

# KAFILA – COLLECTIVE EXPLORATIONS SINCE 2006

COUNTRYSIDE, CULTURE, DEMOCRACY, ECOLOGIES, GOVERNMENT

## The Goba of Ladakh – Current Relevance of a Traditional Governance System: Shrishtee Bajpai and Ashish Kothari

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Guest post by *SHRISHTEE BAJPAI and ASHISH KOTHARI*

**Abstract:** Indigenous and other local communities across India have had traditional systems of local governance as unwritten or sometimes written codes of conduct and decision making. Many such systems are still being followed in parallel with the *panchayat* systems, or getting re-invented by combining the modern forms of governance with the traditional ones, especially in the case of communities still practising traditional occupations and ways of life (forest-based, pastoral, fishing, and /or farming). There are, however, very few studies of these systems interacting with modern state institutions, their current or continuing relevance, and their role in achieving goals of justice, well-being, and ecological sustainability.



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This study focuses on documenting the present status and relevance of the traditional governance system of Ladakhi villages, with a focus on the *goba* (or *lambardar/nambardar*). For this, the study also looked at the interface between the local / traditional and new / modern governance systems, viz. the *goba* with the *panchayat*, Ladakh Hill Council and UT Administration.

**Keywords:** traditional governance, *goba*, democracy, natural resources, indigenous knowledge, environment

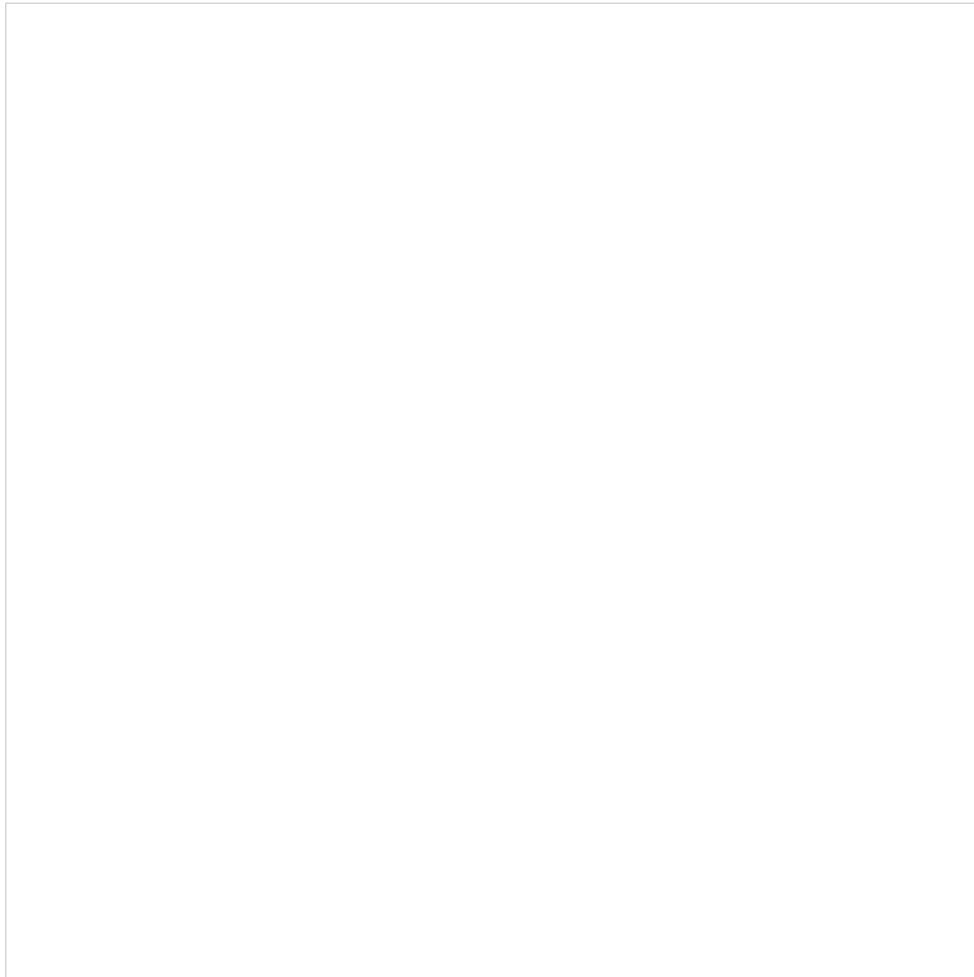
## Introduction

“Goba is very important in the village, without whom no meetings can happen. If people don’t attend the village meetings (decided based on Tibetan calendar) called by the *goba* then they are fined” says Tsering Dorjey of Tegazong, one of the herder settlements in Kharnak, Hanley, Ladakh, in India’s northernmost region. The *goba* is a village headman (very rarely, a woman)<sup>[1]</sup> selected by the entire village periodically and found in every Ladakhi village (or cluster of villages). The term itself may be a derivation of *gopa* (go=head; pa=people of an area). In many (perhaps most) parts of Ladakh, even though the *panchayat* system has been introduced (on which we will say more below), the *goba* continues to act as an interface between the Councillors, government officials, and *sarpanches* on one hand, and the villagers on the other.

