

CHAPTER-4

SOCIAL CONTROL SYSTEM

4.1 Social Control System:

Every human community, whether small or large, traditional or modern, rural or urban, survives and functions through a set of shared rules, values, and norms that regulate individual and collective behavior. These regulating mechanisms together form what sociologists describe as the social control system of a community. The social control system plays a crucial role in maintaining social order, ensuring conformity to accepted standards, preserving cultural continuity, and promoting harmony among members of society. Without such a system, social life would be chaotic, unpredictable, and unstable. According to Roucek, “*Social control is a collective term for those processes, planned or unplanned, by which individuals are taught, persuaded, or compelled to conform to the usages, and life-values of groups*”.¹ Thus, the study of social control is central to understanding how communities sustain themselves over time. At its core, a social control system refers to the processes, institutions, customs, beliefs, and practices through which a community influences, directs, and restrains the behavior of its members in accordance with socially accepted norms and values. These systems are not always formally codified; often they exist in the form of traditions, moral codes, religious beliefs, customs, and informal sanctions that guide behavior subtly yet effectively. In this sense, social control is not merely about punishment or coercion, but also about socialization, moral education, and collective responsibility.

From early human societies to contemporary nation-states, social control has evolved in response to changing social, economic, and cultural conditions. In primitive and tribal communities, social control was largely informal and collective, enforced through customs, kinship obligations, religious taboos, and communal pressure. In contrast, modern societies rely more heavily on formal institutions such as law, police, courts, educational systems, and administrative authorities. However, even in modern

¹ Rawat, H.K., *SOCIOLOGY Basics Concepts*. Reprinted. Prem Rawat, Rawat Publication, Ansari Road, Daryaganj, New Delhi. 2015. p. 316

settings, informal social controls, such as family influence, peer pressure, public opinion, and media continue to play a significant role alongside formal mechanisms. A community's social control system reflects its core values and worldview. What a community defines as right or wrong, acceptable or unacceptable, sacred or profane, is deeply embedded in its cultural and historical context. For instance, communities rooted in strong religious traditions may rely heavily on moral teachings, rituals, and religious authority to regulate behavior. Similarly, communities with strong kinship structures may emphasize respect for elders, obedience, and collective honor as tools of social control. Thus, social control systems are not uniform; they vary across societies and communities based on culture, religion, economic organization, and historical experience.

The primary purpose of social control is to maintain social order and stability. Social order refers to a condition in which social relationships are predictable, cooperative, and governed by shared norms. Through social control, communities ensure that individuals internalize social values and behave in ways that support collective well-being. This internalization process begins early in life through socialization, where institutions such as the family, school, and religious organizations teach individuals what is expected of them. Once internalized, norms guide behavior even in the absence of external supervision, making social control more effective and less coercive. Another important function of the social control system is the prevention and regulation of deviance. Deviance refers to behavior that violates established norms and values. While some degree of deviance is inevitable and even necessary for social change, unchecked deviance can threaten social cohesion. Social control mechanisms such as ridicule, ostracism, fines, or legal punishment serve to discourage behavior that undermines social harmony. In many traditional communities, informal sanctions like social boycott or public disapproval are often more powerful than formal punishment because individuals place high value on community acceptance and honor.

Social control systems also play a vital role in conflict resolution. In every community, conflicts arise due to competing interests, misunderstandings, or violations of norms. Traditional communities often rely on elders, councils, or customary institutions to mediate disputes and restore harmony. These mechanisms emphasize reconciliation, collective responsibility, and moral correction rather than punitive

justice. In contrast, modern communities tend to rely on formal legal systems that prioritize rule of law and individual rights. Both approaches reflect different philosophies of social control but aim at the same goal social stability. According to Roberts, “*the term social control refers to the techniques and strategies for regulating human behavior in society*”.² An essential feature of any social control system is the distinction between formal and informal control. Informal social control operates through unwritten rules and spontaneous reactions of society, such as praise, criticism, gossip, ridicule, and social exclusion. It is exercised by primary groups like family, peer groups, and neighborhood communities. Formal social control, on the other hand, is institutionalized and codified in laws, rules, and regulations enforced by designated authorities. Schools enforce discipline codes, religious institutions impose moral discipline, and the state enforces laws through police and judiciary. Together, these two forms of control create a comprehensive framework that governs social behavior.

The effectiveness of a social control system depends largely on the legitimacy and acceptance of its norms by community members. When individuals believe that social rules are just, meaningful, and aligned with their values, compliance becomes voluntary rather than forced. Conversely, when social control mechanisms are perceived as oppressive or disconnected from community values, resistance and deviance may increase. Therefore, social control is most effective when it is rooted in shared beliefs, mutual respect, and participatory decision-making. In the context of traditional and indigenous communities, social control is deeply intertwined with culture, religion, and customary law. Rituals, myths, folklore, and collective ceremonies reinforce moral values and social expectations. According to Horton and Hunt, “*Sociologists use the term social control to describe all the means and processes whereby a group or a society secures its members’ conformity to its expectations*”.³ Elders and religious leaders often serve as custodians of social norms, guiding behavior through wisdom and example rather than coercion. Such systems emphasize collective identity and social harmony over individual autonomy. Even in the face of

² Op-cit. Rawat, H.K., *SOCIOLOGY Basics Concepts*. Reprinted. Prem Rawat, Rawat Publication, Ansari Road, Daryaganj, New Delhi. 2015. p. 317

³ Ibid.

modernization, many communities continue to rely on these traditional forms of social control to preserve cultural identity and social cohesion.

