

Studying Tribal Political Institutions

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Tribal traditional institutions ~~are being~~ sought to be strengthened in the NEI under the plea that they are democratic and more effective. But have we properly studied them to examine these claims? This paper attempts to look at this issue. It is an enquiry also into the theoretical aspects of this problem.

Colonial Intervention brought significant changes to many of the societies often called tribal societies. Schneider argues the imposition of colonial rule had an immediate effect on most African kingdoms.¹ There is evidence to show that in other situations the colonial powers actually created conditions so that the power of the chiefs increased, particularly through what was called indirect rule.

Colonial interventions, however, did not bring about a radical transformation, as far as the influence of traditional values was concerned. Studies show that African students, who studied abroad and were exposed to western government in Europe, contemplated becoming legatees of imperial rule. However, "many of those who progressed furthest in the realm of European education were still unwilling to renounce their African heritage completely". They found refuge in the concept of *negrituda*, "taking pride in traditional African Values while simultaneously seeking to gain acceptance from the Europeans by absorbing their culture"². The tendency to revive traditional values and institutions remained strong, despite inroads of Western values throughout colonial interventions.

Politics in these traditional communities was based on two principles: the wise should rule and all members of the group, except slaves and women, should participate in ruling, in a spirit of partnership and consultations³. In a sense, the practice of such politics is based on the principles of egalitarianism and popular participation. However, the democratic content of these systems could not, and should not, be judged by different standards of societies including those viewed as more advanced.

The nature of these systems of governance and their "democratic" practices varied from society to society. In fact, there is no unanimity

among scholars regarding the democratic content of these societies' political practices. V.G. Simiyu argues that, it is illusive to attempt to prove that democracy existed in these societies before the coming of colonialism. He claims there was a mixture of rudiments of democratic tendencies and practices on the one hand and aristocratic, autocratic and/or militaristic practices and tendencies, with varying degrees of despotism, on the other.⁴ Despite such differences of opinion, there is no doubt that traditional political institutions and political values of tribal societies of former colonies were of a different genre.

If a form of modern democratic governance, particularly one with declared 'liberal democratic goals', is introduced in such societies through external intervention even with indigenous allies, then traditional political values can be expected to come into conflict with the new political values. Imposition of values foreign to the existing consciousness may generate conflicts.

In this case of Africa, such conflicts were reflected in a new leader's attempt to resort to what has been termed "Africanization", which was promoted at the expense of efficiency and integrity. During this process, according to Duignan and Jackson, "African traditions of gift-giving and protection of kin definitely contributed to practices that in a modern setting appeared corrupt"⁵. It is not merely appearances that create problems. The very essence of a democratic government – of any liberal variety – means professing the rule of law and necessitating competitive politics. This presents serious problems in, what may be called, 'traditional settings', because the political practice under such circumstances would often be influenced by the remnants of traditional values. This is neither a phenomenon limited to Africa nor is this experience limited to tribal societies when "democracy" is introduced through an external initiative. Many Western countries have experienced almost similar conflicts, though at a different level and in a different context, during what Bendix called, the 'great transformation'⁶.

Therefore, the question that should be posed is whether remnants of traditional values, particularly values like kin protection for instance, continued to influence their social and political attitudes and behaviour. It is also necessary to examine the consequences of such influences for the new system of governance. Another relevant question is, how the introduction of new values including those of individual rights, the rule of law, equality before the law and other liberal democratic values will affect the traditional institutions and values?

Evidence of persistence of traditional values, as we argued above in the case of Africa, is also found in the tribal societies of north eastern part of India, now referred to commonly in academic circles as 'North-East India'.

Asilie Pusa has pointed out that the definition of tribe, which is inherent in the constitutional position, is based on a process of identification introduced by the British administrators whose view was to give such groups political concessions. This form of identification alleged that when a group appeared to be clearly Hindu it was defined as a caste, and, when it was 'animist' it was classified as a tribe. In effect, it had nothing to do with the stages of development.⁷

Scholars such as Andre Beteille and F.G Bailey argue that social groups in India cannot be termed as tribes because they are not isolated from the mainstream social system.⁸ Pusa argues that the positions taken by these scholars reflect results of studies on tribes that have only had links with mainstream India. He points out that the communities identified as tribes in north-east India might not have had substantial links with central Indian culture and social systems.⁹ However, Bailey and Beteille also point out that there are social groups in the country, which identify themselves as tribes. It is important to note that identification is based more on political principles than on cultural characteristics. Whether such communities are actually tribal, in the anthropological sense of the term, may be debatable but, as Pusa argues, these communities identify themselves as tribes and have developed a consciousness on the basis of such an identity.¹⁰ We do not intend to enter into a debate about the justifiability of identifying these communities as tribes because our concern here is to understand the conflict situation, which is apparently related to the community consciousness and the values attached to what these communities claim to be their traditions.