Ladakh, meaning the “land of high passes” in Ladakhi, is one of the highest plateaus (3000 msl and higher) of India, with part of its north-western and north-eastern territory bordering Tibet and Pakistan.<sup>[2]</sup> The region’s unique topography includes snow-capped and rocky mountains, high-altitude lakes, alpine steppe / meadows, grasslands, sand dunes, hot springs and mighty rivers like the Indus and Zaskar, fed mostly by winter snowfall and glacial melt.

Ladakh is currently a Union Territory (UT), comprising two districts, Leh and Kargil. In the Leh District (where this study is located), there are 6 Sub-Divisions, 8-Tehsils, 16 Blocks, 95 *Panchayats* and 113 villages.<sup>[3]</sup> Since its formation as a UT, Ladakh is under overall governance of appointees from New Delhi, as part of the Administration headed by a Lt. Governor.

In 1846, after several centuries of being an independent kingdom, Ladakh came under the then princely state of Jammu and Kashmir (J&K), constituting 70% of its geographical area. This is said to have initiated a history of subjugation, marginalisation and cultural exclusion, which has continued ever since. Ladakh remained part of J&K after India gained independence in 1947. In spite of being an ‘integral’ part of the Union of India, Ladakhis have felt excluded from policy planning especially in terms of disregard for their unique geo-climatic conditions, lack of fair disbursement of economic resources from J&K and India, inadequate Ladakhi representation in state and national institutions, and poor recognition of their unique cultural identity. In 1997, in response to repeated expressions of discontent, the J&K government enacted the Ladakh Autonomous Hill Development Councils (LAHDC) Act, with powers vested in a Council elected by the Ladakhi people. However, as shown by a study in 2019 by Kalpavriksh, these powers were severely limited, overall control remaining with the J&K government (Kothari et al, 2019)<sup>[4]</sup>. Demands for a UT status with an independent legislature continued. Finally, when the central government took its rather controversial and unilateral decision to withdraw special status to J&K under Article 370 of the Constitution, it also conferred on Ladakh the status of UT. With this, one of Ladakhi’s long-standing demands was met with the *potential* for political and economic emancipation.<sup>[5]</sup>



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However, UT status without legislature, or adequate constitutional safeguards, largely controlled by the Central government, has not given the autonomy that the people of Ladakh were looking for. Many civil society groups<sup>[6]</sup> in Ladakh have demanded that the Government of India include Ladakh in the Sixth Schedule of the Indian Constitution (with the LAHDC also having control over land, natural resources including minerals, tourism, and development policy), so that the land, unique culture, fragile ecosystems, environment and the economic interests of the local people can be safeguarded for current and future generations to ensure sustainable economic processes for genuine well-being<sup>[7]</sup>. In 2019 and subsequently in the build-up to the LAHDC elections, the BJP had promised such a status, but has since backtracked. Meanwhile many other promises, such as the creation of substantial employment, have also not been followed up, creating growing dissatisfaction. This significantly intensified in early 2023. A 'climate fast' carried out by educationist and innovator Sonam Wangchuk on 26-30 January pointed out that New Delhi's plans for Ladakh were antithetical to its ecological and cultural fragility, and that the region urgently needed a Constitutional status enabling its residents to determine an appropriate development path. On 31<sup>st</sup> January Ladakhis gathered in what was possibly the largest ever protest gathering in Leh (some observers say that there were more than 20,000 participants), and then on 5<sup>th</sup> February at Jantar Mantar in Delhi. They have

vowed to keep intensifying the agitation till their demands are met; significantly, for perhaps the first time, political, religious and social organisations of both Leh and Kargil districts have combined in the ongoing movement.

The last few decades have witnessed a virtual tsunami of external interventions in Ladakh that have undermined or threaten to undermine the operation of customary practices in relation to nature, and the related role of local governance institutions including the *goba*. Ladakh has gone through multiple socio-political reorganisations and increasing development interventions by local and national governments along with other anthropogenic pressures.<sup>[9]</sup> Our study of the *goba* system is located within this context.

## The study

Kalpavriksh along with local partner organisations Snow Leopard Conservancy – India Trust (SLC-IT), Nature Conservation Foundation (NCF), Ladakh Arts and Media Organisation (LAMO), and Local Futures conducted a study in Ladakh. Over the course of two years in 2021-22, the study documented the present status of the traditional governance system of Ladakhi villages, with a focus on the *goba* (or *lambardar/nambardar*), and understanding the current relevance of the system in the context of socio-cultural, economic, ecological and political transformations taking place in the region. For this, the study also looked at the interface between the local/traditional and new/modern governance systems, viz. the *goba* with the *panchayat*, Ladakh Hill Council and UT Administration.

