mossang society, Kha-pho-Rung remains largely undocumented in academic literature. This paper examines the structure, authority, and functioning of the Mossang traditional village council, with particular emphasis on its mechanisms of dispute settlement and the nature of justice it delivers. It further analyses the continued relevance of Kha-pho-Rung in the context of state expansion, formal judicial institutions, and modern legal frameworks. Drawing primarily on oral narratives, field observations, and secondary literature, the study highlights the restorative and community-centric orientation of Mossang customary justice and underscores the need for greater scholarly engagement with indigenous legal institutions in Arunachal Pradesh.

Keywords : - Traditional, Village council, Mossang, Kha-pho-Rung, Customary law, Dispute resolution.

INTRODUCTION

Traditional village councils have historically functioned as the backbone of governance, social regulation, and justice in tribal societies. Long before the emergence of the modern nation-state and codified legal systems, indigenous communities evolved their own mechanisms to maintain order, resolve disputes, and ensure collective harmony. In Arunachal Pradesh—home to more than twenty-five major tribes and numerous sub-tribes—traditional village councils continue to exercise considerable authority and legitimacy in everyday life.

For tribal communities, the village itself constituted the political universe, and the village council functioned as the state and judiciary combined (Dubey, 1998). Even after the extension of formal legal institutions, customary dispute resolution mechanisms remain widely preferred due to their accessibility, cultural embeddedness, and emphasis on reconciliation rather than punishment. Scholars have noted that legal pluralism—the coexistence of customary and formal legal systems—remains a defining feature of tribal governance in Northeast India (Pathak, 1991; Roy & Rizvi, 2013).

The Tangsa tribe, inhabiting the easternmost parts of Arunachal Pradesh along the Indo-Myanmar border, represents one such community where customary institutions remain central. Comprising nearly forty sub-tribes with distinct dialects, customs, and traditions, the Tangsa present a complex mosaic of indigenous governance systems. Among them, the Mossang sub-tribe possesses a traditional village council known as Kha-pho-Rung, which governs social, political, and judicial matters within the village.

Despite the importance of such institutions, scholarly work on Tangsa customary governance remains sparse, and studies focusing specifically on the Mossang are virtually absent. Moreover, Mossang customary laws remain uncodified and are transmitted orally across generations. Against this backdrop, the present study seeks to examine the structure, role, and dispute settlement mechanisms of Kha-pho-Rung, and to assess its effectiveness and relevance in the context of modern legal institutions.

METHODOLOGY

The study adopts a qualitative and descriptive research design. Given the absence of written customary laws and limited published literature on the Mossang, primary data were collected through oral narratives, informal interviews, group discussions, and personal observation within Mossang villages. Elder community members, village headmen, and knowledgeable individuals served as key informants.

Secondary sources including books, research articles, and edited volumes on tribal governance and customary law in Arunachal Pradesh and Northeast India were consulted to provide a comparative and theoretical framework. The study relies on interpretative analysis to understand indigenous concepts of authority, justice, and social order within the Mossang community.

MOSSANG TRADITIONAL VILLAGE COUNCIL: STRUCTURE AND ROLE

The Mossang Traditional Village Council

The Mossang traditional village council represents the highest customary authority within the Mossang community. Although there are no written records, myths, or oral traditions explaining its precise origin, it is widely believed that the council has existed since the emergence of Mossang society itself. The institution functions as the backbone of social regulation, dispute settlement, and community governance, operating entirely on customary laws and long-standing traditions.

Among the Mossang tribe, the village council is known as Kha-pho-Rung, a term that reflects its core purpose. Kha refers to disputes or issues, Pho means resolution, and Rung denotes council or assembly. Collectively, Kha-pho-Rung signifies an institutionalised mechanism empowered to resolve conflicts and maintain harmony within the village. Every Mossang village has its own council, underscoring the decentralised yet deeply rooted nature of customary governance.

Nature and Significance of Kha-pho-Rung

The Kha-pho-Rung is not merely an adjudicatory body but a comprehensive socio-political institution. It oversees almost all aspects of village life, including dispute resolution, social discipline, welfare activities, and the preservation of customs and traditions. Its authority extends to regulating Mossang customary laws and ensuring their continued relevance in everyday social interactions.

The council operates on moral and social authority rather than coercive force. Its decisions are regarded as final and binding, and compliance is ensured through social sanction, communal pressure, and respect for tradition. This system highlights the importance of collective responsibility and consensus in Mossang society.

Composition and Structure of the Council

Disputes among the Mossang are never settled individually; instead, they are invariably resolved through the collective deliberation of the village council. The Kha-pho-Rung is composed of village elders, respected community members, leaders, and the village headman known as Gashung-liwang. The presiding authority of the council is the Ngowa, who delivers the final verdict after due deliberation.

