

Traditional Institutions of Governance in the Hills of North East India : The Khasi Experience

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Introduction

Over the past several years, traditional institutions of governance in the region, and more particularly in Meghalaya, have become increasingly activated. They are finding space in contemporary governance. The Central government is giving them attention with funds for infrastructure and development. The State administrative machinery depends on the institutions for a great deal of support, which in turn has made the traditional heads of the Khasi *Himas*, *Raids*—conglomeration of villages and *Rangbahshnong* — and village headmen almost indispensable within the structure of administration. This has again increased the interaction and dependence of the Khasi Hills Autonomous District Council and the Shillong Municipal Board on the traditional institutions. Indeed there are situations where citizens have had, for some reason or other, to get the sanction of one, two or even all three of the traditional institutions, be it for a residential certificate, or documents of identity for opening a bank account and such requirements. And all this and more from institutions that are

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yet to get constitutional recognition. The paper will make an attempt to study in some broad detail the position of the traditional institutions in the region and bring the discussion to bear on more contemporary times. The canvas will initially be broad but will eventually be narrowed down to the Khasi situation as we see it today. Reference will be made in the historical narrative to the colonial pattern of administration and the changes that came after independence.

The North East region became part of the Indian state as a consequence of British rule and given an Indian identity through the last two centuries. This process began with the acquisition of Assam in 1826, Cachar in 1832, Jaiñtia in 1835 and the annexation of the hill periphery through the 19th century closing with the annexations of the Naga and the Lushai Hills. The Assam plain districts were regulated districts, administered just like other parts of India. The hill areas in the region that came under the direct control of the British colonial state were categorised by the Government of India Act 1935 as either Excluded Area or Partially Excluded Areas. The Excluded Areas¹ were under the executive control of the Assam Governor. The Partially Excluded Areas² were under the control of the Governor and subject to ministerial administration, but the Governor had an overriding power when it came to exercising his discretion. No act of the Assam or Indian legislatures could apply to these two hill divisions unless the Governor in his discretion so directed. He was empowered to make regulations for the hill districts, which had the force of law. The administration of these hills was his 'special responsibility'. With no representatives in the Assam Assembly (other than those from the Partially Excluded areas, which sent one legislator each), political activity above their village and local levels before 1947 appeared to have been in a nascent stage other than in some urban settings.

Within the region were the twenty-five Khasi states —*Himas*— Manipur and Tripura. The Khasi states were nominally under the administration of their traditional rulers (*Syiems, Lyngdohs, Sirdars* and *Wabadadars*) in *Dorbar* with only a supervising attention from the Deputy Commissioner of the Khasi and Jaiñtia Hills District who

doubled as their Political Officer. Much of Manipur state comprised the hills around the Imphal valley. The state's Political Agent, stationed at an impressive Residency in the heart of the capital town was vested with certain special responsibilities in respect of the administration of the Manipur hill people. Tripura never appeared to have had a tribal policy despite the tribal *Maharaja*.

There was a third area inhabited by tribals in the North East. Along the watershed between Burma and further north in the hills extending to the eastern Himalayas lived the Naga tribes, the Miris, the Monpas and a kaleidoscope of other kindred peoples who were 'unadministered' as the official termed such areas outside their control. The British visited their hills only occasionally during punitive expeditions and survey operations.³ The Naga Tribal Area and the Tirap Frontier Tract were technically and for practical purposes outside British India. There was a statutory boundary between these two frontier tracts and the adjoining districts of the province.⁴ While this boundary had been defined, by an oversight admitted by the British administration, no similar notification was issued for the northern boundary of the Assam province as it was assumed that the whole territory up to the Indo-Tibetan frontier was *de jure* an excluded area and so theoretically formed part of the province.⁵ However, this interpretation was contrary to the administrative position because while the Government of India treated the areas as tribal and unadministered, treaties of 1862 and 1874 with the tribes of these areas referred to them as foreign with a distinction made between "the boundary of the Queen and your country" even as the limits of British territory were fixed at the foothills.⁶

The three categories of hill areas referred to above were integrated into the Indian state shortly before and in the months following August 1947. The British India areas were automatically made part of India while the 'native' states with some tact and intimidation were integrated and merged with the Indian Union.⁷ Composite Assam then included in its jurisdiction much of the hill areas referred to above. A number of factors which we cannot at this point enter into

discussion were responsible for the breakaway of the hills from Assam. The process began with the emergence of the Nagaland hills in 1963. The 'Hill State' political activity of the East India Tribal Union and the All Party Hill Leaders Conference and their agitation against the language bill of the Assam legislature to impose the Assamese language on the non-Assamese speaking hill people were the significant developments of the 1960s-1970s. The political activity mentioned was responsible for the creation of the state of Meghalaya and the union territories of Mizoram and Arunachal Pradesh in 1972. Earlier both Tripura and Manipur, which were union territories, were upgraded to fully-fledged states in 1972. Mizoram and Arunachal Pradesh became fully-fledged states at a much later date.