In modern societies, however, rapid social change, urbanization, globalization, and technological advancement have significantly transformed social control systems. The decline of traditional institutions, weakening of kinship ties, and increasing individualism has reduced the influence of informal social control. As a result, formal mechanisms such as law enforcement, surveillance, and bureaucratic regulation have become more prominent. At the same time, new forms of social control have emerged through mass media, social networks, and digital platforms, shaping behavior through information, persuasion, and public visibility. Despite these changes, the fundamental objective of social control remains the same to balance individual freedom with collective responsibility. A healthy community does not seek to suppress individuality but to channel it in ways that contribute to social well-being. Effective social control systems allow space for diversity, creativity, and change while maintaining a core framework of shared values and norms. The social control system of a community is a foundational aspect of social life. It encompasses a wide range of mechanisms, formal and informal, traditional and modern that regulate behavior, maintain order, resolve conflicts, and preserve cultural values. By shaping individual conduct and reinforcing collective norms, social control ensures the continuity, stability, and integrity of the community. Understanding the social control system is therefore essential for analyzing how communities function, adapt, and sustain themselves in an ever-changing social world.

4.1.1 *Bad Khanthi* (Customary Law):

Customary law is rooted in tradition, which can play a significant role in societal reformation by facilitating adaptation to changing circumstances and addressing issues that statutory law may not adequately address. It can be a vehicle for incorporating positive social changes while upholding traditional values. Customary law is called *Bad Khanthi* in Bodo language. The Bodo term '*Bad*' is used as social offence. However, it is important to acknowledge that some customary law practices may be harmful and require reform to ensure quality and justice. Actually, customary law is not static. It evolves over time and changes the social needs and circumstances by adaptation. Customary law can be a mechanism for incorporating new norms and values into the

social fabric or elements. It can be modified to address issues like gender equalities, religious hindrances, and social disputes or chaos, which reflects in the shifting of societal values. Customary law can provide alternative dispute resolution mechanism or address issues related to societal issues, which might not be covered by formal laws. By upholding established norms and customs, customary law can help maintain social order and stability. It fosters a sense community and shared identity, which can be a crucial in times of social change.

Customary law can be used to promote social justice and equity by addressing discriminatory practices or ensuring fair access to resources. Some customary law may be discriminatory or harmful, and require reform to ensure equality and justice. The application of customary law can be complex and may require careful consideration of its impact on different groups within a community. Customary law plays a significant role in the lives of indigenous communities, particularly in areas like dispute resolution and social norms. Efforts to promote social reform in the region should consider the need to balance the preservation of traditional values to with the pursuit of equality and justice, ensuring that customary law is used to empower communities rather than perpetuate discrimination.

The indigenous Bodo people of Goalpara district who worship Bathouism, and the *Goalpara Zila Boro Barodal* jointly established the customary laws based on the reformation of the society through the rituals, customs, and traditions. According to the customary law of Bodo society if someone violates the customary laws, then this person victimized as badua or social offence. These types of offences recognized as the anti-social person in the society. This kind of deeds means as the sin deed to God. Because, The creates distress in the life of human being when the person does anti social deeds , God never excuses this type of person indeed. Kameswar Brahma mentions about the *Bad* as, “*The Bodo term for offences of a social nature is bad. If some person does offences in the society particularly concerning moral turpitude, he is treated as a guilty person and is obliged to perform penance udrainai with some strict principles of morality.*”⁴ But, people convict to evil deeds without knowing the reason. The following rules have been strictly observed about the offences:

⁴ Brahma, Kameswar. *A STUDY OF SOCIO-RELIGIOUS BELIEFS, PRACTICES AND CEREMONIES OF THE BODOS*. First Edition. PUNIT PUSTAK, Calcutta. 1992. p. 39

(i) A person is recognized as morally guilty, if he is involved in illicit sexual relationship with female relatives, such as mother, daughter-in-law, sister-in-law, younger sister, elder sister, niece, wife of the younger brother or any other close female relative, if he touches the body of the wife of younger brother or of the elder sister of his wife, if he is engaged in bestiality and has sex relationship with a bitch, a female cow or a pig. If a man eats remainder food, such as food left half eaten by his wife, he is considered as guilty. If a man indulges in false accusation with the evil motive, it is also considered as social offence. In Goalpara district, the *Goalpara Jila Boro Barodal* is traditionally divided the offences into five categories. These are: (i) *Fongsloth Bad* or *Laokhar Bad* means purification small, (ii) *Daokhi Bad* means purification middle, (iii) *Khawali Bad* means Purification big, (iv) *Majkhila Bad* means Recovery small, and (v) *Agor Bad* means Recovery big.