Other members of the council are known as Phowa or Tetwa, who assist in discussions and offer advisory opinions. Elders primarily serve an advisory role, while the Ngowa presides over proceedings and announces the verdict. Depending on the seriousness of the case, different forms of councils are constituted. Minor cases are handled by a three-member council called Watim, whereas serious cases require a five-member council known as Rung.

Members are selected based on their social status, wealth, experience, oratory skills, and, most importantly, their knowledge of customary laws. However, the position of the Ngowa or Liwang is hereditary and not subject to popular selection. The title passes from father to son, or to close kin in the absence of a direct heir. The traditional Liwang is equivalent to the modern-day Goanbura, and therefore no separate Goanbura exists in the Mossang village structure.

Gender and Participation

A notable feature of the Mossang village council is the exclusion of women from formal participation. Women are neither allowed to be members nor to actively engage in council deliberations. This exclusion is rooted in traditional beliefs that regard women as mentally unfit for decision-making roles.

However, in certain cases—especially when a woman is directly involved in a dispute—elder married women may be allowed to attend proceedings as silent observers. Occasionally, they may assist by providing information when requested or by serving food and traditional drinks. This limited participation reflects entrenched patriarchal norms, although it also reveals a nuanced flexibility within the system when circumstances demand.

Powers and Functions of the Council

The Mossang traditional village council is the supreme authority within the village, and its jurisdiction extends over all social, civil, and minor criminal matters. Its primary functions include maintaining social order, resolving disputes, preserving customs and traditions, and regulating customary laws and practices.

Although the council wields immense authority, its power is largely moral and social rather than physical or coercive. Sanctions imposed by the council rely on fines, compensation, and social consequences such as loss of reputation or, in extreme cases, outcasting from the village.

Dispute Resolution Mechanism

Dispute resolution constitutes the most significant function of the Kha-pho-Rung. The council deals primarily with social and civil disputes, including marital conflicts, land disputes, inheritance issues, theft, elopement, and other minor offences. Its jurisdiction is limited to the village, but in cases of inter-village disputes, councils from the concerned villages participate, with neighbouring villages often acting as mediators.

Council sittings are convened as and when required, without any fixed schedule. This flexibility enables prompt intervention and timely resolution of disputes, ensuring that conflicts do not escalate.

Types of Cases Handled

1. Theft (Agau-kha)

In theft cases, the severity of punishment depends on the value of the stolen item and the offender's past conduct. Minor thefts may require simple restitution, while serious cases involve repayment along with fines (Achang). Habitual offenders may face warnings or threats of outcasting.

2. Land Disputes (Gah-kha / Gah-rei-kha)

Land disputes are resolved through on-site inspection by council members and villagers. Boundaries are marked using stones or trees to prevent future encroachment. Repeated violations result in fines.

3. Divorce

Divorce cases are adjudicated by the council after hearing both parties. Divorce may be initiated by either spouse on grounds such as adultery or barrenness. Fines are imposed on the guilty party, and child custody is awarded to the innocent party. Non-compliance may lead to exile or social exclusion.

4. Elopement

In elopement cases, the council convenes at the girl's parental home. The boy's family is required to pay compensation in the form of livestock or its monetary equivalent.

5. Murder

Murder is considered the gravest offence and is punished with heavy fines and, often, expulsion of the offender's family from the village. Accidental killings are treated differently and are resolved through compensation mediated by elders, involving traditional items such as gongs, buffaloes, weapons, and bead chains.

Procedure and Conduct of Proceedings

Disputes are formally brought before the Gashung-liwang, who convenes the council. Hearings are conducted openly, usually at the headman's house, with villagers—primarily men—present. Both the accused and the aggrieved party are given equal opportunity to present their cases, ensuring transparency and fairness.

After thorough examination and questioning, a unanimous decision is reached, and the Ngowa publicly announces the verdict. If the council fails to arrive at a conclusion, oath-taking (Aa-katam) or ordeals involving fire, earth, or sacred stones may be employed. These practices are deeply rooted in spiritual beliefs and are intended to compel truth-telling through fear of supernatural punishment.

Nature of Justice and Punishment

The Mossang system of justice is primarily restorative rather than punitive. Achang, or fines, constitute the highest form of punishment, and corporal punishment is strictly prohibited. The emphasis lies in reconciliation, compensation, and restoration of social harmony rather than retribution.

Even in serious cases, the council seeks compromise and settlement within the community, avoiding involvement of the modern judicial system. This approach reinforces social cohesion and ensures continuity of traditional values and collective responsibility.