Non-Regulation

Operative in the hill region was the Non-Regulation pattern of administration. First applied to the Garos by Regulation X of 1822, and later elaborated by a series of official administrative measures including the Inner Line Regulation of 1873 and the Scheduled Districts Act 1874, the system was characterised by a simple procedure of administration. The full provisions of law and administration were not made applicable to the tribe inhabiting these hills. In time the Non-Regulation system was adapted for the tribes of North East India as each were brought under British rule and later extended to the tribals of Chota Nagpur, Jalpaiguri, Darjeeling, the Chittagong Hill Tracts of Bengal, Kumoan in the North West Province and in certain districts of Sindh.⁸

With their subjugation by the British, steps were taken by the colonial administration to give to these hill people a 'paternal' government that allowed them to manage their own affairs according to their own genius, with just that amount of control from above. Traditional leaders were encouraged to continue their age-old and traditional administration under the new dispensation. Their traditional hierarchical structure remained. The colonial administration permitted their chiefs to continue their authority over their respective villages under the watchful eyes of the district authorities. In the British India

villages, the Khasi *Sirdar*, the Naga *Goanbura*, the Mizo *Lal* and the Garo *Nokma* assisted the administration in collection of revenue, house tax and other functions for which they were paid a share of the collection. The Naga *Goanburas* were each given a distinctive red blanket as a symbol of their authority. This form of indirect administration operated in the hills whereby the chiefs became the local props, if such a term is appropriate, to describe the relationship between the rulers and the traditional heads of villages.

British rule over the hill people of the North East superseded the centuries' old political isolation of the hill people and introduced a pattern of administration to suit their needs. An important feature of this administrative pattern was the integration of distinct tribal areas into a district or sub-division named after the predominant tribe. In the process of acquisition and consolidation of British administration over these hills several of their indigenous institutions and customs were conveniently allowed to become defunct. On the other hand certain other institutions and laws were introduced which were alien to tribal traditions. Generally however, and in line with the British policy of non-interference with the traditional forms of governance, the people were left to practise their own customs in their life and culture, and traditional governance got a tacit sanction without being spelled out in any detail.

The politics of the Indian National Congress, the All India Muslim League and other political parties of the Assam legislature did not have any effect in these hills. The British policy of exclusion / segregation of the hill tribes kept them out of touch with the political, cultural and other developments in other parts of India. However, it was not long before political consciousness emerged in the hill districts. It started with the Jaiñtia Dorbar in 1900. From the second decade of the last century political activity in these hills increased in view of the constitutional reforms Britain offered India. The participation of several hill tribes in the war of 1914-18 exposed them for the first time to peoples and places far from their homes. Naga political activity began with the establishment of the Naga Club in 1918. This

was followed by the more hectic political manoeuvrings of the Khasi National Dorbar set up in 1923 and the Federation of Khasi States, formed in 1934. The pace of political activity increased sharply shortly before the independence of India. The Garo National Council brought Garos together in 1946; the Mizos with popular initiative formed the Mizo Union in April that year.

Modern political activity, as distinct from traditional governance was not advanced enough in the hills by 1947 to meet the aspirations of the hill people at that crucial time in their history. The integration and merger process, which Indian native states underwent to become part of the Indian Union, left much to be desired as far as the people of the region were concerned. There was also a lack of appreciation of the tribal mind by the new Indian leadership— particularly the Assamese politicians.⁹ While some hill leaders were becoming involved in their changing status and position, such Rev. J. J. M. Nichols-Roy, a Khasi and minister in the Assam Government; the people at large were left untouched by the political developments in India. The Indian freedom struggle consequently had little if any impact on the hill people. They had little participation in the struggle. They did have their own struggles against expanding and ‘creeping’ British imperialism. However, the nature and intent of their resistance to British rule¹⁰ was in no way connected with the Indian freedom movement.