The study was carried out in four parts of Leh district: the Sham region, the Gya-Rumtse area, Leh town and surrounds, and Changthang. Changthang region was especially chosen as an ecologically, culturally unique landscape (due to its very high altitude desert and grassland ecosystems and predominantly nomadic pastoral nature) within Ladakh, where local governance has its unique features. We highlight key learnings from the above, for governance, democracy and autonomy specifically in Ladakh. Crucially, we ask: if the *goba* system continues to have relevance, what can be done to sustain it, clarify its role and strengthen its functioning?

The *objectives* of this study were:

1. To document the present status and current relevance of Ladakh's traditional governance system with a focus on the *goba*
2. To understand the interface between the traditional and new or modern governance systems, viz. the *goba* with the *panchayat*, Hill Council and UT administration
3. To understand the relevance of place-based governance by examining the *goba* system in Changthang region, an ecologically, culturally unique landscape within Ladakh.
4. To highlight key learnings from the above, for governance, democracy and autonomy specifically in Ladakh.

The broad *research questions* asked were:

1. How does the *goba* system function, and what changes have taken place in this in recent times? What is its current social, political, economic and cultural role and relevance?
2. How has the *goba* system been impacted by the changing macro/micro-governance scenario of Ladakh, including the introduction of the *panchayat* system, the continuing role of the LAHDC, and the new role of the UT Administration?
3. If the *goba* system continues to have relevance, what can be done to clarify its role and strengthen its functioning, if necessary?

The *methodology* used different tools and techniques. This case study builds on existing literature available on the *goba* system (very limited), as also the authors' previous engagements in Ladakh, including in a limited way a study of the Ladakh Autonomous Hill Development Council- Leh<sup>[10]</sup>. We conducted semi-structured one-to-one or group interviews or open conversations with *gobas* (current and former), *membars* (a specific role assisting the *goba*), *kutwals* (messengers), *sarpanches*, *panches*, councillors, bureaucrats of relevant departments including the Principal Secretary, researchers and activists, head of the Ladakh Buddhist Association, and the Lt. Governor of Ladakh).

Additionally, four meetings were organised to discuss initial findings of the study as well as to discuss the next steps – one with civil society groups in Ladakh in March 2022, second with the *gobas* of Kharu division, who have an informal *goba* association, in April 2022, third with the *gobas* of Leh area in May 2022 and fourth with the *gobas* of entire Leh district, including Chief Executive Councillor and Vice President of Ladakh Buddhist Association in September 2022. The discussions and recommendations from the meetings have been included in this study.

The study has various limitations. It builds on very limited literature and unless attributed to a secondary source, all the information presented in this study is from primary sources, i.e., statements by respondents, or our own observations. Given the brief period of directly meeting people in Ladakh (about 35 days, spread over several villages and settlements), and the lack of direct observations on the *goba's* work and village level meetings<sup>[11]</sup>, the case study is necessarily preliminary and likely misses a number of complexities and nuances that a more detailed and longer-term engagement will bring out. This would also need to involve a more representative sample of various sections of the community, especially women and people from marginalised castes. The study also focused primarily on the *goba* system, and only peripherally other local governance structures like the *yulpa* (village assembly). Additionally, the team could visit only Leh district, hence the perspective from Kargil region is missing (except some casual conversations in Zaskar)<sup>[12]</sup>. Finally, many of the respondents spoke in Ladakhi, and while we had very competent interpreters with us, it is possible that some nuances and information may have got missed out in the translation.

### Who is the *Goba*?

While its origins are not clear, the *goba* appears to be a very old system<sup>[13]</sup>, possibly from well before the time Ladakh came under the Kashmiri Dogra rule in 1846. The Dogra rulers used the *gobas* for tax collection and other links with villagers; and after Independence, they were recognised formally under the Jammu and Kashmir' Lambardari Act, in 1972 (with rules promulgated in 1980). This Act mandates elections of *nambardars* (a term used more than *lambardar*, in Ladakh) along with a 5-year tenure, and provided for their remuneration. The *goba* came under the revenue department, and worked closely with *patwari* (revenue officer) for tax collection, and for authenticating the village level information on land, population, livestock and other matters.

The *goba* is a village headman who acts as a representative of the village with social and cultural-ritual responsibilities. Being an important authority in the village, traditionally, a well-respected person with a good comprehension of local history, communication skills and good relationships with people was usually considered for selection to the post of the *goba*<sup>[14]</sup>. In some places it was a hereditary position.

