

A Socio-Legal Study On Matrimonial Practices In Arunachal Pradesh: Wancho Tribe Longding District Of Arunachal Pradesh

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ABSTRACT

There are certainly a multitude of indigenous tribes around the globe, and each of them has its distinctive moral fibre. For several generations, these ethnic groups have been governed by a unique set of customary laws, and ancient practises. The northeastern part of India, comprised of seven states (Arunachal Pradesh, Assam, Manipur, Meghalaya, Nagaland, Mizoram, and Sikkim), is known for its diverse indigenous tribes and their distinctive cultural heritage. These tribes and groups have a particular justice system guided by their customary rules. The present study aims to evaluate the actions taken to address the issues associated with the Wancho tribe's marriage customs in Arunachal Pradesh.

Additionally, the researcher accomplished the study process and could acquire sufficient information through personal interviews. The study begins with an extensive review of several state statutes and regulations relevant to Arunachal Pradesh marriage customs and the village council's jurisdiction. The Google Questionnaire Form is another tool used for obtaining data which enables users to generate data for a particular Longding district based on their expertise and views. For more clarification on the area, the researcher also attempted to conduct a field study to aid in this study in the Longding area of Arunachal Pradesh. According to the data assembled by the researcher, polygyny—the practise of being married to multiple wives—is widely recognised and applied by the chiefs of the Wancho tribe in the state. This has led to societal complications such as domestic violence, sexual assault, and psychological harm to wives and children.

The state government's initiatives, the Arunachal Pradesh Recording of Marriage Act of 2008 and the Arunachal Pradesh Civil Court Act of 2021, were not effectively implemented on the ground level. The Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021, aimed to eliminate prevalent polygamy in the state while restoring women's property rights. Unfortunately, the state government could not execute it due to criticism of several political personalities and student union organizations.

Key Words: Wancho tribe, matrimonial Practice, polygamy marriage, customary laws, Arunachal Pradesh justice system, village council.

I.INTRODUCTION

1.1 Background of the Study

The region of Arunachal Pradesh (AP) has an unfathomable history of tribal customary laws. They are situated in the aesthetic range of the Himalayas (northeastern zone) of India. On February 20, 1987, this region was recognised as a full-fledged State. It was divided into 25 districts, namely, *Changlang, Dibang valley, East Kameng, East Siang, Anjaw, Kamle, Kra Daadi, Lepa Rada, Lohit, Lower Dibang Valley, Longding, Lower Siang, Kurung Kumey, Lower Subansiri, Namsai, Pakke kessang, Papum Pare, Upper Subansiri, Shi Yomi, Siang, Tawang, Tirap, Upper Siang, West Kameng, West Siang*.¹ All the respective districts are comprised of 26 numerous tribes, including more than 100 sub-tribes in the State of Arunachal Pradesh.² As per the 2011 Census, the Arunachal Pradesh State has a 1383727 population of 713912 (males) and 669815 (females).³ The principal/major tribes are Adis, Apatanis, Wanchos, Noctes, Yobin, Buguns, Singphos, Mishmis, Monpas,

¹ "List of Districts in Arunachal Pradesh 2023" available at <https://www.findeasy.in/list-of-districts-in-arunachal-pradesh>, (last visited on February 23, 2023).

² "Arunachal Pradesh Population" available at <https://www.populationu.com/in/arunachal-pradesh-population>, (last visited on February 23, 2023).

³ "Arunachal Pradesh population Census 2011|Arunachal Pradesh Religion, Caste Data – Census 2011" available at <https://www.censusindia.co.in/states/arunachal-pradesh>, (last visited on February 22, 2023).

Nyishis, Khamtis, Tagins, etc.⁴. It is a matter of great concern that when it comes to customary laws, there are no unified common customary laws for all tribes.⁵ Still, there are different sets of customary laws per various needs of traditional practices of other tribes and their respective communities/societies.⁶

The customary laws consist of the historical perspective of the village, its management, and other aspects like powers, benefits of village leaders along with villagers and its obligations, community veneration ritual, tradition, marriage, protection against infringements including punishments, etc.⁷ Therefore, many more aspects of customary practices need to be explored. Custom is mainly observed as a habitual course of conduct where it is stated as uniform and especially involves the voluntary participation of people.⁸ As per the customary laws, alternative measures and punishments exist to deal with offences (civil or criminal), and specific issues like marriage (polygamy, levirate) create a disorganized balance in society.⁹ In perspective to the customary laws of the Wancho tribe, they agree upon the customary practice of polygamy and advocate polygamy as the crucial framework to accomplish other respective rituals or cultural practices. The tribes were bound by a source of unwritten rules and regulations, which had evolved together with the profound historical growth of such tribal communities.¹⁰ In the Wancho tribe, no written historical documents were found, and the cultural values were carried forward through oral literature from generation to generation.¹¹ The customary laws are verbal; thus, it is indispensable to give specific ways and directions for their implementation and interpretation.

Moreover, customary practices and regulations are required in several ways to resolve errors in codification errors and provide guidance to judicial interpretation. Gradually, customary practices are considered changeable concerning development and modifications through interpretation.¹² To overcome the issues relating to polygamy, the state government formed an Act called the Arunachal Pradesh Recording of Marriage (APRM) Act, 2008.¹³ The institution of marriage among the people of Arunachal Pradesh state is more a “civil contract rather than a religious sacrament”.¹⁴ The APRM Act was introduced to frame a pattern of compulsory marriage registration.¹⁵ The main features of the Act of 2008 include ‘dealing with specific issues like checking upon polygamy, preventing child marriage, recognizing the basic rights of maintenance to wife, etc.’¹⁶ Under this Act, “the marriage certificate of provided after marriage registration, which enables social security and self-confidence to married women”.¹⁷ The Arunachal Pradesh State Commission for Women (APSCW) drafted the Arunachal Pradesh Marriage and Inheritance of Property Bill (APMIP Bill), 2021. This initiative took place to

⁴ Preetha Manivelan, “Everything about the tribes and traditions of Arunachal Pradesh” *available at* <https://pickyourtrail.com/blog/tribes-and-traditions-of-arunachal-pradesh>, (last visited on January 27, 2023).

⁵ Dr. Topi Basar, “Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021: an analysis” *The Arunachal Times*, July 25, 2021.

⁶ *Ibid.*

⁷ “Customary law of the Thai” *available at* <https://vietnamlawmagazine.vn/customary-law-of-the-thai-5893.html>, (last visited on February 18, 2023).

⁸ Nabam Nakha Hlna, “Customary laws of Nyishis Institutions Processes change and continuity” *available at* <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 2, 2023).

⁹ Gopa Das, “Customary law and status of women a case study of adi galo women of Arunachal Pradesh” *available at* Shodhganga@INFLIBNET: Customary law and status of women a case study of adi galo women of Arunachal Pradesh, (last visited on February 16, 2023).

¹⁰ Sonam Diki Dolma, “violation of rights of women under customary laws of marriage, divorce and inheritance in sikkim: a plea for reforms” *available at* <https://shodhganga.inflibnet.ac.in/handle/10603/31948>, (last visited on February 16, 2023).

¹¹ Manlong Ralongham, “Indigenous knowledge system of Wancho and its role for the sustainability of environment” *available at* <https://shodhganga.inflibnet.ac.in/handle>, (last visited on February 27, 2023).

¹² Sonam Diki Dolma, “violation of rights of women under customary laws of marriage, divorce and inheritance in sikkim: a plea for reforms” *available at* <https://shodhganga.inflibnet.ac.in/handle/10603/31948>, (last visited on February 16, 2023).