When their political integration with India was complete, the tribal people in the region were provided autonomous district councils and regional councils as per the provisions of the Sixth Schedule of the Indian Constitution. Operative in the Garo Hills, the Khasi and Jaiñtia Hills, the Mikir Hills and the Lushai Hills from 1952 these Councils were provided legislative, judicial and executive powers on certain subjects relating to the tribe(s).¹¹

Traditional Governance

Traditional institutions of governance in North East India as we have them today, largely originated among pre-literate communities in pre-colonial times. Consequently the tribes were not able to put in

writing the powers and functions of the different forms of governance. The numerous tribes and communities who inhabit the region have oral histories. These have become useful in establishing their history since antiquity for some and since the more recent times for others. Even the contemporary history of some migratory groups whose settlement in the hill and plains of this part of India has occurred within living memory could be established through these oral histories. While it may be possible to reconstruct the pre-history of some of the tribes from a study of their material remains, it becomes difficult to assign them 'ancient' and medieval' pasts because there is an absence of written material from which to reconstruct their past. Even giving them a 'modern' history becomes difficult because to move into the modern without an intelligent account of what occurred before this period would be contributing to a fallacy in history.¹²

Mention has been made of these problems in order to put in perspective our understanding of traditional institutions in the North East. For institutions to become tradition a past that is somewhat long in time is required. This past varies for the tribes in the region. The Khasis recall their transient settlement in the Brahmaputra valley that was well before the entry of the Tai Ahoms into the same valley early in the 13th century. Meiteis have assigned a fixed time of their settlement in the Imphal valley to the fourth decade of the first century. It is not possible to assign a date as to when the Naga diaspora had entered the region and into what are today four adjacent states. Similarly it is not possible to assign such a date even to the more recent movements of tribes such as the Mizo-Kukis whose settlement in their hills is of a comparatively more recent origin. Historians may hazard tentative dates for these movements and settlements by a judicious use of oral traditions cross-checked with other forms of information of a given phase of human history.¹³

It is not certain when and why, and under what circumstances, the institutions that the tribes came to accept as their own originated. Much of what has been written on their origins is based on conjecture or on material that in all probability cannot be verified as being near

to the truth. However, what is to be appreciated is that from their uncertain origins to the present, the institutions have stood the test of time, and even if they appear outdated and obsolete in the present, they continue to function, though not always in the desired form, with societal support for both their usefulness and their social control.

The earliest references to the institutions were written by observers who saw in the numerous patterns of tribal government, forms quite different from their own institutionalized systems of governance.¹⁴ Later, writers from among the tribes both elaborated and clarified the views on their respective institutions.¹⁵ Things lay there for some time, attracting no one's attention except for the occasional inquisitive academician in search of answers to his or her questions. Today the study of traditional institutions has assumed significance. The Khasi traditional heads, for instance, are seeking constitutional recognition for their institutions in a bid to fit them into the modern system of governance. Several papers have also come up with arguments questioning their functioning and relevance; but of this more will be said later in this presentation.

Some Institutions

The tribes developed the institutions of governance out of their own genius and perhaps after many trials and tests till they arrived at a form or forms of governance they considered good for themselves. The tribe with a system involving three stages of governance—the village, cluster of villages and the state or *Hima*—was the Khasi-Jaiñtia. The basic unit of political organization in the Khasi-Jaiñtia society was the village, which composed of one or two decent groups. Village administration was conducted by an assembly of all resident adult males under an informal headman elected by them from among their number. When new villages were formed, the new community did not detach themselves from the original village but remained an integral part of the growing state or *Hima*. Administrative and political necessity led to the institution of tribal leaders such as the *Basan* and *Lyngdoh*. The *Basan* was entrusted with the conduct of the affairs of the clan while the *Lyngdoh* was entrusted with both administrative and

sacerdotal functions. Under them there were the *Pators*, *Sangots* and *Matebors*, who assisted in the administration of the *Shnong* and the *Raid*. It is believed that the institution of *Syiemship* had emerged from these rudimentary beginnings, and probably out of the voluntary association of villages when new developments such the opening of markets, marriage laws, organization of land tenure and judicial administration had brought in the need for a central and common ruler. The *Basans* and *Lyngdohs*, who surrendered their powers as rulers did not forfeit all their powers as they and the founding clans of *Himas*, the *Bakbraws*, retained some of their administrative and religious functions, even, in some *Himas*, the privilege to elect their *Syiems*.¹⁶

There was some sort of adaptation in the origins of *Syiemship* as some early *Syiems* were drawn from people of non-Khasi origin. Hima Shella has *Wahadadars*, a term borrowed from nearby Bengal for their chiefs. When the British extended their political control over these hills they instituted another functionary, the *Sirdar*, who was in charge of British villages. Such adaptation as evident in the tribal governance in the Khasi Hills was also evident in the Naga *Gaonbura*, the Arunachal *Dobashi* and the Garo *Laskar*.¹⁷ This should suggest that while some of these institutions evolved over a long period of time, others are of a more recent origin. Indeed the tribes had to adapt and change the nomenclature and functions of some of their functionaries by force of circumstances over which they had no control.