Along with the *goba*, *membar* (*goba's* assistant), *kutwal* (*goba's* messenger) are also selected by the village. Importantly, the *goba* has not been an authority unto himself, but rather in consultation with the village assembly (the *yulpa*), though the extent and kind of consultation is likely to have varied considerably across Ladakh.

Some of the key functions of the *goba* (currently carried out in varying degrees and combinations in different villages and regions within Ladakh):

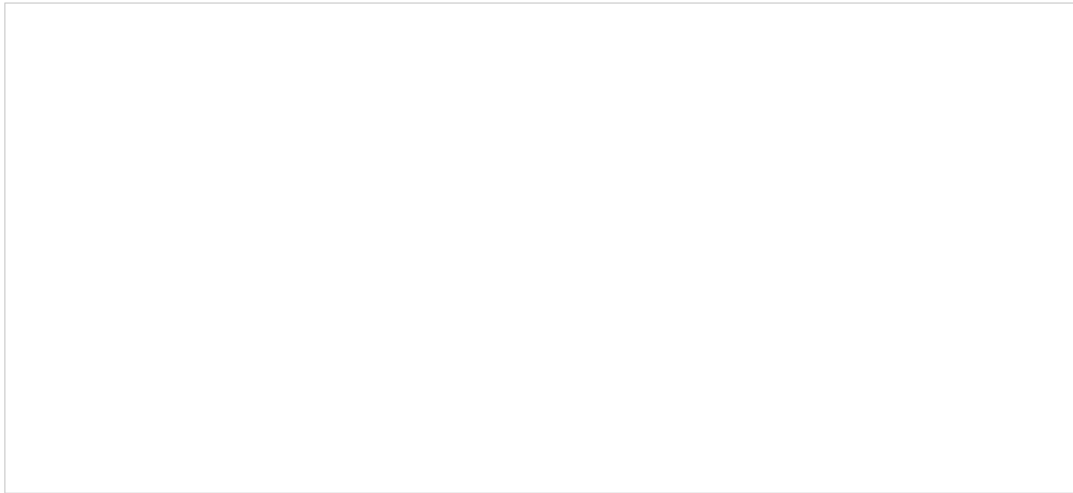
1. calls for all village level meetings and coordinates various cultural, ritual and other social gatherings
2. plays a significant role in conflict resolution within the *yulpa*, along with ensuring the internal flow of information and communication.
3. maintains the general demographic details like number of houses, females, males, animals, deaths and births. He also issues death, birth, and character certificates.
4. keeps records of government schemes and maintains liaison with the administration on matters not covered by the *panchayat* and/or the council.
5. presides over the harvesting and cultivation timings in the village; keeps a check on the rotation cycle for hosting the ceremonial feast as well as ensuring that all the families get water for irrigation (at times in association with a *churpon*, specially designated for this purpose); and ensures upkeep and maintenance of irrigation canals.
6. maintains, in Changthang, the list of pasture lands, number of livestock with individual families and boundaries to be adhered to by herders, conducts meetings to decide on migration timings, vests the power to allocate or withdraw access to pasture lands, and resolves conflicts between two herder communities regarding such access.
7. ensures compliance with customary norms, *thims*.

Importantly, while the *goba* has played all these roles (and continues to in most villages, as we note below), those registered as *nambardars* have much more limited functions. The role of tax collection has ceased of late, and now the official functions include: make collection of produce of the land belonging to the Government within the constituency; acknowledge every payment receipt; report to the Tehsildar about the death of any assignee of land revenue to the Government, residing in the constituency or any extraordinary event of public importance; report to the concerned authority about the marriage or re-marriage of any person drawing family pension and his absence for more than a year from the constituency; report to the Tehsildar about all the encroachments on common lands including roads, grazing ground or government lands and damage to the Government Property; carry out to the best of his ability about a lawful order that he may receive from a revenue officer; assist the Revenue officer, direct in crop inspections, mutation proceedings, survey, preparation of records or other Revenue Department business; attend the summons of all authorities, having jurisdiction in the constituency, and assist them in the discharge of the public duties; supply to the best of his ability about any local information which may be required by an authority; report to the local Revenue officer as well as to the nearest Police and Medical officer about out-breaks of any disease among human-beings and animals; and report about any break-down in the irrigation system within his jurisdiction.

### Traditional or customary governance in India

Indigenous (adivasi/tribal)<sup>[15]</sup> and other local traditional communities in India have had their own systems of local governance, which have informed people's interaction with fellow community members as well as the rest of nature. These include village assemblies, councils and head persons (usually elder men) who would form the key institutional pillars of self-governance. Broadly, these institutions and individuals are responsible for internal conflict resolution, management of village commons, liaising with government agencies, livelihood activities, religious/spiritual ceremonies and other cultural relations. They are in turn based on or guided by principles or norms, handed down over generations, that govern those specific communities<sup>[16]</sup>. Maintaining these rules and customs are crucial for the continuation of spiritual & cultural life, community identity and knowledge, the management of land and natural resources, and the use and

protection of the rest of nature. In parts of India, especially in the case of communities still practising traditional occupations and ways of life (forest-based, pastoral, fishing, and/or farming) many such systems are still being followed in parallel with the formal governance systems brought in by the state, or getting re-invented by combining the modern forms of governance with the traditional ones.