¹³ The Arunachal Pradesh Recording of Marriage Act, 2008 (Act no 1 of 2009).

¹⁴ Sonam Diki Dolma, “violation of rights of women under customary laws of marriage, divorce and inheritance in sikkim: a plea for reforms” *available at* <https://shodhganga.inflibnet.ac.in/handle/10603/31948>, (last visited on February 16, 2023).

¹⁵ Dr. Topi Basar, “Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021: an analysis” *The Arunachal Times*, July 25, 2021.

¹⁶ “Arunachal Pradesh Marriage Registration” *available at* <https://www.indiafilings.com/learn/arunachal-pradesh-marriage-registration/#:~:text=The%20Arunachal>, (last visited on February 15, 2023).

¹⁷ Renu Suresh, “Arunachal Pradesh Marriage Registration” *available at* <https://www.indiafilings.com/learn/arunachal-pradesh-marriage-registration>, (last visited on February 15, 2023).

uniform customary laws in specific issues like marriage, dissolution of marriage and other issues of Arunachal Pradesh Schedule, Tribal Women¹⁸. Unfortunately, this bill was opposed by numerous communities and student union organizations (including political parties) and which tagged this bill as “Anti-Tribal”.¹⁹ In this study, the researcher makes a sincere attempt to undergo an in-depth analysis of the status of the principal Wancho tribe. The researcher also highlights some of the core customary laws of the selected tribe and decipher their present scenario, including the inevitable customary laws of marriage ceremonies. Emphasis has been given to checking the status of marriage registration in the state, and the role of the Tribal Village Council registered under “the Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008.”²⁰ The procedure of redressal to aggrieved women and “the All Wancho Women Welfare Society (AWWWS)” role has also been discussed in detail.

1.2 Statement of the Problem

The Longding district (LD) of Arunachal Pradesh was formed after bifurcating from Tirap district on March 19, 2012.²¹ Total population of 4,234²², of which the male population is 2,258 and the female population is 1,976, as per reports of the Census 2011 of India.²³ “The Female sex ratio of the respective area is 875 against the state average of 938”²⁴, and the literacy rate of Longding particular area is 68.50%, in which male literacy is 77.16% and female literacy is 58.76% as the Census 2011.²⁵ The work profile of Longding during the Census 2011 is 793 males who were involved in working activities. Still, the numeral figure of females was very moderate compared to males, which is only 228 women in the working sector. The women of Arunachal Pradesh are encountering adverse struggles to maintain equal status in terms of empowerment in various socio-economic and political affairs.²⁶ Due to no uniform customary laws in the contents of marriage, many aspects are still hazy and not uniform for both men and women. In relation to the marriage institution, the customs of the tribe allow polygamy for men, but it strictly considers polyandry as a punishable offence and imposes a penalty or divorce.

There are other forms of marriage like forced marriage (marriage without consent or against the will) or levirate marriage (the brother of a deceased man is obliged to marry his brother’s widow).²⁷ In such cases, women’s consent is often not voluntarily obtained.²⁸ The 5th Report on National Family Health Survey (NFHS) 2019 (Ministry of Health & Family Welfare) affirms that Arunachal Pradesh (3.7%) stands as the 4th highest polygamy-practising State in India.²⁹ To solve the problems faced by women, the APSCW drafted the (APMIP Bill), 2021 to give equal rights and uniform rules in the matter of marriage and dissolution of marriage and to abolish the concept of polygamy (an offence under sections 494³⁰ or 495³¹ of IPC). However, many union bodies

¹⁸ Kapil Sikka, “Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021- burning issues” available at <https://www.studyiq.com/articles/arunachal-pradesh-marriage-inheritance-property-bill-2021-burning-issues-free>, (last visited on January 28, 2023).

¹⁹ *Ibid.*

²⁰ The Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008 (Act no. 9 of 2008).

²¹ “Longding District” available at <https://longding.nic.in> (last visited on February 22, 2023).

²² “Longding Town Population Census 2011-23” available at <https://www.census2011.co.in/data/town/801442-longding-arunachal-pradesh.html>, (last visited on February 21, 2023).

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Dipankar Roy, “Arunachal Women’s Dilemma: Marry ‘outsider’, Lose Property Rights” available at <https://www.outlookindia.com/magazine/story/india-news-arunachal-womens-dilemma-marry-outsider-lose-property-rights>, (last visited on January 29, 2023).

²⁷ Nabam Nakha Hlna, “Customary laws of Nyishis Institutions Processes change and continuity” available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 2, 2023).

²⁸ *Ibid.*

²⁹ Government of India, “5th Report on National Family Health Survey 2019-21”, (Ministry of Health & Family Welfare).

³⁰ Section 494 IPC – “Marrying again during lifetime of husband or wife.—Whoever, having a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.”

³¹ Section 495 IPC – “Same offence with concealment of former marriage from person with whom subsequent marriage is contracted. Whoever commits the offence defined in the last preceding section having concealed from the person with whom the subsequent marriage is contracted, the fact of the former marriage, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”

opposed this bill, which was not enacted as a law.³² One of the severe issues is the customary practice of polygamy, levirate marriage or forced marriage in tribal societies, which gives wings to the man's glory and rigid supremacy of patriarchy tribal society. This led to other severe issues like psychiatric disorders, emotional distress, violence against women (domestic violence) and detrimental effects on wives' and child health.³³ One prime concern of polygamy is the First wife syndrome,³⁴ "where the first wife reported difficulties, faced psychological, physical and social problems among women".³⁵ Due to the practice of polygamy and the primary care given to the wives (Wangnu), the condition of such women is miserable.³⁶ On the other side, polyandry has no place in the society. If any of the wives practice polyandry, it will be considered an extramarital affair, and accordingly, a penalty is imposed on the male partner or divorce.³⁷ Polygamous marriage also adversely affects the nurture of children born out of polygamous marriages; such children are often neglected, which results in poor education. This also leads to school dropouts and a high risk of getting influenced by drug addiction.³⁸ The issues are co-related with one another, and subsequently, negative consequences are faced by society as a whole.

1.3 Aim of the Study

To explore the customary practice of marriage and its impact on tribal society specific to the Wancho tribe of the Longding district of Arunachal Pradesh.

II.LITERATURE REVIEW

Sikka (2021)³⁹ talks about different aspects of the APMIP Bill 2021. The APSCW took the initiative to draft this bill comprising 11 chapters and 53 sections. This bill proposes uniform customary laws for various factors like marriage ceremonies, solemnization of marriage, and polygamy laws applicable to all indigenous STs of Arunachal Pradesh. This bill represents its progressive nature, inclusive of gender-neutral. Despite all odds in customary laws, this bill tries to provide basic rights to women and protection against polygamy. Under its section, rights were given to both Non-Arunachal Pradesh Schedule Tribe Women and Arunachal Pradesh Schedule Tribe Women (APSTW), the main grounds for opposing this bill. There are other issues regarding divorce and division of property (share of wife), polygamy is stated as an offence and punishable under sec 494 or sec 495 of the IPC, 1860, and the alimony and maintenance of the wife are taken under consideration. This bill was drafted to maintain the welfare of people. Still, unfortunately, this bill was opposed by numerous organizations (community and student unions), including political parties of the State and tagged as an "anti-tribal" bill. It will be contradictory to the customary laws of AP.