DISCUSSION

The foregoing analysis of the Kha-pho-Rung reveals that the Mossang traditional village council constitutes a deeply institutionalised and culturally embedded system of governance and dispute resolution. Far from being a rudimentary or informal mechanism, Kha-pho-Rung represents a sophisticated indigenous legal institution that integrates social regulation, moral authority, spiritual belief, and collective responsibility. Its continued relevance underscores the resilience of customary governance systems among tribal communities in Arunachal Pradesh, even in the presence of formal state institutions.

One of the most significant features of the Mossang council is its community-centric and consensus-based approach to justice. Unlike formal courts that rely on codified laws, procedural rigidity, and punitive sanctions, Kha-pho-Rung operates through dialogue, mediation, and collective deliberation. The emphasis on reconciliation, compensation, and restoration of social harmony aligns closely with what contemporary scholars describe as restorative justice. This orientation is evident across all categories of disputes—ranging from theft and land encroachment to marital conflicts and even homicide—where the objective is not merely to punish the offender but to repair social relationships and reintegrate individuals into the community. The authority of the Kha-pho-Rung is primarily moral and social rather than coercive, yet it remains highly effective. Compliance with council decisions is ensured through respect for tradition, fear of social ostracism, and belief in spiritual consequences. The use of oath-taking (Aa-katam) and ordeals illustrates how spiritual belief systems are intertwined with legal processes, reinforcing truth-telling and accountability. While such practices may appear incompatible with modern legal rationality, within the Mossang worldview they serve as powerful instruments of social control and psychological deterrence.

The hereditary leadership of the Ngowa or Gashung-liwang reflects a chieftainship model that prioritises continuity, lineage, and customary legitimacy over electoral principles. This differs from the modern Panchayati Raj system but remains widely accepted within the community due to its historical rootedness and perceived impartiality. At the same time, the selective inclusion of council members based on knowledge of customary law, oratory skills, and social standing indicates a merit-based dimension within the traditional framework, ensuring competence and credibility in decision-making.

However, the study also reveals structural limitations, particularly concerning gender participation. The exclusion of women from formal membership and deliberation reflects entrenched patriarchal norms within Mossang society. Although limited participation of elder married women in certain cases suggests some flexibility, their role remains marginal and largely symbolic. This stands in contrast to contemporary democratic governance models that emphasise gender inclusion and equality. The persistence of such exclusion raises critical questions about the adaptability of customary institutions to changing social norms and constitutional values.

From the perspective of legal pluralism, the Mossang case exemplifies the coexistence of customary and formal legal systems. Despite the availability of state courts, Mossang villagers overwhelmingly prefer Kha-pho-Rung due to its accessibility, cultural familiarity, cost-effectiveness, and swift resolution of disputes. This preference highlights the disconnect between formal legal institutions and indigenous communities, and reinforces scholarly arguments that state law alone cannot adequately address local realities without recognising customary norms.

At the same time, increasing state penetration, administrative regulation, and exposure to modern education pose challenges to the authority and continuity of traditional councils. Younger generations may increasingly question hereditary leadership, gender exclusion, and spiritual ordeals. Yet, the enduring legitimacy of Kha-pho-Rung suggests that customary institutions are not static relics but dynamic systems capable of negotiation and adaptation, provided they are engaged with respectfully rather than replaced or marginalised.

CONCLUSION

The Kha-pho-Rung of the Mossang sub-tribe stands as a vital indigenous institution that continues to shape governance, justice, and social order at the village level. Rooted in customary law and collective consensus, the council embodies an alternative model of justice that prioritises reconciliation, moral accountability, and community cohesion over adversarial litigation and punitive sanctions. Its effectiveness lies not in coercive power but in social legitimacy, cultural embeddedness, and spiritual belief.

This study demonstrates that the Mossang traditional village council is far more than a dispute settlement forum; it is a comprehensive socio-political institution regulating nearly all aspects of community life. The uncodified yet widely accepted nature of Mossang customary law highlights the strength of oral tradition and indigenous knowledge systems in sustaining social order. At the same time, the council's restorative orientation offers valuable insights for contemporary debates on alternative dispute resolution and community-based justice.

Nevertheless, the persistence of patriarchal norms and the exclusion of women from decision-making reveal important areas for critical reflection. As Arunachal Pradesh continues to engage with democratic governance, constitutional rights, and legal reforms, the challenge lies in harmonising customary institutions with principles of inclusivity and equality without undermining their cultural integrity.

Given the paucity of scholarly work on the Mossang sub-tribe, this paper contributes to filling a significant research gap by documenting and analysing the structure and functioning of Kha-pho-Rung. It also underscores the urgent need for further ethnographic and comparative studies on lesser-known tribal councils in Arunachal Pradesh. Recognising, documenting, and engaging with indigenous legal institutions such as Kha-pho-Rung is essential not only for preserving cultural heritage but also for evolving more pluralistic, inclusive, and context-sensitive systems of justice in India.

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