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Several of these traditional systems have been oppressive towards or marginalising women and/or ethnic minorities, young people and marginalised castes. It has been an important criticism of traditional systems that they may internally compromise basic principles of equity, justice and wellbeing for all, even as they may be crucial for sustaining community life as a whole, and for sustainable relations with surrounding natural ecosystems. This was discussed in a consultation paper prepared by the National Commission<sup>[17]</sup> in 2001 to review the working of the Constitution.<sup>[18]</sup> The paper focused on North-east India but gave some important general directives on respecting the traditional governance systems as a potent mode of self-governance, while also stressing that the traditional practices shouldn't deny legitimate democratic rights to any section of society.

As elsewhere in the world, India is seeing the many failures and undelivered promises of centralised decision-making, and of economic growth-centred development models that create havoc by uprooting and destroying local communities and their ways of life (at times with their own involvement), especially those most dependent on natural ecosystems<sup>[19]</sup>. Nation-state and political borders in various parts of the world have created conflict situations, or disrupted ancient cultural and ecological flows and relations such as along rivers and nomadic territories. They have enabled the spread of a hegemonic system that justifies tak-

ing over territories of Indigenous peoples and local communities for ‘national’ goals like development and security<sup>[20]</sup>. In India, attempts at political and administrative ‘decentralisation’ (importantly, through the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional amendments<sup>[21]</sup> or provisions like Articles 370 and 371, providing powers to institutions of self-governance at village, district, and urban levels), have provided some counter trends to this, but they mostly remained half-hearted in both concept and implementation except where a locally empowered community has asserted itself.<sup>[22]</sup>

Examples of extant traditional governance systems are important to be understood, articulated, highlighted, re-asserted and learnt from (while understanding and dealing with their inherent problems as well), as counters or balancing forces to the modern governance discourse and institutions. This is not to deny that modern institutions of democracy have their own benefits, including the possibility of going beyond traditional power elites, or creating spaces for women, youth, marginalised castes through reservation and other means. But communities also find them problematic in many ways, such as the introduction of divisive politics from outside, strengthening existing elites or creating new ones. What is striking is that there has been limited work to understand the working of traditional systems in practice while they interact with the newer, statutory systems of governance, and what kinds of conflicts and complementarities emerge between traditional norms and modern constitutional values<sup>[23]</sup>. Hence, the real challenge is thus to truly understand these systems, their evolving nature to suit contemporary societies, their interface with modern governance institutions, and how overall governance can be strengthened for the objectives of justice and sustainability.

## Key findings

*Strengths of goba system as it was and is:* Almost universally at our study sites, people recognise it as a crucial and continuing part of their ‘way of life’ or ‘being’, and stress that its continuity is essential even where *panchayats* are active. The *goba* system displays some elements of ‘**direct democracy**’, in that it enables the village (with high degree of household participation) to take crucial decisions regarding natural resources, livelihoods, and socio-cultural aspects. This is especially so in many ‘interior’ villages (far from Leh town) where traditional livelihoods are still practised, appear to have been and still remain relatively autonomous, for many crucial aspects of life. Local governance in many ‘interior’ villages (far from Leh town) appears to have been and still remains relatively autonomous, for many crucial aspects of life. The social and spiritual order is maintained in the villages through collective *thims* (community rules) and local organising. For example, the pasture management and movement in Changthang, sowing and harvesting planning, management of commons, cultural & social functions are still under local governance. Modern state institutions like the *Panchayat* or the Council don’t interfere or don’t have an overbearing presence in day-to-day decision-making, at least as of yet, due to either themselves not being too strong, and/or due to continuing respect for the *goba* (and overall *yulpa*) system. This is not to suggest that there are no impacts of top-down decision making or of the power of other institutions (we have noted some such impacts above), but rather that there is still a sense of preserving the local socio-political and economic space that maintains an independent order, while co-existing with the larger institutions of religion and state.

The *goba*’s is a **relatively apolitical** (i.e., independent of political parties) position, seen as more neutral than the *sarpanch*. The village focuses on party affiliation, educational qualification and other such criteria of the candidates when electing the representatives of the *panchayat*, while the criteria for selecting *goba* is (or was, till recent changes in selection procedures took place in some areas) that the person needs to have a good grasp of the village customs and traditions, and is widely respected. The *goba*’s role is assumed to be devoid of any individual and political interests, hence is said to be a more trustworthy representative of people’s voice. The *goba* is expected to have only the village’s interests as his top or essential priority, which cannot be expected of a *sarpanch* or *panches* as they have political party affiliations that pressure them from above in various ways.