If someone commits anti-social activities, which is not conformity to social order disturbing moral turpitude, then wrong door will be considered as social offence. The Bodos of Goalpara district treat the offender as '*Sua Janay*', i.e. becoming impure. In this context, *Goalpara Jila Bodo Barodal* executes purification process to purify the person by sprinkling pure water by the basil leaves, and this is called purification of the person in the society. In the purification process, a purifier is employed to complete the rites and rituals, the purifier is called '*Gwthari*' in Bodo language, i.e. the purifier. The Bodo society of Goalpara district follows specific kinds of purification rituals and for five types of *Bad*, i.e. the social offences, particular penance are used. These are discussed in the below:

4.1.1.1 *Fongsloth Bad* or *Laokhar Bad* (Purification Small):

The following offences are included under the *Fongsloth Bad*:

- (1) If someone goes to the newly born family.
- (2) If someone visits to a family before disposing carcass of animals.
- (3) If someone returns at home from cremation or burial, and funeral or death ceremony.
- (4) If someone touches the body of a young girl or any caste.
- (5) If someone eats the flesh and meat of the death creatures.

Purification processes: In this type of offences, *Hadwnggwra* and *Gwthari* are not needed for purification. Any one member of the family can purify by sprinkling the gold and silver soaking water with basil leaves in front of the courtyard of the family. It does not need the role of purifier. In this type of penance bow method is not used.⁵

4.1.1.2 *Daokhi Bad* (Purification Middle):

The following offences are included under the *Daokhi Bad*:

- (1) If someone is excreted by the crow, eagle, and vulture.
- (2) If scavengers, such as fox, crow, dog, and vulture abandoning carcass is carried out for disposal.
- (3) If worms bread maggot in human body.
- (4) If eagle and vulture sits on the roof of someone's house, courtyard, and *sijou bifang*, i.e. a kind of cactus plant or *euphorbia splendens*.
- (5) If a cow falls down in a well, then the owner will be considered as offender.
- (6) If a Bathou worshiper converts into other religion and reconverts to Bathou religion.
- (7) If a female person does not observe menstruation period and takes part in domestic activities.
- (8) If a new born baby is not purified within five days in case of male baby and within six days in case of female baby, then the parents will be considered as offender.
- (9) If any member of a family eats non-vegetable food before performing the funeral or death ceremony.

Purification processes: If someone comes under the jurisdiction of these offences, the person should be purified by the purifier under the vigilance of the village headman. On the day of penance, the offender needs to pay some rupees as honorarium to the purifier. If the offender cannot purify himself within the stipulated period, then the penance of the offender automatically step up to *Khawali Bad*, which is high rank than that of *Dawkhi Bad* in degree. In this connection, the offender cannot

⁵ Matilal Basumatary. (M. 78). Bangal Para, Goalpara.

use the water of his own well for purification purpose. The offender must use water from his neighbour's well for purification.⁶

4.1.1.3 *Khawali Bad* (Purification Big):

The following offences are included under the *Khawali Bad*:

- (1) If bullock or buffalo dies during tilling then the owner is considered responsible for the penance.
- (2) If someone is involved in the death of cow, bullock or buffalo during the time of fastening.
- (3) If someone is involved in the death of bullock or buffalo dies during the drawing of cart.
- (4) If someone eats the cooking, providing of the guilty person, and remaining food eaten by the guilty person.
- (5) If someone is beaten up by shoes, sandals, dirty broom sticks by any person.
- (6) If someone breaks, cuts, burns the leg, horn, tail of bulls and buffaloes.
- (7) If worm breeds maggot in someone's body for the second time.
- (8) If someone is beaten up by the followers of other religion rather than Bathouism.
- (9) If someone sells and buys his own kid, when his kids are not able to survive one after another.
- (10) If someone cuts the leg of cow, bullock, and buffalo or sets fire on their body.
- (11) If someone eats the food half eaten or left by his wife.
- (12) If someone confesses his illegal sex satisfaction on the dead body, the dead body must be purified before cremation or burial.

Purification processes: If someone commits in such type of incidents, the offender must confess, and needs to pay the amount for the penalty imposed on the person under the degree of penalty and must be purified by the purifier. The guilty person must be purified within three days. If he does not purify within three days, it transfers to the customary law of *Majkhila Bad*. In the provision of *Majkhila Bad*, the

⁶ Op-cit. Dinen Basumatary. (M. 81). Maj Para, Goalpara.

guilty male or female person needs to pay a fine of amount Rs. 10.00 (Rupees ten) for offence, and Rs. 20.00 (Rupees twenty) needs to pay as fine to the villagers.⁷

4.1.1.4 *Majkhila Bad* (Recovery Small):

The following offences are included under the *Majkhila Bad*:

- (1) If a person is involved in illicit sex practices with other religious person.
- (2) If someone takes meal at the house of deceased family before the performing of funeral or death ceremony. But, children can take meal at that family.
- (3) If a person eats any remaining food that offered to the deceased person.
- (4) If the nearest relative of a deceased family does not observe vegetable diet before observing the funeral.
- (5) If someone uses the money and things provided to the deceased person.
- (6) If worm breeds maggots three times on the body of a person.
- (7) If the relative of the deceased family does not obey the 'hobis'.
- (8) If the provided food for deceased person is eaten by someone.
- (9) If a person is provided funeral without proper information about his or her death, and if the person comes back to the home.
- (10) If a person is married again with his divorced wife.
- (11) If adopted baby by someone is again readopted by the original parents.
- (12) If a husband is beaten up by his wife.
- (13) If a person commits to suicide.