Basar (2021)⁴⁰, the article's author, focuses on the basic objective of the bill's provisions and explains such areas which require sufficient refinement. Such regions are prescribed under 11 chapters and 53 sections like marriage ceremonies, registration of marriage, and property distribution on divorce. Under this, the bill defines the 'major', which states that the age criteria to get married for males is 21 years and for females 18 years of age. And it also says about the compulsory registration of the marriage. Further, the bill also clearly states that polygamy is a "punishable offence under section 494 or 495 of the Indian Penal Code, 1860". Under this bill, bigamy, polygamy, polyandry, or polygyny are also considered an offence, and these types of marriages will be considered void.

³² Kapil Sikka, "Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021- burning issues" available at <https://www.studyiq.com/articles/arunachal-pradesh-marriage-inheritance-property-bill-2021-burning-issues-free>, (last visited on January 28, 2023).

³³ Weins Bhair, "Polygamy: Women, Children and Men" *The Arunachal Times*, December 4, 2022.

³⁴ AL. Sherbiny, "The case of first wife in polygamy" available at <http://mail.arabpsynet.com/Archives>, (last visited on February 23, 2023).

³⁵ *Ibid*.

³⁶ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

³⁷ Nabam Nakha Hlna, "Customary laws of Nyishis Institutions Processes change and continuity" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 2, 2023).

³⁸ Weins Bhair, "Polygamy: Women, Children and Men" *The Arunachal Times*, December 4, 2022.

³⁹ Kapil Sikka, "Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021- burning issues" available at <https://www.studyiq.com/articles/arunachal-pradesh-marriage-inheritance-property-bill-2021-burning-issues-free>, (last visited on January 28, 2023).

⁴⁰ Dr. Topi Basar, "Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021: an analysis" *The Arunachal Times*, July 25, 2021.

Wangsu (2022)⁴¹ the writer explains the reality behind the general perception that tribal women are assumed to be as advanced and have equal rights based on the advancement of education and other freedoms assigned to them. Still, unfortunately, the reality is women of such tribal communities don't enjoy equal rights in case of social participation, political position, and socioeconomic security. The tribal customary laws have loopholes and cannot guarantee women equal rights. The Tribal Civil Society Organizations (CSOs) and the AAPSU stated it as "anti-tribal". Massive manhood motions were encountered through protest and aggressive attitude to the State government. As per a report of The Hindu Newspaper, the APWWS is trying to put forward the concept of a 'one man, one wife' policy and demands a Central Civil Services (Conduct) rule to abolish this practice of polygamy. The organization's president further states that the well-furnished officers are into polygamy, which leads to distress in society. As customary laws extend to polygamy, customary courts settle disputes.⁴²

Pandey (2012)⁴³ states the Wancho tribe of Arunachal Pradesh has a well-established system of administration to look after the matters of the village. The group of Wangchu administers this village council- Wangcha mainly consists of the senior members of the village. This council are headed by a chief that is the head of the village, known as Wangham, and other members are the officials such as Wancha and a priest or messenger known as Nagopa. The village council takes up all the disputes regarding the matters of the village and the inter-village disputes. The primary motive for forming the village councils in the village area is to preserve "the customary laws and traditions of the tribal people." The decision-making process mainly concerns the general agreement and acceptance of the village people.

Dirang (2019)⁴⁴ expresses the positive efforts of the APSCW's chairperson Radhila Chai Tech to abolish the prevalence of polygamy in the State. The issue of polygamy leads to domestic violence, and the commission also tries to spread awareness regarding the degrading situation of tribal women and the adverse effects of polygamy in society.

Dutta and Duarah (2018)⁴⁵ talks about the tribes of Arunachal Pradesh; some of them practising polygamy, while on the other hand tribes like Tangsas do practice monogamy, where the boy has the right to choose his life partner and the family accepts his decision. In the customs of numerous tribes, the bride price concept is still practised, where the groom has to pay some amount for two buffalos or cows, two-three pigs and money. A divorce case is very rare, and tribes impose a heavy fine on divorce cases where the groom has to pay the fine. Compared to earlier days, the practice of widow remarriage is common in society. As per the demand of time and changing society, different aspects of marriages are transforming and growing.

Das (2009)⁴⁶ emphasises the detailed discussion of customary laws of "the tribal communities of the Adi and Galo tribe of Arunachal Pradesh" and how the customs and traditional practices of tribes frame the women's status in Arunachal Pradesh. According to the historical school of thought, which includes Hale, Blackstone, Maine, and others, the law existed before the sovereign and states were brought into existence. As per the historical aspect, such rules and regulations are generalized as 'unwritten Laws'. And the Analytical school also recognized such a set of unwritten rules of morality as customary laws of society. Under India, community-based laws still exist, and the North Eastern part of India is more concentrated on such customary laws. Custom plays a crucial role in determining their day-to-day social affairs.

Nabam Nakha⁴⁷ highlights the cultural background of the marriage institution of the tribe Tagin specifically known to be 'Nyida'. The types of marriages are allowed in the Tagin society, like arranged marriage, child marriage, love marriage, forced marriage or marriage by kidnapping. There is no fixed age for getting married or engagement. Due to the enormous patriarchal, patrilocal system of society, the practice of polygyny is commonly accepted in society, and it exists due to various grounds like the death of the brothers economic and

⁴¹ Manta Wangsu, "Arunachal's tribal women are far from being better off than men" *available at* <https://thewire.in/women/arunachals-tribal-women-are-far-from-being-better-off-than-men>, (last visited on February 10, 2023).

⁴² "Arunachal NGO seeks 'one man, one wife' policy to end polygamy" *The Hindu*, October 11, 2019.

⁴³ Deepak Pandey, *History of Arunachal Pradesh* (Bani Mandir Publishing House, Pasighat, Arunachal Pradesh, 2012).

⁴⁴ Dirang, "APSCW raises voices against polygamy" *The Arunachal Times*, September 26, 2019.

⁴⁵ Dr. P.C. Dutta and Dr D.K. Duarah, *Aspects of Customary Laws of Arunachal Pradesh* (Directorate of research, Department of Culture Affairs, Government of Arunachal Pradesh, Itanagar).

⁴⁶ Gopa Das, "Customary laws and status of women a case study of adi galo women of Arunachal Pradesh" *available at* <https://shodhganga.inflibnet.ac.in/handle>, (last visited on February 17, 2023).

⁴⁷ Nabam Nakha Hina, "Customary laws of the Tagings of Arunachal Pradesh" *available at* <https://shodhganga.inflibnet.ac.in/handle>, (last visited on March 9, 2023).

barrenness of the female partner (wife). On the other hand, polyandry is rarely practised among the Tagin community.

Ranlongham⁴⁸ states in the Wanchos tribe of Arunachal Pradesh, the marriage system of this tribe is mainly divided into two types: royal and normal. The royal marriage rituals only apply to the village's royal members, and the common marriage system is open for normal people to practice their marriage rituals. The customs of this tribe are mainly allowing the polygamy system for the chiefs and chiefly families. The concept of forceful marriages by the chiefs and those wives is generally known as the Wangnu, and the conditions of these wives are miserable lives due to no care towards them and their children.

Patnaik (2006)⁴⁹ the author talks mainly focuses on the aesthetic tradition and custom of Arunachal Pradesh and its changing degrees with respect to modernity. The respective state's population may be classified into three cultural groups they are tribes proclaiming Buddhism, indigenous religions proclaiming magical rites and head hunters and other few tribes prominence of Vaishnavism. The Adi tribe also has a good branch of the village council known as Kebangs. The concept of polyandry is still not allowed; however, polygyny is common in society.