The higher rung in the hierarchical structure [it reminds us that the tribal societies were not as egalitarian as they were believed to have been by many writers] of the tribal communities was dominated by their chiefs and assisted by tribal councils. We have made a reference to the Khasi-Jaiñtia structure. The Garos evolved the institution of the *Nokma* of which there are four kinds, the *Gamni Nokma*, the *Gana Nokma*, the *Kamal Nokma* and the *A'king Nokma*. Of these four only the last one was entrusted with the governance of the village.¹⁸ The Garo institutions, just as the *Syiem* of the Khasi *Hima* of Khyrim, are

somewhat unique. Whereas the other institutions are patriarchal in nature, the *Nokma* is subject to Garo laws of inheritance through the female line, the *Mahari*; while the *Syiem* of the Khasi *Hima* of Khyrim is the son of the *Syiemsad* of that state.

It is not possible here to go into all the institutions prevailing in the tribal North East of India. It may suffice to take some case studies to explain the nature and function of the living patterns of the tribal people who governed themselves. The Naga institution of chief as it exists today have come down with Naga life over a long span of time and under conditions which allowed only for strong men to be their chiefs. A recent report has summed up the Nāga position thus: “The traditional system of Naga polity ... varies from autocracy (Konyaks), gerontocracy, (Aos, Tangkhuls) and democracy, (Angamis, Chakhesangs, Rengmas, Maos). Among the Semas, the position of the chief is a little less arbitrary than the Konyaks, but is nevertheless highly autocratic.”¹⁹ This simplistic explanation of the prevalent situation in the Naga Hills, inclusive of the Naga inhabited areas within Manipur, overlooks the fact that succession to the position of village chief is usually hereditary except among some tribes. The moot point is in their functioning—while many of the chiefs take support from the adult male population of the village through discussion and consultation in the village councils—the authoritarian Konyak *Angh* and the Sema *Akeko* are not bound to follow the system practised by their kindred chiefs among other Naga tribes.²⁰

Whatever may be their structure at the top, the tribal societies put safeguards in their governance through the village councils that perform the work of administering a village, a cluster of villages or the larger conglomeration. With their different names they nonetheless have similar functions like administration of justice according to customary laws and practices; keeping watch and ward, arranging the cycle of the *jhum* fields where this practice is prevalent; overseeing the use and distribution of water and other resources, to name some of the functions. Later Khasi *Syiems* would be entrusted with magisterial duties within their own *Himas* by the British. This judicial function

continues to be given to the *Syiems* by the Indian administration though with reduced powers for the disposal of civil cases.

What we refer to as traditional institutions today must have been a matter of everyday life for the societies under review. They lived according to their own structures with privilege for certain sections of the society and oppression and exploitation for others. They fulfilled a role, which at that time had nothing better to offer. There was no alternative. The institutions established were particularly not fair to their women. They could not aspire for positions of leadership; they were denied entry into the councils and were not heard or consulted. They could not participate as equals of their men-folk in their own societies. The literature that is now available on the position of women in the traditional tribal societies suggests that tribal women were not as exploited as their counterparts in mainland India — but still it does not speak well of the tribesmen to have given secondary position to their women.²¹

Debate on Traditional Institutions

In recent years academicians have focused much attention on the traditional institutions of governance in North East India. Numerous seminars, conferences and workshops have discussed in detail the powers and functions of the institutions relating to particular tribes and communities; their management structures, their relevance, and other related issues.²² The literature generated on the subject is increasing and varied.

In more recent years the focus has shifted from the descriptive to an analytical debate, questioning the institutions. Five papers out of many other presentations will be discussed here. The Crisis States Programme of the London School of Economics and Political Science intends to provide new understanding to the causes of crisis and breakdown in the developing world and the processes of avoiding or overcoming them. As part of the programme a working paper has been prepared on North East India.²³ Apurba Baruah must find it convenient to work on the tribal traditions in Meghalaya as the material is easily at hand. Aply presented, he has applied a critique of the

institutions at the local level without an appreciation of their functions and their relevance to the Khasi society as the community sees these institutions. He begins the paper with references to traditional institutions in Africa and the North East; the question of their tribal status; and then reviews what scholars have written on the subject of traditional institutions in Meghalaya, with no mention of the Garos. Baruah, towards the conclusion, says that the most influential of traditional institutions are to be found at the *Dorbar Shmong* level in Meghalaya! (Read Khasi- Jaiñtia Hills) Allowing the insensitivity of the author to his subject of study, the paper, very quickly concludes without any suggestions that an understanding of the *Dorbars* in rural and urban settings may help resolve the conflict of values that otherwise may create a major crisis of governance.²⁴