Processes of Purification: If someone is involved in these offences, the family must inform the village headman as soon as possible, the village headman suggests the family to purify the offender and overcome the offence. Generally speaking that under this *Majkhila Bad*, the *dhanu kar parachit*, i.e. the arrow bowing method or penance is applied by using materials. To purify the offender three-bows method is applied. The offender must arrange three chickens, three pairs of bows and arrows, and some rupees on the day of purification. In this three bows method, the purifier bows three pieces of chicken meat in the three directions by the three arrows in the name of three deities. In the east direction, one piece of chicken meat is bowed by one arrow in the name of *Saraswati*, i.e. the deity of knowledge to the sky, one chicken piece in the south

⁷ Matilal Basumatary. (M. 78). Bangal Para, Goalpara.

direction in the name of *Mainao Bima*, i.e. the deity of wealth, and another chicken piece in the west direction in the name of the *Bathou*, i.e. the supreme God.⁸

4.1.1.5 Agor Bad (Recovery Big):

The following offences are included under the *Agor Bad*:

- (1) If someone is committed sexual relationship with mother, step mother, aunty, uncle, elder sister, younger sister, daughter-in-law, mother-in-law, daughter, brother's wife, in this context they never marry each other.
- (2) If someone keeps sexual relationship with animals.
- (3) If someone marries with his niece, elder brother's wife, brother's wife.
- (4) If someone takes meal in the house of Muslim, Christian, Naga, Kuki, Khasi, Bhutanist, Abor, Oka, Lusai, Limbo. Garo, Cobbler, Swipper, in this connection the offender person must be purified.
- (5) If someone eats the meat of abandoned dead body of pig, goat, birds.
- (6) If someone eats the meat of cow, horse, tiger, elephant, dog, and monkey.
- (7) If husband sucks the breast of his wife.
- (8) If someone makes the earthen idol of sexual parts of human body.
- (9) If someone re-adopts Bathou religion after adopting other religion and marries with other religious person.
- (10) If someone got married with his third generation, and got sexual relationship.
- (11) If someone is brought relationship after abandoning the relationship.
- (12) If fly lays egg on the body of cow and ox of the owner.
- (13) If someone burns up clothes, cut angrily, in this case, the price of such cloths are to be refunded.
- (14) If someone burns up necessary things.
- (15) If someone cuts other person by cutting tools, like knife, sword, and axe.
- (16) If meat of dead body is eaten by someone.
- (17) If someone kills cow, ox, and bull.
- (18) If someone kills male or female person.

⁸ Op-cit. Dinen Basumatary. (M. 81). Maj Para, Goalpara.

Processes of Purification: If someone is committed in these kinds of offences or incidents, the person must be purified within seven days. Generally speaking that under this *Agor Bad*, the *dhanu kar parachit*, i.e. the arrow bowing method or penance is applied by using materials. To purify the offender five-bows method is applied. The offender must arrange five chickens, five pairs of bows and arrows, and some rupees on the day of purification. In this five bows method, the purifier throws the five pieces of the meat of chicken in three directions in the name of five deities. In the east direction, the one piece of chicken meat is bowed by the arrow in the name of *Saraswati*, i.e. the deity of knowledge to the sky, one piece of chicken meat in the south direction in the name of *Mainaobima*, i.e. the deity of wealth, one piece of chicken meat in the west direction in the name of the *Bathou*, i.e. the supreme God, one piece of chicken meat in the north direction in the name of *Khuria Burai*, i.e. the Bodo deity, and another piece of chicken meat in the east direction in the name of *Sanraja*, i.e. the deity of the Sun.⁹

4.1.2 Property Allocation:

In customary law the property allocation varies significantly based on the specific community and its traditions. Many communities follow their traditional inheritance rules where property is primarily passed down through the male line, with sons inheriting land and other assets while daughters may receive dowry or other forms of support. Customary law has been based on long standing traditions and social norms, often differ from formal law on property allocation. Customary practices can influence how property is actually allocated and managed within communities, while formal law provides a legal framework. In some communities, customary law can disadvantage women, limiting their access to property ownership, inheritance, and control over resources. In Goalpara district amongst the Bodo community, the *Goalpara Zila Boro Barodal* executes property allocation of parent property in the following way.

- (1) In case of having no son: If parents having no son, the property will be provided to daughters, and in this case daughters have the right to demand for property allocation. But, if having son, daughter may not allowed for demand of property.

⁹ Op-cit. Matilal Basumatary. (M. 78). Bangal Para, Goalpara.