The Goba system is an important example of a traditional community process of **place-based governance** where the community along with the *goba* collectively deliberates based on place-specific and place-sensitive approaches. The decision making is guided by local ecology, social, economic and political issues interconnected with it. This is enabled by ensuring meaningful engagement, local decision-making, appropriate governance arrangements to support local action, responding to complex, interrelated or challenging issues, and focusing on collective and collaborative action. Though this might necessarily be not followed always.

*Weaknesses of goba system as it was and is:* One of the major limitations of the *goba* system is its gender one-sidedness, with almost no examples of women *gobas* (and where examples exist, it is because of non-availability of men in households designated to take on the *goba* role in a particular year). “There has never been a woman *goba* and we are still a very patriarchal society. Korzok has a small *Ama Tsogspa* (women’s alliance) which discusses women’s issues but the *goba* doesn’t necessarily heed women’s issues and it is still the men who take most decisions” says Sonam Dolma, a woman herder of Korzok, Changthang. Though women have a lot of knowledge about pastoral and other crucial issues, they are not involved in major decisions around choice of pastures, migration, or livestock management (except in the micro-choices they make when out herding, such as which direction to head in within their allocated pastures). They sometimes share their knowledge and opinions on these matters with male members of the family, who may take them to the *yulpa* meetings or sessions with *gobas* and *membars*. In Chumathang, Palzes Angmo served as a *goba* for a year and she says “for women it is difficult to be a *goba* as I have to do household chores, work on the farm as well as perform functions of a *goba*. It is especially difficult if I have to go to Leh or other towns for the *goba* responsibilities. It is a lot of work”. Another dimension to the near-absence of woman *gobas* in Ladakh is that in the past, the need to travel long distances on foot and horseback was a deterrent to women.

In villages relatively closer to or better connected to Leh, the participation of women in decisions seems to be greater<sup>[24]</sup>. In our conversations, some interesting elements of this emerged. “Men have to accept women as *gobas* as well as *panches* and *sarpanches*. *Goba* doesn’t decide anything on his own, we are very much part of every decision. Then why pretend that it is only the role of men” say the *Ama Tsogspa* representatives of Saspotsey village. Other inequalities related to traditional structures and relations, like class, caste<sup>[25]</sup>, age, also limits participation.

***Goba and other (new) institutions*** – Given that the *goba*’s societal functions and importance do not have adequate acknowledgement in the Lambardari Act, and no mention in the J&K Panchayati Raj Act 1980 and the Ladakh Autonomous Hill Development Councils Act, 1997, there is confusion about their inter-relationship. In many areas, there are considerable overlaps in key functions between the *goba* and the *sarpanch/panchayat*, or the Councillor. In the case of such functions in agriculture, water management, livestock maintenance, management of rituals and festivals, there is no clarity whose jurisdiction counts, or whether there needs to be mutual consultation and joint decision-making in some or all these issues. We noted that where the *sarpanch* and the *goba* share a good mutual relationship, they work out a division of functions; where not, there is tension and confusion.

***Party politics and the goba*** – the *goba*’s role is assumed to be devoid of any individual and political interests, hence is said to be a more trustworthy representative of people’s voice. However, increasingly over the last decade or so the presence of political parties has really intensified in Ladakhi society, and several people reported conflicts in case the *goba* had leanings for a particular political party (though he would not have been chosen because of this), while the *sarpanch* and/or the Councillor of the constituency were more aligned with a contending party.

**Relevance and role: decline or continued importance?** *Goba* is still seen by many as not only a cultural but also an administrative and political head of the village, who is (or should be) now supported by the *panchayat* and the Council through funds and other government schemes. In several conversations it was evident to us that the *sarpanch's* position is important but he cannot replace the *goba*, as was the common refrain across all the respondents. This is especially so for the *goba's* role in cultural and spiritual matters that are quite essential for maintaining village order; in matters of land and water; and in Changthang, in matters related to pastoralism. We also see that wherever people's traditional livelihoods of herding and farming continue, the *goba* remains highly relevant, but this is not the case with the villages closer to Leh or Leh city itself where there has been an increasing loss of traditional livelihoods, due to processes of urbanisation. The reduced relevance of the *goba* in some regions is also closely related to the loss of traditional livelihoods. We see that wherever people's traditional livelihoods are lost we find it difficult to work in that region. We make sure to consult the *goba* along with the *panchayat* and BDO " says Tashi Yakzee, Executive Councillor of eastern Ladakh (including Changthang). However, as we move closer to Leh city, *panchayats*, councillors, municipal corporations and now UT administration are playing a much more active role, and none of these institutions have any formal mandate or requirement to involve or consult *gobas*, though as mentioned above, some still do it in recognition of their importance for the people.