Dutta (1990),⁵⁰ In this book, the writer wants to highlight many aspects of this tribe. A detailed study is given to its habitat, origin, economic activities, socio-cultural and political life, and other practises like religion, ceremonies, etc. Under this, the concept of marriage is considered a free choice of the young girl and boy; in accordance with this, the young girl and boy's decision to marry is seen as a free choice, and ultimately the marriage is settled with the permission and negotiation of the elders (parents). Still, the priority is always given to the youth. For executing a marriage, there are a proper set of rules as per the customs of the tribe. The practice of endogamous marriage is mandatory, and clan exogamy is considered to be a fundamental rule.

Dolma (2018)⁵¹ mainly focuses on the concept of custom, different types of customs and its validity. As per Salmond, the essential components for a valid custom are "it must be reasonable, accompanied by the intellectual element, must be consistent with statute law and common law" when it comes to customary practices, more focus is given to the morality, In the case of *Balaswami Reddiar v. Balakrishna Reddiar*⁵², "where a custom was pleaded of marrying a daughter's daughter, it was held illegal on the ground of immorality although it was a custom in Reddiar community of District to that effect" as customary laws are unwritten form which gives exhaustive ways/direction on their own implementation and interpretation. Moreover, customary practices and regulations are required in several ways to resolve codification errors and provide guidance to judicial interpretation. Gradually, customary practices are considered to be changeable with respect to development and modifications through interpretation.

Pill⁵³ shows that in modern society, the formation of new administrative policies is considered and how these new administration functions affect the traditional village council in rural areas. A detailed explanation is given upon exercising the village council in an authoritative position among the communities/tribes in Arunachal Pradesh. Daying Ering Commission of 1965 is said to be one of the prominent Commission adjudicated in favour of reorganising the village council. Subsequently, it recommended giving sufficient authoritative power to such traditional village councils. Additionally, the appointment of the village council chief must be according to the prevailing tradition and customary practices in the village/tribal society. In the Assam Frontier (Administration of Justice) Regulation of 1945, the village council grants enormous judiciary powers to the village council to look after the matters related to the civil and criminal disputes in the village, and such village council will function according to their prevailing customary laws. Here directly customary laws are given the legality as per the Assam Frontier (Administration of Justice) Regulation of 1945.

⁴⁸ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

⁴⁹ S.M. Patnaik, "Nyibu Agom: The sacred lore of Adi of Arunachal Pradesh" 36 *Indian Anthropologist* 18 (2006).

⁵⁰ Dr Parul Dutta, *the Wanchos*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁵¹ Sonam Diki Dolma, "Violation of Rights of Women under Customary Laws of marriage Divorce and Inheritance in Sikkim a plea for reforms" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on February 17, 2023).

⁵² AIR1957, Mad.

⁵³ Moni Pill, "The village authority and administration of justice in Arunachal Pradesh" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 21, 2023).

Yang and Chaun (2022)⁵⁴ state a detailed discussion on moreover, related factors like ideals, customs, tradition and modernity (universal principles) emphasise upgrading the legal system with respect to unification and bringing a space to the advancement or modernization of the rule of law. The foundation of the rule of law was based on traditional customary laws. Here, the main focus is analysing the customary laws at the grassroots level and their judicial adjudication; moreover, it studies the interconnection between the local and statutory laws.

Research Objectives

The researcher established objectives for achieving a comprehensive study of the research topic.

- i. To examine customary practices of the marriage of the Wanchos tribe of Arunachal Pradesh.
- ii. To examine the challenges Arunachal Pradesh Scheduled Tribe women suffered due to the prevailing practice of polygamy and forced marriage.
- iii. To analyze the APRM Act, 2008, its applicability and effects on the APST women's rights.
- iv. To analyze the role of the tribal/village council in providing adequate redressal to women against polygamy or issues related to marriage.

Research Questions

The researcher created a particular assortment of questions to accomplish the desired outcomes of the research.

- i. What is the nature of basic customary laws related to marriage specific to the Wanchos tribe?
- ii. Is the APRM Act, 2008 effectively implemented?
- iii. What is the role of the village council and tribal women's participation in imparting justice to tribal women of the Wanchos tribe in Arunachal Pradesh?

III. RESEARCH METHODOLOGY

To achieve the aim and objectives of this study, the researcher incorporated doctrinal and non-doctrinal research methods. Both primary and secondary sources are referred to accomplish the basic framework of the study.

Research Design

The study involved qualitative and quantitative research on matrimonial practices in the Wanchos tribe of Arunachal Pradesh. The researcher employed purposive sampling to collect the data.

Mode of Citation

The mode of citation referred to in the completion of the present study is that of the Indian Law Institute (ILI) reference style.

Universe of the Study

The study has been carried out among the principal tribe – Wanchos tribe in the Longding District of Arunachal Pradesh.

Sources of Data Collection

Methods: The researcher used both doctrine-based and non-doctrine-based research methodologies to accomplish the study's goals and objectives.

Doctrinal Research Method: The researcher uses a doctrinal method to lay the framework for the study. It primarily focuses on case law, articles, journals, and various other legislation on the subject of matrimonial practices. Both primary and secondary sources were referred to accomplish the basic framework of the study.

Primary Sources: It included Statutes, regulations, and case laws.

- Constitution of India
- I.P.C, 1860.
- Arunachal Pradesh Recording of Marriage Act, 2008.
- Societies Registration (Extension to Arunachal Pradesh) (Amendment) Act, 2008.
- The Arunachal Pradesh Civil Court Act, 2021.
- The Assam Frontier (Administration of Justice) Regulation, 1945.

⁵⁴ Juanjuan Yang and Tee Boon Chaun, "Evaluation and Analysis of Traditional Customary Law Based on the Perspective of Big Data" available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9213163/>, (last visited on February 18, 2023).

Secondary Sources: These included books, articles, journals, newspaper articles, and government reports.

Non-doctrinal research method: To achieve the purposes of the study, the researcher used a non-doctrinal methodology. To learn more about traditional marriage customs among the Wancho tribe of Arunachal Pradesh, the researcher used a Google questionnaire survey and interviews with local notables.

IV. MATRIMONIAL PRACTICES OF THE WANCHO TRIBE OF ARUNACHAL PRADESH/STUDY

4.1 Introduction

It is considered one of the principal tribes in Arunachal Pradesh and is known as the Wancho. The Tissa River, a mighty river, splits the Tirap district in two, creating a northwestern and a south-eastern portion.⁵⁵ According to the 2011 census, 56,866 Wancho people live in the isolated Patkai range on the periphery of India. This area stretches from the edge of Assam to beyond the point where the community is divided by the international boundary with Myanmar.⁵⁶ Wanchos is divided into the Middle Wancho, Lower Wancho, and Upper Wancho groupings based on dialectical differences. Upper and lower Wancho can have a limited amount of conversation. Extreme upper and lower Wanchos, however, rarely comprehend one another. But since upper Wancho can understand lower Wancho dialects, lower Wancho's dialect has gained popularity.⁵⁷

The royal family known as Wangham is in charge of the four clans that comprise the Wancho community's social structure. The chief, also known as the Wangham, is the top authority in each Wancho village.⁵⁸ The senior royal wife of the chief's eldest son holds supreme authority under the hierarchical system. The leaders had extraordinary influence in the past; they controlled law and order, planned raids on other settlements, and arbitrated conflicts.⁵⁹

The Wancho leaders still generally determine a schedule for crop production today, and they also still demand tribute from the peasants in the form of grain, beer, and meat. The smaller villages that separated from, the bigger paramount towns helped with the work of defence and provided housing for an overabundance of people.