- (2) In case of death of spouse: If a wife lost her husband, and having no son, she will get the property. But, if she marries again, she is not allowed for demanding the property. If, someone has 'will', he or she can provide the property to the widow.
- (3) If step wife brings son with her: If a male person marries step wife instead of having first wife, and the step wife brings son with her, then the son of step wife will not be allowed to hold property. But, grandson will get the property.
- (4) If having no son with the first wife: If a person having no child with the first wife, then he again marries step wife, then also step wife is died without having born child, in this context the borrowing son with step mother will get the property of the person. But, this property allocation must be done before the death of the person.
- (5) Son in the property of mother: If a male person marries with a wealthy female person and got a son, then son can demand mother's property. Daughters are not allowed to demand for property. If willing to provide property to daughter, then it is possible to provide the property.
- (6) Son of step wife: Step wife can demand for property after her husband's death. But, when wife marries with other male person, she can not demand for the property.¹⁰

4.1.3 Ostracism:

In sociological perspective, ostracism is the act of excluding or ignoring an individual or group, leading to a social isolation and a sense of rejection. It is a form of social control which can significantly influence an individual's well-being and social interactions. Ostracism can range from subtle to overt, and it's often experienced in social, organizational, and even workplace settings. Ostracism can lead to negative emotions like sadness, anger, and feeling of worthlessness, as well as impacting self-esteem and social withdrawal. Ostracism is used as a tactic of social control to enforce norms and expectations within a group. Ostracism can be experienced in different forms, ranging from subtle disregard to overt rejection, and can occur in various settings

¹⁰ Op-cit. Ibid.

like personal relationship, workplace, and even organizations. It can trigger a variety of basic needs like belonging, self-esteem, and control.

4.1.3.1 Causes Leading to Ostracism:

Ostracism is usually applied only in serious or repeated cases of social violations. Common causes include breaking marriage norms such as marrying outside accepted clan rules, ignoring approval of elders, engaging in extramarital relationships, and eloping without formal rituals. Such acts were seen as a threat to the moral fabric of the community. It includes violating religious or ritual rules, disrespecting Bathou worship, refusing to participate in community rituals, and violating purity or ceremonial guidelines. Since rituals are central to Bodo identity, violations are taken seriously. It has anti-social behavior such as stealing, repeated lying, aggressive behaviour, and damaging community property related to Ostracism. Actions that disturb peace and unity are punished through social boycott. The Bodo society values deep respect for elders. Public disrespect or disobedience may lead to temporary ostracism. Non-cooperation in community activities or refusal to participate in harvesting, festivals, funerals, village development, and community feasts. Such behaviour is seen as selfish and harmful. Violations related to food taboos, ritual purity, or clan restrictions could lead to sanctions.

Types of Ostracism in Bodo society can be mild, moderate, or severe depending on the seriousness of the offence. Mild Ostracism used as a warning such as verbal counselling by elders, temporary avoidance, symbolic penalties, and expectation of apology. Moderate Ostracism applies for repeated violations such as refusal to invite the person to rituals or feasts, denial of participation in festivals, social distance by community members, and restrictions from communal decision-making. Severe or Complete Ostracism is rare and used only in extreme cases like total social boycott of the person or family, refusal to communicate, denial of access to community resources, exclusion from marriage, rituals, or funerals, and long-term isolation until corrective action is taken. In some cases, the family may be required to provide a ritual feast and seek forgiveness from the community to be accepted back.

4.1.3.2 Process of Decision-Making:

Ostracism is not applied randomly. It is a collective decision made through established social institutions. Complaint or issue recognition is a wrongdoing is reported by individuals or elders. The village Council known traditionally as Samaj or Village Committee assembles to investigate the matter. Both sides are allowed to speak, hearing and discussion are done, and community elders are mediated. Judgement is done depending on seriousness of the issue, previous behavior of the person, community impact, and the council decides the appropriate level of ostracism. Application is sanctioned and the decision is publicly announced and everyone in the village is expected to follow it. Reintegration is done once the offender accepts the mistake and performs any required rituals and even fines, they can be accepted back into the community. Ostracism discourages harmful behaviour and keeps people accountable. Bodo society has rich customs related to marriage, festivals, and community life. Ostracism protects these traditions. By removing disruptive influences temporarily, community harmony is preserved. Individuals try to maintain good conduct because they fear losing social respect. It helps settle disputes without violence, using community pressure instead of physical punishment. Ostracism can be used against individuals who exploit or harm others. The system reminds all members that their behaviour affects the entire community.