A recent development of concern is the official imposition of an age limit of 60 for *namdardars*, considered by nearly all respondents as unfair. A notification issued by the J&K government in 2017, under the *Lambardari Act*, set the *goba's* maximum age limit to be 60. But it was only in 2022 that the UT administration began zealously implementing this notification, as was reported by many villagers. However, this age limit was strongly objected to by almost all the villagers we spoke to, because of the traditional nature of the role as well as its current relevance. These days, many men under 60s are out of villages for government, army or other jobs and/or business. They don't have the time and/or capacity, or are located too far away, to look into day-to-day village matters which is essentially the *goba's* role. They can't adequately represent the village. Besides, as several *gobas* said at a gathering organised during the study, if the country's Prime Minister can be 75 years of age, why can't the head of a village be over 60?<sup>[26]</sup>

**Sought-after position, or a burden?** Across all the regions, the role of the *goba* is perceived as burdensome now, because his own livelihood responsibilities have grown (and are not necessarily being shared by the village as was earlier the case), along with all the *goba* functions. Another reason for this lack of interest is also very meagre salaries for the *goba*, i.e., Rs. 1500/month, which is reportedly not enough even to cover expenses of carrying out the *goba's* essential roles. Due to this, many villages have switched to a rotational or lottery system for choosing the *goba*, mandating that each household has to designate a member to take on this responsibility when its turn comes. While this appears to be an equitable way to distribute the function, it also means that every once in a while, a person without adequate knowledge or not having everyone's trust, may get designated. In many villages, the tenure is also now too short (one to two years) for the *goba* to settle in properly.

## Recommendations

Our findings strongly indicate that the role of the *goba* remains crucial in many ways for the people of Ladakh, and there is an overwhelming opinion that it should continue. But simultaneously it is facing several challenges, including lack of clarity in its relationship to other institutions of governance, lack of incentives to revive and/or replace traditional sources of support, inadequate evolution of local rules to deal with new challenges, and the more general decline in traditional livelihoods and cultural patterns of com-

munities impacting local institutions. If indeed it is to continue in some form, providing crucial functions for communities that cannot or should not be performed by *panchayats*, the Council and the Administration, a number of policy measures and institutional actions are needed.

1. *Greater recognition of and incentives/facilities for the goba*: an increase in the *goba's* salary / compensation for expenses should be considered, from the current Rs. 1500 / month to at least Rs. 5000 / month; and that this should be paid promptly every month. Importantly, this should not be used as a reason to think of the *goba* or *nambardar* as a 'government employee' any more than a *sarpanch* or Councillor is; he is first and foremost a representative of the people, and the salary or compensation for expenses is a recognition of the services he also provides to the government. Additionally, in some form, *gobas* need to be accorded explicit social recognition and benefits, like being rightfully acknowledged for their work by the UT administration and the Council. This would also call for the communities to revive their traditional practices to figure out internal ways to support serving *gobas*. Also, *gobas* should be provided office space, and better communication facilities where these are inadequate.

2. *Tackling internal inequities*: steps are needed to transform the *goba* system on the basis of values of equality, justice, inclusiveness and fairness, especially regarding gender and caste exclusion. One possibility is a set of rules or guidelines under the Lambardari Act, to open up and incentivise the position to women, youth, and marginalised castes.

3. *Clearer lines of governance between goba and other governance institutions*: All relevant laws, including the LAHDC Act, J&K Panchayati Act, and rules of procedure under which the UT Administration work, would need amendments or subsidiary rules / guidelines to ensure that the *goba* is consulted by the Council, *panchayats*, and the UT Administration in relevant community matters. The Lambardari Act could also be amended, or rules or guidelines issued under it, to clearly list out the functions of the *goba* beyond what is already listed (including the socio-cultural ones). This should include full participation in development planning, and in the use of natural resources in the jurisdiction of the village. These measures could also be introduced for the Leh Municipal Corporation, such that the corporation and the city's ward members need to consult the *goba* for relevant matters, and the *goba's* role in urban and peri-urban areas is clarified (as recommended in a vision document for Leh town that was brought out in 2022<sup>[27]</sup>).

4. *Age limit*: The age limit of 60 should be immediately withdrawn, and either kept open or replaced by an age limit of 70.

5. *Ladakh level goba association*: A Ladakh level *goba* association should be formed along with regional associations, with a structure and rules as considered appropriate by *gobas*; *this is essential for collective voice and advocacy, and sharing of good practices*. If formed, this should be formally recognised by the Hill Council and UT Administration. (See also below, Aftermath).