The second paper on the same subject is Bengt Karlsson's.²⁵ Karlsson's understanding of the subject he writes makes interesting reading. Though the paper is polemical in content, the author shows much more sensitivity to the subject of traditional institutions. Karlsson seeks to explain the issues on ethnic homelands and indigenous governance in the region, again with reference to the Khasi-Jaiñtias, but not so much to their past as to the more recent factors. He links the demand for recognition and empowerment of the traditional institutions in part to the poor performance of modern institutions of governance. He makes mention that (a section of) the Naga favour a return to indigenous customary institutions in place of party politics. Cautious in his conclusions, the scholar sees the indigenous governance as "a worrying sign that spell further cleavages and ethnic conflicts". On the other hand, the author sees the possibility of the traditional institutions with a more locally grounded form of politics. He sees a need that the traditional councils be reformed and made more inclusive in order to get democratic legitimacy. Should this be possible, Karlsson is of the opinion that there can be a widening of civic space in Meghalaya.²⁶

Some policy making bodies have also become involved in these studies. The National Commission to Review the Working of the

Constitution has published a Consultation Paper on the subject.²⁷ Intended for the sole purpose of generating public debate and eliciting public response, the Consultation Paper has provided an overview of the institutions operative in the hills and plains of the region. The outcome of this exercise is not known, though the historical background, the questionnaire and the appendices of the Consultation Paper have become useful material to build up a critique of the traditional institutions. The question may be asked what has been the outcome of the Consultation, the papers it commissioned and the cost of its operation?

Among several writers of the Khasi community who have written on the subject, the articles of Toki Blah and Charles Reuben Lyngdoh are brought into this discussion. Blah's essay appeared in a popular daily.²⁸ According to him, traditional institutions in rural Khasi Hills have not undergone much change. If there is a perceptible change in the functioning of these institutions it is in Shillong, where the headmen or *Rangbahsbnong* (more than the *Syiem* of Myllem, within whose *Hima* they function) have undergone a change in their status and functions. Blah begins his essay with the respect the community has for the institutions. He asks the question how to make use of the institutions and how adaptable are they to our modern needs? He sees a possibility in remodelling the traditional institutions and strengthening them with new technology, as the luxury of building new viable platforms is not with the community. He argues that it would be in the interest of the community if the *dorbars* were entrusted with more authority in the governance of Shillong rather than making the Shillong Municipality elect Commissioners of Wards for the purpose. "Staid unwritten political acumen was unwittingly exchanged for innovative untried political stratagem", he observes. He feels that the *dorbars* could have been facilitated, trained and capacitated to take up the responsibilities within an urban set-up. The author traces the failure of the elections to the Shillong Municipal Board and explains how the traditional headmen have stepped in to assist the Board in its functions. As he sees it, today each *dorbar* functions within its own limited jurisdictions. As regulatory bodies they have been found to

ably assist the civil administration in several functions. There is however, no coordination between these *dorbars* other than an overarching *Synjuk Ki Rangbab Shnong*. He concludes the two-part essay with an appeal to recognize the potentials of these self-governing bodies and orienting them towards closer cooperation with the administration.

While the essay noted above sees a role of the traditional institutions in the administration of urban Shillong, the presentation of Charles R. Lyngdoh²⁹ poses the question whether the Khasi *Himas* are ready and have the capability to undertake developmental work. Earlier the *Himas* had survived with little or no funds. Today funds from the Central Government and from grants under the discretion of Members of Parliament and Members of the Meghalaya Legislative Assembly are being made available for the *Himas*. Further, encouraged by the setting up of the National Commission to Review the Working of the Constitution in January 2000, the *Himas* have suggested that they could come under a new provision of the Constitution, the 13th Schedule, to provide for a Federal Council with legislative, executive and judicial powers and with direct funding from the Centre. The experience of the traditional heads of the *Himas* with the Khasi Hills Autonomous District Council since its inception has not been cordial. They continue to grouse against the 1959 Act of the Council that lowered their position to that of village headmen!³⁰ With the changing role of the *Himas* and their institutions, the scholar advocates a thorough review to make them more vibrant and in tune with the requirement of civil society. He suggests a wider participation of the youth, women and professionals in the developmental activities of the Khasi states.