4.1.3.3 Impact of Ostracism on Individuals and Families:

Positive impact encourages correction of behaviour, promotes reflection and self-improvement, reinforces community loyalty, and restores balance and peace once resolved. Negative impact is applied unfairly or too harshly in emotional distress, feelings of exclusion, strain on family relationships, and reduced access to community support systems. Thus, modern Bodo society often uses it cautiously, preferring counselling and community dialogue first. In contemporary Bodo Society the practice of ostracism has evolved on changing trends with education, modernization, and legal awareness, the practice of ostracism has evolved. Severe social boycotts have reduced significantly due to the decline of harsh ostracism. Mediation, counselling, and negotiated settlement are now preferred in the context of preference for dialogue. For the influence of legal systems, People are aware of state laws and human rights, so community punishments avoid violating legal norms. Younger generations question

unfair or conservative customs, leading to more balanced decision-making. In cities, traditional social control structures are weaker, reducing the power of ostracism. Despite criticism, ostracism historically helped maintain a stable and cooperative society. It contributed in the ways like discouraged theft, violence, and social disorder, protected women from certain exploitative behaviours, preserved cultural identity, promoted collective service, built a strong moral foundation, strengthened the role of elders and institutions, and maintained peace in the absence of formal legal systems. The young generation highlights several concerns such as may suppress individual freedom, can be misused by powerful families, emotional impact on children and families, may discriminate against marginal groups, sometimes becomes too rigid, and may conflict with modern human rights principles. Thus, reforms have been suggested to make it fairer and more humane.

From a sociological perspective, ostracism in Bodo society fits under informal social control, meaning control through customs, values, and collective pressure, not through police or courts. It works by shaping behaviour through expectations, reinforcing norms through rewards and punishments, and maintaining community identity. It explains that informal social control is stronger in traditional, close-knit societies, which perfectly describes traditional Bodo villages. To reduce harmful effects while retaining social discipline, Bodo communities have adopted new methods of counselling through community leaders, youth mediation groups, village development committee interventions, use of written rules and records, collaboration with local authorities, fines instead of exclusion, and restorative justice, i.e. making the offender repair damage. This ensures fairness while promoting social stability.

Ostracism has been one of the most important indigenous tools for maintaining social order in Bodo society. Rooted in tradition and collective discipline, it has historically served to control behaviour, settle disputes, and protect community values. Although its harsher forms have declined due to modernization, education, and legal awareness, the concept remains deeply embedded in the cultural framework of the Bodo people. Today, the Bodo community continues to value unity, harmony, and responsibility, while adopting more humane, balanced, and participatory forms of social regulation. Ostracism, once the strongest method of enforcing norms has evolved

into milder, more constructive approaches that align with contemporary ethics and rights.

4.1.3.4 Ostracism as a Tool for Controlling the Social System of Bodo Society:

Among the Bodo people an indigenous community primarily settled in Assam social harmony and collective responsibility have always been essential cultural values. To maintain order, discipline, and morality in the community, the Bodo society traditionally depended on several indigenous institutions such as the village council, clan system, customary laws, and age-old community practices. One such mechanism is *ostracism*, commonly understood as the partial or complete exclusion of an individual or family from community life due to activities considered harmful, immoral, or socially unacceptable.

In Bodo society, ostracism has historically acted as a powerful tool to regulate behaviour, preserve cultural norms, and ensure unity among members. This summary explains how ostracism works, why it is used, and how it influences the social system of the Bodo people. Ostracism in Bodo culture is locally understood as social boycott or community rejection, where a person or group is denied normal social interactions, privileges, and participation in communal life. It is not meant as physical punishment, but rather a corrective measure that encourages individuals to acknowledge their wrongdoing and reintegrate into society by following traditional norms. It may involve temporary social exclusion, denial of participation in festivals or rituals, restriction from community resources, refusal of social relations such as marriage alliances, prohibition from using common public spaces, and complete severance of social ties in extreme cases.

Bodo communities lived through close-knit village settlements. Social order was maintained by the Village Council, *Giathi* (clan structures), elders and community leaders, Bodo Customary Law, and strong collective responsibility. In earlier generations, written laws did not exist. Hence the community relied on oral traditions and customary rules. Ostracism was one of the primary tools to settle disputes, prevent social deviance, reduce conflict, maintain collective identity, and preserve cultural integrity. Because the Bodo community valued unity and mutual dependence for

farming, fishing, rituals, and festivals, the threat of being socially isolated acted as a strong deterrent against wrongdoing.

4.2 Findings:

Customary law is an indigenous system of norms, practices, and rules that regulate social life, marriage, family, justice, property, inheritance, and community conduct based on long-standing traditions rather than formal statutory law. Customary laws among tribal societies in Northeast India including the Bodos vary based on history, geography, religion, social structure, and interaction with formal legal systems. They are typically unwritten, community-based standards, effective through societal recognition rather than state enforcement. Among the Bodo people of Assam, this system is traditionally termed '*Bad*' and exists as a body of informal yet locally authoritative norms transmitted through social consensus and enforcement by traditional institutions. However, despite broad cultural commonality across places where Bodos live like Kokrajhar, Baksa, Chirang, Udalguri and areas outside Bodoland Territorial Council (BTC) such as Goalpara and Kamrup, the practical role, strength, content, and integration with formal law differs sharply depending on political status and administrative arrangements.

One of the most important distinctions is that political and legal recognition in the Bodo-dominated districts under the Bodoland Territorial Autonomous District (BTAD), now evolving into the Bodoland Territorial Region (BTR) under the BTR Accord and Sixth Schedule of Indian constitution, customary law has formal constitutional backing within autonomous administration. The Sixth Schedule of the Indian Constitution empowers autonomous councils like Bodoland Territorial Council (BTC) to make laws on certain subjects including land, forest, and customary practices. Within this area, traditional law has greater legitimacy and stronger institutional enforcement mechanisms. Bodo customary norms are acknowledged when councils enact regulations that incorporate or interact with customary practices. Community institutions or customary bodies have an advisory or regulatory role. Land allocation, inheritance patterns, village administrative rules, and conflict resolution locally can be influenced by custom more than in general statutory contexts. This integration with autonomous governance has created a layered legal system where customary law interacts with formal law but retains substantial sway in community affairs.