The Wangham of the principal village is also honoured by these auxiliary villages.⁶⁰ The word "jen" refers to a clan or familial group. The Pangjen and the Wangjen are thought to have descended from different patriarchal lineages; some well-known Pangjen names are Azangham, Chema, Jamikhan, Panglaham, Tikham, and Zlabam. Class distinction, which is unusual among the Noctes, is a feature of Wancho society.⁶¹ The Wanchos are divided into four classes based on their marital status. Each class is given social respect in accordance with its rank and position within the social hierarchy.⁶²

According to traditional customs, ladies can get married when they are 10 to 20, and boys can get married when they are 15 to 30. Forced recruitment by terrorist activities in the region's tribal communities is the root cause of the practice of child marriage and forced marriage.⁶³ There are two significant divisions in Wancho society and

⁵⁵ "Wancho History-Central Institute of Indian Languages" available at <http://lisindia.ciil.org/Wancho/Wancho>, (last visited on April 26, 2023).

⁵⁶ Tara Purnima Douglas, "Wancho-Upholding the Tribal Traditions of Arunachal Pradesh" available at <https://articulate.org.in/wancho/>, (last visited on April 26, 2023).

⁵⁷ "Wancho History-Central Institute of Indian Languages" available at <http://lisindia.ciil.org/Wancho/Wancho>, (last visited on April 26, 2023).

⁵⁸ Tara Purnima Douglas, "Wancho-Upholding the Tribal Traditions of Arunachal Pradesh" available at <https://articulate.org.in/wancho/>, (last visited on April 26, 2023).

⁵⁹ *Ibid.*

⁶⁰ Tara Purnima Douglas, "Wancho-Upholding the Tribal Traditions of Arunachal Pradesh" available at <https://articulate.org.in/wancho/>, (last visited on April 26, 2023).

⁶¹ Pranjana Das, "Wancho through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

⁶² *Ibid.*

⁶³ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

Wangjen is first, followed by Pangjen. The Wangjen are chiefs, members of the royal family, and ordinary people who make up the Pangjen.⁶⁴

The Horang Toisam, or traditional marriage system, and the Horann Toisam, or modern marriage system, which to some part still resembles the traditional one, are two main categories into which the wancho marriage system can be placed. Except for royal marriage, where the Rampa performs specific ceremonies, priests are often not involved in marriages. Relatives participate in chanting and ceremonies at commoners' weddings.⁶⁵ The wancho society indulges in the unrestricted mingling of young boys and girls and merely insists on the observance of the rules of clan exogamy in their affairs, despite the fact that the tribe primarily practises endogamous marriage and does not permit marriage outside the tribe.⁶⁶ The subsequent essential guideline is clan exogamy and marriage inside a clan is viewed as incest and is never allowed.⁶⁷ The Wanchos celebrate Khetham as a sign that both boys and girls have reached adulthood. Following this ritual, the boy could join Paa as a member, which is social approval for marriage.⁶⁸ Once a girl reaches puberty, she must also formally become socially accepted as a woman to comply with tradition. She gets a tattoo (huhtu) during an annual celebration called Shheko Khethml.⁶⁹

Even though it is not socially taboo, most people still engage in monogamy. The apparent cause of this restriction is financial circumstances. The Chiefs enjoy the right to polygamy, a sign of social standing, prominence, and authority in chiefs. It also provides a means of obtaining sufficient workers to manage significant businesses and maintain vast properties.⁷⁰ The wanchos selected girls from the Panjan clan who play the role of obedient wives—another extra hand in the field and house—and serve as the primary justification for the wanchos' polygamy marriage practice. The child of the wanchos father and wanchos mother is the wangsas, who has no legitimate claim to take possession of the royal property. The obligatory marriage to a childless brother's widow is performed by the deceased's elder or younger brother under moral obligation.⁷¹

4.2 Marriage Procedure and Rituals

There are two types of marriage processes: The royal marriage system and the Commoner marriage system.

4.2.1 Royal Marriage System

Wangham Halam Toisam is the Wancho term for the royal wedding. According to tradition, the Wangham must wed at least two women: a Wangcha (princess) from a different village and a Shahton Wangnu, a wife from the commoner clan in the same village. Polygamy practice is nearly a must in the Wangham system.⁷² The chief can have two or three wives, depending on social customs. Due to tradition, three wives are required: the Wangcha queen, who safeguards and accompanies the Wangham; Wangnu Shahton-nu, a wife from a common clan who executes the ceremonies for the Wangham; and Mongkan Wangnu, a wife who is in charge of the remaining work.⁷³

Respondent 1 (Y1) – In the Wanchos tribe, child marriage, polygamy, and levirate marriages existed in older times. However, these days such marriages are not practised, and forced marriage is considered a crime and prohibited in all forms. Polygamous marriage is not allowed under the customary laws of the Wanchos tribe, with an exception for the chiefs (Wangham). This arrangement was done to allow the chief and queen to attend to the daily village matters while his other wife (wangnu) would look after the daily household chores of the chief.

A committee consisting of Wangsu, Wangsas, and proficient orators chooses a girl from the royal family of a different village to be the new queen. She is presented with gifts as a sign of a marriage proposal if the entire group is happy, and she confirms. An "Orok (traditional method of prediction) rite" is subsequently carried out

⁶⁴ Pranjana Das, "Wanchos through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

⁶⁵ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

⁶⁶ Dr Parul Dutta, *the Wanchos*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁶⁷ *Ibid.*

⁶⁸ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

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⁷⁰ Dr Parul Dutta, *the Wanchos*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁷¹ Pranjana Das, "Wanchos through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

⁷² Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

⁷³ *Ibid.*

to predict the outcome of the intended marriage.⁷⁴ The other ceremonies were afterwards conducted as "Hamnap"; in this ceremony, the first day that the bride stays in the groom's residence is celebrated. This day is also known as "Toisam." At Wangham's front door, the priest sacrifices an animal as part of a rite.⁷⁵ Wangcha Samm (marriage): The ceremony, as it is known, is carried out, and the future husband-wangham plans celebrations and a communal feast. Via folk songs, the villagers will joke around and exchange information.⁷⁶ One of the most notable customary laws is called "Hamkam" in this tradition, which is a formality to assume parental responsibility for the princess because her original parents are distant from her. However, "new" parents from her husband's village area take over raising the queen. As a result, these guardian-parents would be asked to mediate or settle any disputes between the couple.⁷⁷

The customary laws permit Kings to marry commoners in polygamous marriage; in the marriage of wangnu, a girl is engaged with the Wangham when she is still a child. When she attains puberty, the wangham spends time with her. A wangnu leaves for her wangham husband's place to bear a child. Wangsa- boy child of a wangham and wangpan mother or wangsacha- girl child starts living there.⁷⁸ Even though tattooing is performed at numerous phases of life, it is not associated with the various stages of marriage in the particular case of a chief's daughter.⁷⁹

Respondent 5 (Y5)- Wangnu's job entails caring for the queen, the king's guests, and the housework for the king. Unfortunately, she has not been accorded any social standing despite the wangnu giving her the title of the king's wife and to conceive a child. No rights, respect or privileges were given to them.