Conclusion

The institutions at all three levels, briefly reviewed above, are now faced with a dilemma, whether to change in part or substantially and whether to further adjust into the situation within which they have survived. Faced with these problems these institutions are making both bold attempts and feeble bids to adjust and change. They require

changing or risk becoming set, rigid and moribund. In part, the hardening of the traditional leaders at the *Hima* level to the changes they face comes as a reaction to the unsympathetic, if not unconcerned attitude of the Indian state over the past five decades. The Indian state has lost sight of the role traditional institutions could have played in the administration of the tribal people in a more effective manner. It has not learnt any lessons from the British, who had used the chiefs and their councils as useful instruments in what has been called 'indirect administration'. Rather than utilise the experience of their leadership, a new institution in the District Councils was introduced under the Sixth Schedule of the Indian Constitution, composed of elected representatives of the tribal population to oversee, as part of their functions, the working of the age-old traditional forms of government. With the introduction of the District Councils the situation has actually deteriorated to a mistrust of one institution by the other; a misuse of power by the newer form of administration, which has in most cases failed miserably. It is no surprise therefore that we are witnessing in our own time a resurgence of the rights and powers and privileges of the traditional institutions and their leaders.

Caution should be the watchword of the traditional institutions as they seek constitutional recognition. Times have changed. For instance, not all Khasis in Shillong, which falls within the *Hima* Myllem, accept the *Syiem* of Myllem as their *Syiem*. Khasis residing in the capital of Meghalaya continue to connect and affiliate with the village and *Hima* from which their families had originally come. There are strong reservations to the continuation of the traditional institutions when there are newer, but by now time-tested, forms of governance that guarantee equality before the law; give women their rights; and stand for accountability.

As more funds become available for development and as the state administration entrusts more power to the traditional institutions at the local level, the institutions have been swayed away from their moorings into the modern political system and administration. The

'non-traditional' leaders within the community, for their own political gains, may use the dependence on the traditional institutions to have a hand in the development of roads, education, water supply and infrastructure within their respective jurisdictions. The modern state has the funds, the traditional institutions do not and here lies the bait. The relationship now cannot be one of 'indirect rule'. In their new role it may be possible to provide the institutions a larger share in the administrative processes in a way that will ensure their participation. If they are to continue, they need to have the foresight to adjust by such measures as providing women a chance to participate in their decision-making and also by bringing more accountability and transparency into their management and accounts.

Caution should also be the watchword of the authorities who will have to respond to the pressures for greater powers and constitutional recognition to traditional institutions. This demand has arisen owing to the anxiety the traditional heads of Khasi *Himas* face while dealing with the Khasi Hills Autonomous District Council. If the District Councils have failed, there has been no official admission on their part until very recently, where it has been admitted that the Sixth Schedule, which provides for the councils is "institutionally defective and deficient" to meet the aspirations of the hill people.³¹ When the Nagas found no use for the District Council and continue to hold on to their own traditions, is it necessary to impose by legislation such councils on other peoples, at such cost and with little good? On the other hand, the question may also be asked and answers may be attempted to explain why— if the Mizos had done away with their institution of *Lal*, so soon after the independence of India, and have not been any worse off for it— is it not possible for other tribal communities to change, if not do away with traditional forms of governance?

Two crucial issues have not been discussed in any forum. The Khasi traditional forms of governance were devised when the tribes lived in relative isolation among themselves. Today the tribes live in close proximity, and in the larger urban centres, together and close to

people of other communities. When people live so close to each other, how then can there be one set of governance for one section while others are completely exempted? For instance, one Saturday in late 2003, the Laitumkhrah *Dorbar* called for a meeting of all Khasi residents of that *shnong*. This meeting put restrictions on the movement of people in and through Laitumkhrah, a commercial and educational centre of the city of Shillong, and caused tremendous inconvenience to many others, though they were not allowed to attend the *Dorbar*.

Secondly, if the tribes had set up the institutions, had adapted or been given certain institutions, which have become theirs, then it should be left only to them to take the decision whether they can live with or without them.

There are many overlapping levels of governance for the tribal people. The functions of their traditional leaders even today, in the modern state, coexist in a curious mixture of the traditional and the modern. The traditional governance of the village headmen and elders continue to function in tribal areas of the region. As archaic as they appear and are, they are nonetheless respected and functional. They know the limits of their functions. Rumblings of discontent are, of course, beginning to be heard, particularly from the educated and urban sections of the tribal communities, about the usefulness of traditional forms of governance when the Indian state has provided mechanisms for modern and democratic governance.³² It would be fair to say in conclusion that this state of affairs has arisen because of the acceptance of the necessity, for various reasons, to preserve the traditional institutions within an evolving Indian democracy. In all this, the understanding of “tradition” within the “modern”, will continue to be a subject of debate and policy.

NOTES AND REFERENCES

- 1 The Excluded Areas comprised the Naga Hills District, the Lushai Hills District and the North Cachar Hills District.
- 2 The Partially Excluded Areas were the Khasi and Jaintia Hills District, the Garo Hills District and the Mikir Hills.