Regulation of offenses such as incest, false accusation, illicit relations, and other anti-social conduct through customary categories like Agorbaad and Phongslod baad are enacted. Traditional practices of communal land ownership, where village councils allocate land to families in return for communal labor to ensure sustainable, equitable use. Customary norms regulate inheritance, division of property, marriage practices, and property rights including provisions for women's property rights and inheritance rules. Some written compilations like *Boro Samajari Khanti* and *Boro Samajni Sangbidhan* attempt to codify existing customs. Traditional institutions like village councils or community elders historically apply sanctions, fines, and penance rather than formal penal procedures. Overall, the law functions not just as a moral guideline but as a mechanism for conflict resolution, dispute settlement, and community regulation with real social consequences especially where state presence is minimal.

There is no autonomous council authority with direct constitutional powers to legislate on customs at Bodo dominated areas of Goalpara district. Customary law has less formal backing and must yield to general Indian law and state law more often. Customary law tends to operate informally or primarily at village and kinship levels without institutional support amongst the Bodos of Goalpara district. Although the Bodo people in Goalpara practice many of the same customs like marriage rituals, religious festivals like Bathouism, community norms, the application and enforcement of customary law differ from the other Bodo dominated areas within the Assam state. Customary norms are socially recognized by local Bodo groups but lack formal mechanisms to enforce judgments or regulate land allocation through autonomous statutory authority. Land and property transactions in Goalpara are governed primarily by state and national laws. Customary practices may influence community expectations but do not override formal titles, revenue law, or state probate/inheritance procedures. This creates a notable contrast with Bodoland Territorial Areas District (BTAD) where customary law is actively integrated into autonomous governance. Because, Goalpara district does not enact the sixth schedule powers on the Bodo customary matters as autonomous tribal council. Customary norms about marriage, inheritance, or property may be accepted socially but lack legally enforceable standing in courts unless they can be reconciled with formal legal frameworks. In cases of dispute, local customary

authority like village elders may mediate, but state courts or panchayats often have final juridical authority.

In Bodoland Territorial Region (BTR), land may be allocated traditionally with communal norms are observed, and customary practices recognized by local legislation. In Goalpara, land transactions and ownership are governed by state revenue law and custom plays a minimal role potentially leading to conflict or alienation of tribal land without statutory safeguards that exist in Bodoland Territorial Region. In Bodoland Territorial Region areas, village councils historically enforce social norms including penalties for social offenses, e.g., false accusation via customary protocols. In Goalpara, community elders may attempt mediation, but formal civil and criminal jurisdiction lies with panchayats and courts, and customary decisions lack enforceability. Both regions share broadly similar Bodo customary norms relating to inheritance and property rights, e.g., women's rights under customary frameworks, but in Bodoland Territorial Region these may be protected by autonomous legal recognition, while in Goalpara such customs may clash with statutory inheritance laws and require statutory compliance.

The Sixth Schedule provides autonomous law-making power to tribal self-governance bodies a key reason why customary laws are stronger and more formalized in Bodoland Territorial Region than in Goalpara. In Goalpara, the Bodo population is part of a larger mosaic of ethnic and linguistic groups reducing the dominance of any single customary system and reinforcing reliance on general law. The politics of recognition, autonomy movements, and accords have strengthened customary law's institutional role in Bodoland Territorial Region while such pressures in Goalpara have focused more on identity and political recognition rather than formal legal autonomy. Customary law among Bodo communities broadly includes norms regulating social conduct, family, property, dispute resolution, and community ethics. In Bodo-dominated districts under Bodoland Territorial Region, these customs enjoy greater institutional support, formal recognition, and integration with autonomous governance under the Sixth Schedule, making them more enforceable and legally significant. In Goalpara district, although the Bodo community practices similar customs, the legal framework is primarily statutory, with customary law operating informally and lacking autonomous legislative backing. These differences matter in everyday life from land disputes and inheritance patterns to conflict resolution and community identity and

reflect how law, culture, and governance intersect differently depending on political and administrative status.

The *Goalpara Jila Boro Barodal* represents a distinct and culturally rooted mechanism of social control and cohesion within the Bodo community of Goalpara district, Assam. Rooted in indigenous values and customary laws, this organization has operated as both a preserver of cultural identity and an enforcer of normative behaviour among its members. Unlike modern state systems that apply codified laws and formal legal procedures, the social control system under the *Goalpara Jila Boro Barodal* is anchored in traditional customs, rites, and collective social expectations that inform daily life, ceremonies, and interpersonal relations within the community. At its core, the *Goalpara Jila Boro Barodal* functions as a custodian of customary law, overseeing rituals of birth, marriage, death, and other life-cycle events according to established traditions. These rites are not mere symbolic events; rather, they reflect a system of normative enforcement wherein members are expected to adhere to prescribed practices that sustain social order and reinforce communal bonds. The existence of a codified manuscript *Boroni Ashar Bikhanthi* provides tangible evidence of this customary law, outlining sanctioned procedures and ceremonial duties that guide individual conduct in crucial life transitions. The preservation of this manuscript underscores the organization's role in upholding *custom and continuity* amidst changing socio-political landscapes.