4.2.2 Commoner marriage system

It is customary for parents to negotiate before a child marries because there is no set age for marriage. Rites and rituals are not observed in levirate, sororate, and love marriages.⁸⁰ Exchanges of sali, a mixture of betel nuts, betel leaves, lime, and tobacco, between the boy's and girl's parents are considered important marriage rituals. It serves as a proposal and an endorsement. Denying a marriage proposal from the female side is refusing to accept.⁸¹ After the parents' approval and the Hawanle or Toi-Mon-Mok rite, held after the girl reaches adulthood, the diviners deliberated for a day.⁸² On this day, the girl visits the groom's home with a group of friends, where they will be delighted at a feast until the girl comes back to her home. Now that they are officially engaged, she can spend time with the boy at will. The boy and the girl are a couple since he can visit her.⁸³

The girl gets a tattoo on her thigh when she becomes pregnant. She travels with family members to her husband's home after the tattooing procedure, known as be-hu-tu, is celebrated with a feast for the relatives.⁸⁴ She gathers all the essential ingredients, including cooked rice, fish, rice beer, meat, etc., and gets the tattoo known as Kha Huttu on her breasts.⁸⁵ The girl stays behind in her husband's home, and her family members return. Before getting married, the boy side has to provide the girl with all the necessary materials (clothes, a beaded necklace, a pair of bangles, etc.). The sole official documentation of the various phases of marriage exists in tattoos, which are applied on days determined ceremonially by divination.⁸⁶

Respondent 6 (Y6)- it is also necessary for the girl to be considered mature enough for marriage; to be considered so, certain rituals are conducted under the Wancho tribe. For example, a ritual marking a tattoo on a

⁷⁴ Ibid.

⁷⁵ Dr Parul Dutta, *the Wancho*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁷⁶ Pranjana Das, "Wancho through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

⁷⁷ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

⁷⁸ Pranjana Das, "Wancho through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

⁷⁹ Dr Parul Dutta, *the Wancho*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁸⁰ Ibid.

⁸¹ Pranjana Das, "Wancho through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

⁸² Dr Parul Dutta, *the Wancho*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁸³ Ibid.

⁸⁵ Dr Parul Dutta, *the Wancho*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁸⁶ Pranjana Das, "Wancho through history" available at <https://shodhganga.inflibnet.ac.in/handle>, (last visited on April 26, 2023).

girl's leg and shoulders makes her eligible for marriage. When the procedure for marking tattoos is done on a girl's leg, boys are supposed to give gifts such as paan and beetle nuts as a ritual.

One significant customary rule in the framework of the commoner's marriage system is Paa Thamm Nap: The Paa members visit the residence of the bride's family and numerous places of residence of the girl's family's relatives because these individuals (Paa members) will ultimately serve as witnesses in the event of any disputes.⁸⁷ There is no bride price or dowry system among this tribe of Arunachal Pradesh. Still, the bride's side is presented with commodities like endi⁸⁸ cloth, rice beer, betel leaves, meat, beads, ornaments, and other essential items during the negotiation and wedding.

4.2.3 Divorce

On payment of a fine and under certain conditions, a man may acquire a divorce, such as if his wife is infertile, unreliable, and unable to assist him in farming or if she is argumentative, morally dubious, or engages in adultery.⁸⁹ The above-mentioned conditions are termed grounds for divorce in the Wancho tribe. However, society does not encourage the concept of divorce. On the same grounds, if she is dissatisfied with him, a woman may likewise file for divorce from her spouse. However, divorces between spouses are very rare. The village elders are presented with requests for divorce, which they analyze and decide upon.⁹⁰ The penalty varies depending on the circumstances of each instance. The chief is fined before the divorce is formally finalized, and the aggrieved party is given compensation.⁹¹

Respondent (Y3) - Also, after marriage, the village councils act as a mediator for resolving marriage issues if the same is unable to get fixed via family members. Initially, they leave the couples only with warning and heed their counselling. If the same repeats, the council can also make the family pay some penalties for creating unrest in society. However, even after all the counselling, if the couples cannot resolve their differences, then the two are proposed to get a divorce by the council members.

4.3 An Analysis of Arunachal Pradesh Recording of Marriage Act, 2008

Further, the marital practices of Arunachal Pradesh can be understood in better form under the purview of the "Arunachal Pradesh Recording of Marriage Act, 2008". This Act of 2008 deals with recording marriage and providing marriage certificates to the married pair.⁹² As per this Act, it states that "All marriages solemnized on or after the commencement of this Act in the State in any form recognized under the personal law or custom applicable to parties (husband and wife) or either of them shall be compulsorily recorded in accordance with the provisions of this Act".⁹³ Under this section, indigenous people's customary rules and traditions are acknowledged under this provision and apply to legally recognized marriage unions in Arunachal Pradesh. There are other prominent provisions of the Act to ensure better regulation of this Act at ground level, "The State government may appoint or designate an officer to be marriage reporter; a, for each urban areas to be known as urban areas marriage reporter, b for each rural areas to be known as rural areas marriage reporter." in accordance with this clause, attention is primarily focused on the state's urban and rural areas by assigning qualified marriage reporters to keep tabs on married couples living in the area.

Chapter III of the Act deals with the procedure of recording, "all marriages solemnized under this Act shall be recorded in the manner provided hereinafter"⁹⁴, "the male partner to a marriage shall and the female partner may within sixty days from the date of his/her marriage, either intimate orally about the marriage to the Sub-Divisional Marriage Recorder or the marriage reporter having jurisdiction over the area in which the marriage as contracted or to such person or authority as may be prescribed; or prepare and sign a memorandum in Form A, obtain signature/thumb impression or both the spouses and signature/thumb impression of two witnesses of the locality with full address thereon and shall deliver in person or by registered post to the Sub-Divisional Marriage

⁸⁷ Dr. Manlong Ranlongham, *Traditional systems of the Wanchos of Arunachal Pradesh* (Vivekananda Kendra Institute of Culture, Guwahati, 2008).

⁸⁸ Eri silk known as endi fabric – the woolly white silk.

⁸⁹ Dr Parul Dutta, *the Wancho*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁹⁰ Dr Parul Dutta, *the Wancho*, (Directorate of Research, Government of Arunachal Pradesh, Itanagar, 1990).

⁹¹ *Ibid.*

⁹² "The Arunachal Pradesh Recording of Marriage Act, 2008" available at https://prsindia.org/files/bills_acts/acts_states/arunachal-pradesh

⁹³ Arunachal Pradesh Recording of Marriage Act, 2008 (Act no. 1 of 2009), s. 3.

⁹⁴ Arunachal Pradesh Recording of Marriage Act, 2008 (Act no. 1 of 2009), s. 7 (1).

Recorder (DMR) or Marriage Reporter (MR) having jurisdiction over the area in which the marriage was contracted”⁹⁵ The process for officially recording a marriage is detailly described in this section. Here, individuals were given a choice to disclose their marriage to any marriage reporter verbally, and any partners may divulge this information within sixty days after their wedding date. The other formalities were considered, such as the spouses' signature or thumb impression, two witnesses of their region, and their proper address. These mentioned criteria should be forwarded to “the Sub- Divisional Marriage Recorder or the Marriage Reporter.”

“In the case of oral intimation of marriage, the Marriage Reporter or the Sub-Divisional Marriage Recorder (SDMR) to whom the information is given shall duly fill in Form A and obtain thereon signature or thumb impression of either of the spouses to the marriage and two witnesses.” when a spouse announces their marriage verbally, it is an obligation for “the Marriage Reporter or Sub-Divisional Marriage Recorder” to accurately fill out Form A to comply with the information they have obtained. Other requirements must be accomplished by getting the spouses' signatures or thumbprints and those of the two witnesses.