6. *New norms / rules around current issues*: The customary rules, *thims*, do have some measures around maintaining clean water, not littering, etc, but these are not enough in light of drastic changes in recent times, or have themselves become weak. For instance, they have not yet been adapted to cope with the problem of solid waste, or with challenges created by mass tourism and climate change. Some discussions and changes around these are important, and could be initiated by *gobas* themselves, youth and women's associations, or relevant religious institutions.

7. *Constitutional status of Ladakh*: It is important to consider granting the status of 6th schedule in the Constitution of India to Ladakh, because of its unique socio-cultural and ecological character. If such a recognition is given, Ladakh's governance institutions including the Hill Council would be able to provide Constitutional recognition to the *yulpa* and *goba* system to strengthen grassroots governance.

8. *Role of yulpa*: The spirit of the 73<sup>rd</sup> Constitutional Amendment, and in particular of the *Panchayat* (Extension to Scheduled Areas) Act is to enable the village assembly to be the most powerful and basic unit of decision making. For this reason, bringing Ladakh under the 5<sup>th</sup> Schedule of the Constitution, providing for self-governance of scheduled tribes (and specifying that the *yulpa* is the equivalent of the *gram sabha*), could be considered; or alternatively, such formal strengthening could take place under the 6<sup>th</sup> Schedule.
9. *Awareness building*: In several conversations with *gobas*, *sarpanches*, councillors, officials, civil society groups, among others complained about lack of awareness and clarity of various roles and functions of various positions in traditional and modern institutions. It is recommended to undertake awareness programs to various sections of society, systemically explaining relevant laws and customs, and various institutions and their functions.
10. *Apolitical role*: The selection and role of the *goba* needs to remain apolitical (i.e., independent of political parties), and any procedures of selection or election that are adopted, should not be along party lines.
11. *Unregistered gobas*: Many large villages with multiple hamlets, and new settlement areas around Leh town, have multiple *gobas* for efficiency. Some of these are not registered as *nambardars*, creating confusion on whether the actions they take are legitimate. Where chosen through due process and not overlapping with jurisdictions of registered *gobas*, these should be registered under the Lambardari Act, or recognised in some other form so they can continue to perform functions important for villagers.
12. *Further studies*: this study needs to be extended to different parts of Ladakh, including Kargil district, and Nubra in Leh district, to bring out and highlight the importance of place-based, local governance practices. Also, studies are needed to get a better understanding on traditional or ongoing forms of discrimination (gender, caste, class, age, religion) in the selection and functioning of *gobas*. Ladakhi students could be involved in such studies.

## Aftermath and Conclusion

In the study we find that the traditional governance system in Ladakh remains relevant for its people and their environment. It is crucial for governance and administration for the UT and the Council. It is, hence, important that the system is strengthened by fully acknowledging its role in the formal acts, incentivising the position, providing special recognition, and in turn protecting the ecologically fragile, culturally unique region of Ladakh.

Both during and after completing the study, the participating organisations facilitated a series of gatherings of *gobas* and other actors, to discuss the results. As a direct outcome of one of the above recommendations, *gobas* decided to form a Leh district level association, announced in October 2022.<sup>[28]</sup> Where not already existing, some block-level associations were also formed. As of the time of writing, the district-level association is in the process of being formalised with necessary documents and registration. Additionally, the study report was endorsed and released by the Ladakh Buddhist Association (LBA).<sup>[29]</sup> It is hoped that these organisations would be instrumental in strengthening and re-asserting this important traditional institution, as also taking forward the recommendations listed above.

## Acknowledgements

We would like to express our sincerest gratitude to the people we interviewed during the course of this study. We would like to thank all our colleagues in collaborating organisations. We are indebted to Rigzin Yangdol, Deachen Yangdol and Lobzang Dolma for accompanying us on trips as translators.

We acknowledge the useful inputs received in advance, and/or comments received on a draft of the report from Arjun Sharma, Stanzin Namgyal, and Padma Dolker.

We are thankful to our hosts at several home stays in villages and especially to Yangchen Dolma in Leh. Heinrich Boll Stiftung, India Centre and Centre for Pastoralism's financial assistance to this case study, is also gratefully acknowledged.

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[24] Possible reasons for this are: access to education facilities, civil society mobilisation, government programs on women empowerment among others. But we didn't get deeper into exploring this issue.

[25] “The *mon* (musicians) and *garba* (ironsmiths) families are excluded from being *gobas*. *Goba* has a special social status in the village and sits on the top row in any ceremony, which wouldn’t have been appropriate for certain lower castes” said one of the villagers of Hemis Shukpachan, confirmed by the elder *goba* of the village. This is however now changing as we expand later.

[26] On 4th April 2022, the informal association of 15 *gobas* of Kharu division came together to discuss the initial findings of the study and add to the recommendations.

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◀ ENVIRONMENT ◀ GOBA SYSTEM ◀ LADAKH ◀ TRADITIONAL GOVERNANCE