Additionally, the *Goalpara Jila Boro Barodal* plays a vital part in generating unity and social solidarity among the Boro people within Goalpara district. In a region characterized by ethnic diversity and complex inter-community relations, such an organization fosters collective identity and mutual support. The normative framework upheld by the *Goalpara Jila Boro Barodal* establishes a clear sense of what constitutes acceptable behaviour, social roles, and responsibilities, thereby minimizing ambiguity in everyday life and communal interaction. Through its guidance, people gain a shared understanding of cultural ideals from the sanctity of marriage arrangements to proper conduct during social crises reinforcing collective stability and cohesion. In terms of control over deviant behaviour, the *Goalpara Jila Boro Barodal* operates through social sanctions that range from communal disapproval to corrective intervention. Members who diverge from accepted norms or fail to honour customary

practices often face social pressure, which functions as an informal but powerful mechanism of regulation. Unlike formal legal punishment, these sanctions are administered through community opinion and customary censure, which can carry significant weight in small, interconnected societies. In doing so, the *Goalpara Jila Boro Barodal* mitigates social deviance not through coercion backed by the state's authority but through collective cultural expectation, moral obligation, and peer accountability.

The social control system also plays a critical role in preserving the cultural and religious identity of the Bodo people amidst broader societal influences and pressures. The community's traditional belief systems such as *Bathouism* and lifecycle ceremonies are upheld not merely as religious rites but as defining markers of belonging and shared heritage. Through sanctioned ceremonies that mark birth, marriage, and death, individuals reaffirm their personal and social ties to the collective identity, strengthening interpersonal bonds and cultural continuity. These rites serve both explanatory and regulatory functions: they imbue life events with spiritual meaning and reinforce the community's moral expectations. Moreover, this system functions as a counterbalance to external influences such as assimilation into dominant cultures, modernization, or legal frameworks that may not fully recognize indigenous customary practices. By codifying and institutionalizing traditional norms, the *Goalpara Jila Boro Barodal* creates a repository of social memory and practice that resists homogenization and supports the community's claim to distinct identity and autonomy. The ability of the *Goalpara Jila Boro Barodal* to sustain specific Boro customs and social expectations empowers the community to navigate wider social change without losing its cultural moorings. Another important aspect of the *Goalpara Jila Boro Barodal's* social control function is its intergenerational transmission of norms and values. Through active participation in communal ceremonies and customary rituals, younger generations internalize behavioural templates that guide future conduct. This socialization process is not limited to instruction; it occurs through immersion in collective practice from celebration to observance embedding community values deeply into the social fabric. Such organic transmission ensures that social control extends beyond formal oversight and becomes internalized in everyday action and belief, functioning as a self-regulating mechanism for individual behaviour within the group.

Beyond ceremonial and ritualistic functions, the *Goalpara Jila Boro Barodal* also plays an important role in mediating social conflicts and disputes through customary procedures. Rather than resorting to state law enforcement or judicial systems, many local disputes are resolved through traditional arbitration guided by community elders or designated representatives within the *Goalpara Jila Boro Barodal*. These customary resolution practices often emphasize reconciliation and restitution over punitive measures, thereby maintaining harmony and restoring social balance without external intervention. While modern legal systems offer structured frameworks for justice, customary arbitration under the *Goalpara Jila Boro Barodal* reflects a culturally relevant means of redressing grievances in ways that resonate with local values and relationships. Despite its strengths, the social control system of the *Goalpara Jila Boro Barodal* also faces challenges in contemporary times. Rapid modernization, formal education, migration, and increased interaction with state legal systems sometimes create tension between customary law and formal statutory frameworks. Younger generations, exposed to different worldviews and normative expectations, may question traditional practices or reinterpret them in the light of modern values. This dynamic interplay between tradition and modernity presents both a challenge and an opportunity: while customary social control can sometimes appear rigid, evolving interpretations can help integrate cultural identity with contemporary aspirations. In conclusion, the *Goalpara Jila Boro Barodal* remains a pivotal institution of social control within the Bodo community of Goalpara district, effectively governing behavioural norms, preserving cultural heritage, and fortifying social cohesion. By intertwining customary law, ritual practice, communal expectations, and collective identity, the *Goalpara Jila Boro Barodal* sustains a form of social regulation deeply rooted in indigenous tradition. Its contribution to cultural preservation, normative guidance, and dispute mediation exemplifies how community-based systems of social control complement formal legal structures, enriching local social governance with contextually relevant, culturally embedded practices. In a rapidly changing world, such institutions serve as anchors that preserve diversity, sustain heritage, and promote social harmony reminding us of the enduring value of indigenous systems of regulation and collective life.