Challenges Tribal Women Suffered due to Prevailing Practice of Polygyny and Levirate Marriage

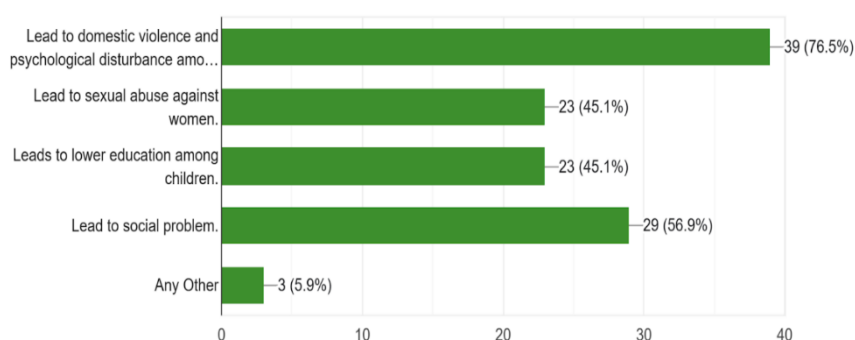
Table 1 – Responses Related to Challenges tribal women suffered due to Polygyny and Levirate Marriage in Society

Which of the following that you think is the main reason that led to polygamy marriage?					
No. of People	To avoid Social Problems	Poverty	Financial	Family Support	Any Other
51	20	5	7	4	15

The graph above highlights indigenous women's significant hardships due to the widespread practice of polygamy and levirate marriage. One of the main issues is domestic violence and psychiatric disorders among wives, which account for 76.5% of all obstacles. Other issues include societal problems (56.9%), sexual assault of women (45.1%), lower education levels among women and children (45.1%), and other issues (5.9%). One of the prominent challenges is domestic violence and psychological disturbance among wives and social problems, which creates a disbalance between families and society. To ensure the safety of women and children, people should inform about such domestic violence to NGOs or any other organization that can provide adequate relief.

5. What are the challenges tribal women suffered due to prevailing practice of polygyny and levirate marriage? (Select multiple choices)

51 responses



⁹⁵ Arunachal Pradesh Recording of Marriage Act, 2008 (Act no. 1 of 2009), s. 7 (2) (a).

Figure 1 Challenges Tribal Women Suffered due to Prevailing Practice of Polygyny and Levirate Marriage.

Awareness of the Arunachal Pradesh Recording of Marriage Act, 2008

Table 2- Responses on awareness among people regarding Arunachal Pradesh Recording of Marriage Act, 2008?

Are you aware of the Arunachal Pradesh Recording of Marriage Act, 2008?			
No. of People	Yes	No	Any Other
51	18	31	1

As mentioned above, the chart provides an impression of the respondent's knowledge regarding "the Arunachal Pradesh Recording of Marriage Act, 2008." At the same time, some of them are aware of "the Arunachal Pradesh Recording of Marriage Act, 2008" (36%). On the other hand, most of them are unaware of the fact (62%). Most people do not know about the Arunachal Pradesh Recording of Marriage Act, 2008. Therefore, as required by "the Arunachal Pradesh Recording of Marriage Act, 2008," individuals lack the necessary information to register marriages and get marriage certificates. In light of this, keeping track of polygamous marriages is difficult because the government does not maintain accurate records of the married pair.

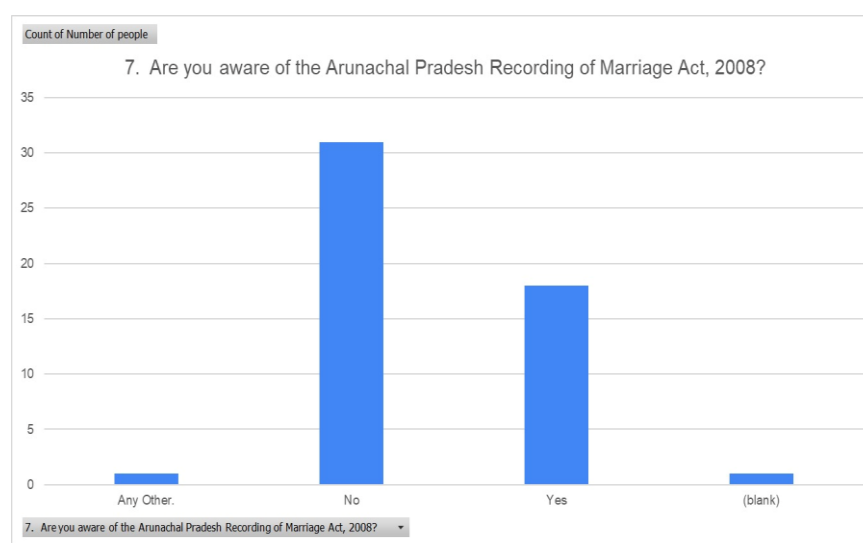


Figure 2 Awareness on the Arunachal Pradesh Recording of Marriage Act, 2008.

Status of Rural or Urban Areas Marriage Reporter in the Area

Table 3- Responses regarding Rural or Urban Areas Marriage Reporter status in the Area

Does any Rural or Urban Areas Marriage Reporter (as per Section 6 of the Arunachal Pradesh Recording of Marriage Act, 2008) have been appointed in your area?				
No. of People	Yes	No	Any Other	Blank
51	9	31	9	2

The chart indicates the respondent's knowledge of the appointment of any rural or urban area marriage reporters in their localities (according to "section 6 of the Arunachal Pradesh Recording of Marriage Act, 2008)." Around 63.3% of respondents do not know of any rural or urban marriage reporters in their area. While 18.4% of respondents are aware of this fact, 18.4% of respondents have chosen any other option.

As per the data above, the researcher got this information: there is no proper awareness about "the Arunachal Pradesh Recording of Marriage Act, 2008." To some extent, the proper implementation of this Act is lacking at the ground level.

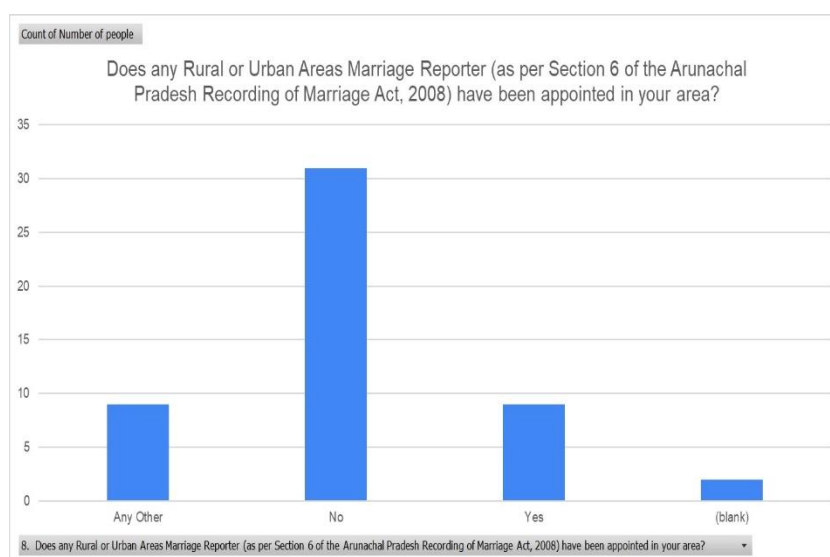


Figure 3 Status of Rural or Urban Areas Marriage Reporter in the Area.