- 3 Refer to J. P. Mills, *The Pangsha Letters: An Expedition to Rescue Slaves in the Naga Hills*, Pitt Rivers Museum, 1995. This is a collection of Mills's letters during the 1936 expedition.
- 4 India Office Library and Records, L/P&S12/3115A. No. 22, File 6, Memorandum on the Tribal and Excluded Areas of the North Eastern Frontier, Para 4.
- 5 Ibid. Cambridge South Asia Archives, Pawsey Papers, Box 1, No. 5, Andrew Clow to Charles Pawsey, 24 April 1947.
- 6 Ibid
- 7 David R. Syiemlieh, "The Political Integration of the Khasi States into the Indian Union", B. Pakem (ed.), *Regionalism in India*, Har Anand Publications, New Delhi, 1993, pp.147-156; Sajal Nag, *India and North-East India: Mind, Politics and the Process of Integration 1946-1950*, Regency Publications, New Delhi, 1998. Refer also to the *Proceedings of the North East India History Association* First/Third/ Fifth and Sixth Sessions for papers on the integration of Manipur.
- 8 For details of this pattern of administration refer to J.B. Bhattacharjee, *The Garos and the English*, [what publication?]N. Delhi, 1978 and D. R. Syiemlieh, *British Administration in Meghalaya: Policy and Pattern*, Heritage Publishers, N. Delhi, 1989.
- 9 For a comprehensive understanding of the process of the integration of the hill areas of North East India into the Indian Union refer to David. R. Syiemlieh, *Response of the North East Hill Tribes of India Towards Partition, Independence and Integration: 1946-1950*, Pratibha Devi Memorial Lectures 2003, Gauhati University, pp10-27. Also read the chapter "Genesis of Hill Politics" in S. K. Chaube, *Hill Politics in Northeast India*, Orient Longmans, reprinted 1999 and the chapter "Final Bid for Power" in Amalendu Guha, *Planter Raj to Swaraj: Freedom Struggle and Electoral Politics in Assam 1826-1947*, People's Publishing House, reprinted 1988.
- 10 D. K. Fieldhouse in *Economics and Empire 1830-1914*, Weidenfeld and Nicholas, London 1976, pp. 80-81,173-175, has used the term "colonial -sub-imperialism" to describe the expansion of European imperial powers in Asia. The term aptly describes the nature of expansion of the British into North East India.
- 11 S. C. Chaube, op. cit. pp.100-116.
- 12 For a discussion on the periodisation of the histories of the tribes of North East India refer to Amalendu Guha, "Introduction", in J. P. Singh and Gautam Sengupta (ed.), *Archaeology of North East India*, Har Anand, N. Delhi, 1982, p.2 and David R. Syiemlieh, 'Technology

- and Socio- Economic Linkages of the Khasi- Jaintias in Pre-Colonial Times', Mignonette Momin and Cecile A. Mawlong (eds.), *Society and Economy in North East India*, vol I, Regency, New Delhi, 2004 , pp. 22-23.
- 13 There is a plethora of literature on the tribes of the region. Early in the 20th century, the British Government commissioned a series of monographs on several of the tribes. These were useful references on the communities and have in time required both revision and updating. A useful introduction to the tribes may be read in Frank M. Lebar et. al., *Ethnic Groups of Mainland Southeast Asia*, Human Relations Area Files Press, New Haven, 1964, has entries on the Nagas, Chins, Garos, and Khasis.
 - 14 For instance, a detailed account of the Khasis was written by Alexander Lish and published in the *Calcutta Christian Observer*, March 1838, pp.128-143. An early account on the Garos was prepared by John Eliot. "Observations on the inhabitant of the Garrow Hills made during a Public Deputation in the Year 1788-89", *Asiatic Researches*, Vol. III, 1792. On the Nagas and several other hill tribes there are numerous references to them in the *Journal of the Asiatic Society of Bengal*.
 - 15 Useful studies by tribal on their own people are Milton S. Sangma, *History and Culture of the Garos*, Books Today, New Delhi, 1981; M. Alemchiba, *A Brief Historical Account of Nagaland*, Naga Institute of Culture, Kohima, 1970; Lal Biak Thanga, *The Mizos: A Study in Racial Personality*, United Publishers, Gauhati, 1978; David R. Syiemlieh, *British Administration in Meghalaya: Policy and Pattern*, Heritage Publishers, New Delhi, 1989; Hamlet Barch, *The History and Culture of the Khasi People*, reprinted Spectrum Publications , Guwahati, 1985.
 - 16 P. R. T. Gurdon, *The Khasis*, reprinted, Low Price Publications, Delhi, pp. 62-75; Hamlet Barch, op. cit., pp.234-284.
 - 17 *Goanbura*, *Dobashi* and *Laskar* were terms not earlier used by the concerned tribes. These terms were applied following British rule/ political control over the tribes.
 - 18 Milton S. Sangma, op. cit., pp. 60-66.
 - 19 National Commission to Review the Working of the Constitution, *Consultation Paper on Empowering and Strengthening of Panchayati Raj Institutions/ Autonomous District Councils/ Traditional Tribal Governing Institutions in North East India*, December 2001, p.71.
 - 20 A. S. W. Shimray's , *History of Tangkhul Nagas*, Akansha Publishing House, New Delhi, studies in the institution of the Awunga among the Tangkhuls. Chapter 7 summarises the forms of governance among the other Naga tribes.