Public Option on new Legislation that Would Abolish Polygamy and Restore Women's Rights in Arunachal Pradesh

Table 4. - Responses related to public option on new Legislation against Polygamy and Restoring Women's Rights in Arunachal Pradesh.

Do you support passing legislation that would abolish polygamy in Arunachal Pradesh and restore women's rights to society?			
No. of People	Yes	No	Blank
51	47	2	2

The graph above shows the percentage of respondents who favour legislation prohibiting polygamy in Arunachal Pradesh and reinstating women's rights in society. 95.9% of the respondents gave the researcher a favourable

response in this case, indicating that they favour legislation prohibiting polygamy in Arunachal Pradesh. However, 4.1% of the respondents do not want such a transformation to occur in society. 95.9% of the respondents have supported legislation prohibiting polygamy in Arunachal Pradesh. I believe that people understand the adverse consequences of such a marriage. It creates social problems, domestic violence, and psychological disturbance among wives and children. Further, the state government should enact stricter rules to prohibit such wrongdoing. “The Arunachal Pradesh Recording of Marriage Act, 2008,” should be amended to include any law prohibiting polygamous marriage.

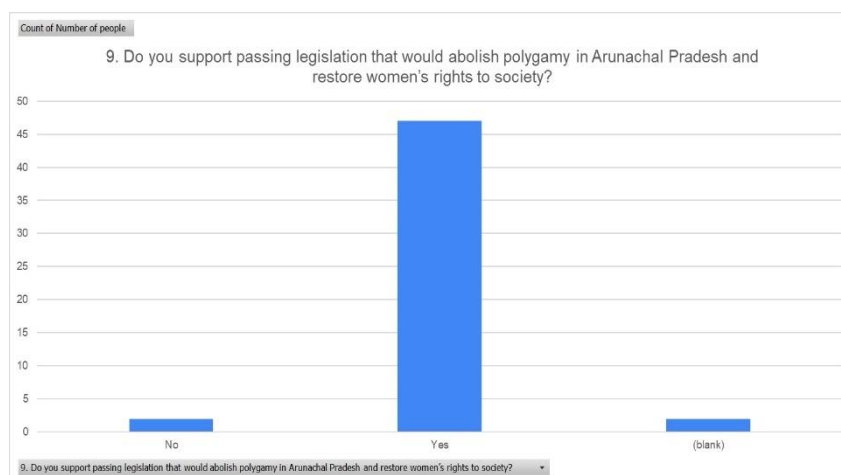


Figure 4 Public Response on New Legislation Against Polygamous Marriage

Interview Method

Additionally, the second is based on the unstructured questionnaires and face-to-face interviews for associated members of the village council, women representatives of the All Wancho Women Welfare Society (AWWWS), district adult education officer and senior citizens.

Table 5- List of Interview Respondents

No.	SUBSEQUENT NAME.	NAME OF RESPONDENTS	DESIGNATION
1.	Y1	Mr. Shompha Wangsa	President of Wancho Council.
2.	Y2	Mr. Akhun Jamikham.	Gaon Bura of the Ranglua Village, District- Longding.
3.	Y3	Mr. Hatwang Wangham.	President of Chanu Village Council.
4.	Y4	Dr. Manlong Ranlongham	District Adult Education Officer.
5.	Y5	Mrs Liphe Wangcha.	Senior Advisor of Nyosa Women Welfare Society.
6.	Y6	Mrs. Senngam Wangcha.	Senua Village Wangcha.

V. CONCLUSION

In the study mentioned above, the researchers developed a comprehensive set of three research questions to learn more about the crucial customary laws of marriage for the Wancho tribe, the effectiveness of “the Arunachal Pradesh Recording of Marriage Act, 2008,” the significance of the village council, and the involvement of women in eradicating such detrimental customs. Using the interview technique and the Google questionnaire form medium, obtain responses to the abovementioned questions. Responses to the original study question, which clarified the essential customary criteria of marriage and the generally believed conceptions of royal marriage and common marriage, came from interviews with prominent locals.

Findings for Research Questions

The research found many aspects regarding the fundamental customary laws of marriage for the Wancho tribe, the efficiency of “the Arunachal Pradesh Recording of Marriage Act, 2008”⁹⁶, the significance of the village council, and women's engagement in eradicating such detrimental customs. To acquire responses to the aforementioned questions using the interview method and the Google questionnaire form medium. Interviews with the local notables provided answers concerning the initial research question that elucidated the customary core marriage standards and the widely held notions of royal marriage and common marriage.

5.1.1 Marriage under customary laws of the Tribe

In accordance with customary rules, royal weddings have the prerogative to adhere to polygamous marriage; however, commoners are not permitted. Such a practice is motivated by the philosophy of gathering handmaidens for domestic labour, and such commoner women were additionally assigned the title of Wangnu. It became apparent through the analysis that Wangnu and their children are not entitled to any of the chief's assets or property. Nowadays, financially secure commoners have begun to engage in polygamous marriage, which has resulted in domestic violence, sexual assault, and psychological harm to wives and children.⁹⁷ Furthermore, it has been found that the public lacks awareness of polygamous marriage as “a punishable offence under the Indian Penal Code,”⁹⁸ which facilitates such wrongdoing. The concept of polygyny (one man has multiple wives) is widely recognized and practised by various tribes of the state. In contrast, the people consider polyandry (one woman has multiple husbands) immoral and repugnant, leading to punishment or fines for women resulting in many tribes of Arunachal Pradesh.⁹⁹

5.1.2 Implementation of Arunachal Pradesh Recording of Marriage Act, 2008

The effectiveness of “the Arunachal Pradesh Recording of Marriage Act, 2008,” has become the focus of the second research concern. Field findings, including the Google questionnaire survey executed in the Longding area of Arunachal Pradesh, answered this specific query. Even though this Act was passed in 2008, few individuals are aware of it now, and people don't even consider registering their marriages or marriage certificates. This resulted in a lack of accurate marriage records in the region, which eventually undermined the primary objectives of “the Arunachal Pradesh Recording of Marriage Act, 2008.” Church officials are indispensable in assisting the couple with their marriage documentation, and the village council also offers non-objection certificates to locals who seek to legalize their marital relationships. Furthermore, it became apparent that most respondents were unaware that marriage reporters had been assigned to either the urban or rural parts of their neighbourhood, indicating that not many people were aware that these reporters were assigned to record marriages in the area.

5.1.3 Foundation of the Village Council in Wancho tribe

The third research question's objective is to determine the significance of the village council's position. Various intellectuals in the area were questioned as part of this interview to comprehend the fundamental structure of the

village council and its obligations. Based on the information gathered, the village council reportedly operates mainly in compliance with customary laws. The president of the village council of the Wancho tribe will be the chief (Wangham). This was also acknowledged by the state government, which is why the Arunachal Pradesh Civil Court Act, 2021¹⁰⁰, was enacted to recognize the traditional legal system of these tribes. Section 3 (e) of the Act ¹⁰¹grants these village councils the authority of the civil court and names them customary courts in the state.

5.1.4 Participation of Tribal Women to restore their rights

Additionally, it was later found “the Arunachal Pradesh State Commission for Women” participated and initiated “the Arunachal Pradesh Marriage and Inheritance of Property Bill, 2021,” to reinstate women’s property and marital rights; it was mainly targeted at eradicating widespread polygamy in the state. Unfortunately, criticism from numerous political figures and student union organizations prevented the state administration from implementing it. Furthermore, the researcher has not found any women representatives in the village council. However, the establishment of All Wancho Women Welfare Society indicates women's active participation.

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