- 21 F. S. Downs, *The Christian Impact on the Status of Women in North East India*, NEHU Publication, Shillong, 1996.
- 22 Among the earliest of studies on the traditional institutions in the region are S. K. Chattopadhyay (ed.) *Tribal Institutions of Meghalaya*, Spectrum Publishers, Guwahati, 1985. A broader study then followed in Jayanta Sarkar and B. Dutta Ray (eds.), *Social and Political Institutions of the Hill People of North East India*, Anthropological Survey of India, New Delhi, 1990. The Rajiv Gandhi Foundation, New Delhi sponsored a seminar on “Traditional Self-governing Institutions” in Shillong, 29-31 August 1994. L. S. Gassah’s study, *Traditional Institutions of Meghalaya; A Study of Doloï and His Administration*, Regency Publications, New Delhi, 1998 has given attention to one of the institutions. Bhupinder Singh has edited *Antiquity to Modernity in Tribal India: Tribal Self-Management in North-East India*, Inter-India Publications, New Delhi, 1998. This is the second volume of a four part series on tribal studies in India. A number of articles on the subject have been included in George Mathew (ed.), *Status of Panchayati Raj in the States and Union Territories of India 2000*, Institute of Social Sciences, New Delhi, 2000. The North East Network, an NGO working in the region, turned its attention to the traditional institutions of the region during the Ford Foundation celebrations in India, at Guwahati, in March 2001. A brief report of the meet is published. Atul Goswami has edited *Traditional Self-Governing Institutions Among the Hill Tribes of North-East India*, Omeo Kumar Das Institute of Social Change and Development, New Delhi, 2002. More recently the North East Foundation, Guwahati held a seminar on “Constitutional Safeguards for the Indigenous People of North East India”, Shillong on 24 November 2001. This was followed by a number of presentations on the subject of traditional institutions presented at the Department of North East Region, Government of India sponsored seminar “Development Plans for North Eastern Region: Exploring Options and Possibilities”, at the North-Eastern Hill University, 11-12 December 2003.
- 23 Apurba K. Baruah, “Tribal Traditions and Crises of Governance in North East India, with special reference to Meghalaya”, March 2003, Crisis States Programme, Working Paper, No22. Baruah has followed this paper with a more detailed study of Laitumkhrah Dorbar, Shillong. See “Ethnic Conflicts and Traditional Self Governing Institutions a Study of Laitumkhrah Dorbar,” Crises States Working Paper, No. 39.
- 24 Ibid. pp. 8-10.

- 25 Bengt G. Karlsson, "Ethnic Homelands and Indigenous Governance: Reviving 'Traditional Political Institutions' in Northeast India". Draft paper for private circulation. Another of Karlsson's papers on the subject and recently published is "Sovereignty through Indigenous Governance: Reviving 'Traditional Political Institutions' in North East India", *The NEHU Journal*, Vol. III, No. 2 July 2005, pp.1-15.
- 26 Ibid. The paper has no pagination.
- 27 National Commission to review the Working of the Constitution, Consultation paper on *Empowering and Strengthening of Panchayati Raj Institutions/ Autonomous District Councils/ Traditional Tribal Governing Institutions in North East India*, December 2001, <http://ncrc.nic.in>
- 28 "Traditional Institutions and Urban Governance," *The Shillong Times*, 3 and 4 May 2004.
- 29 "The Politics of Development: Contesting the Claims of the Himas", Paper read at the seminar "Development Plans for the NE Region— Exploring Options and Possibilities", NEHU, 11-12 December 2003.
- 30 Memorandum Seeking Recognition and Protection of the Traditional Institutions of the Khasi Race, submitted to the President of India, Steering Committee, Dorbar Hima Myllem, 28 February 2001; The National Commission to Review the Working of the Constitution, Consultation Paper on *Empowering and Strengthening* etc, op. cit., Appendices I and II.
- 31 *The Asian Age*, 2 June 2002.
- 32 Read for instance Patricia Mukhim, "Speaking out of Turn", *The Shillong Times*, 23 July 2004.