Many regional tribal organisations have been publicity taking positions that contradict some of the basic principles of liberal democracy. The Khasi¹¹ Students' Union, for instance, declared that no other student organization will be allowed in the Khasi Hills.¹² Such conflicts are present in most of the hill states in the region but because they are seldom reported in regional newspapers, information on these incidents is not readily available. The states of Mizoram, Nagaland and Manipur do not have as active a press as Meghalaya and therefore evidence of such violent conflict is not made public as easily, yet conflicts take place in these states as well.

It is important to examine whether such conflicts are generated by a clash of values, inherent in traditional political practices, but manifested in a modern context. This question becomes particularly relevant when considering that, in most of these societies, institutional arrangements of the pre-constitutional and, therefore, pre-liberal democratic era, continue to function along side the government of the democratic republic, established in 1950.

Many communities of North East India have been demanding constitutional recognition of their traditional institutions, which in the contemporary sense, are not democratic because in most cases, women are not permitted to participate and certain public offices are restricted to certain clans of particular tribes. This is discussed in *Empowering and strengthening of Panchayati Raj Institutions/ autonomous District Councils/ Traditional Tribal Governing Institutions in north East India*, a consultation paper prepared by the National Commission to review the working of the Constitution.¹³ Often organizations making such demands and the forces behind them do not appear to understand the differences in their conception of democracy with the democracy introduced by the Constitution of India. Prevalence of traditional tribal values and conflict with values of modern democracies become obvious in such demands.

It is worth questioning whether traditional organizations fail to recognise democratic principles because they adhere to traditional political values, which do not respect many principles of democracy established by the Constitutions of India, or because there are new vested interests emerging. There is, of course, no doubt that traditional tribal values of the not too distant past, continue to influence political values and attitudes.

Also of relevance is whether traditional values interfere with the systems of governance that profess principles of individual liberty and the rule of law. Waterlow has pointed out that in tribal societies an individual belonged to the tribe almost as closely as a bee belonged to its swarm, or a bird to its flock. Every activity of life was communal and was regulated by exact and sacred customs, which determined each person's function and status in the group. In such societies, an individual had no legal rights against the group; and the group would be held collectively responsible for an individual's actions.¹⁴

In such societies the community receives precedence over the individual. It is obvious that such precedence would not be compatible

with forms of governance that profess individual liberty. The principles of individual liberty, the rule of law and the expectation of competitive politics come directly in conflict with traditional values of tribal life, implying group assertion, kin-protection and collective effort. These conflicts will of course be sharper in societies where traditional institutions and organizations acquire both political and legal recognition under the new system of governance. Legal recognition of traditional organizations, institutions, norms and practices in turn, affects traditional values, thus creating a political reality of a unique nature.

Some tribal communities in India experience conflicts of this nature, which end up affecting the process of governance. However, the problem has not been taken seriously by social scientists. The study of tribal societies in India has often been influenced by a trend set by ethnographers of the colonial period. One of the most well known studies of Indian communities followed this approach even during the 1990s, particularly with respect to communities from Indian tribal states.¹⁵

Studies of Tribal politics

Economic problems of Indian tribes have received considerable attention from social scientists.¹⁶ The process of early state formation and the emergence of ethnic consciousness among these communities have also been studied by some anthropologist and historians.¹⁷ There have also been attempts to examine 'tribal' attitudes towards development and state policies and how other definitions of tribal areas have converted tribal people into strangers in their own land.¹⁸ Yet, there has hardly been any work on the political value orientations, particularly values concerning the rights of the individual vis a vis the community or of Indian tribal communities and the conflicts between traditional tribal values and the value premises of governance under the Indian constitution. Contemporary study of Indian tribal democracy ignores the interface of Indian democracy with traditional tribal values. For instance, a major publication such as Fankel *et al* (eds)'s *Transforming India: Social and political dynamics of democracy*¹⁹ has no reference to the tribal traditions and practices interlaced in the contemporary political reality of the country.

If we look at the history of North East India it is not difficult to notice that most of the communities, particularly the one's living in the hills, remained in an early stage of development until recently. At the time of the arrival of the British, in the nineteenth century, even the most

advanced state of North East India, Assam, had a semi-feudal society of petty producers.

The British gradually extended their rule and by 1889 the entire area came under their control, though some areas with difficult terrain and inhabited by hill tribal communities were left virtually un-administered. Until the arrival of the British, the notion of territorial political authority was unknown in the hills.²⁰ The British followed a policy of gradual integration through a plan of governance, which they believed to be suitable for the conditions of the hill tribes and without interfering too much with already existing institutions.

Chaube shows that none of the major political reforms introduced by the British were extended to the tribal hill areas of North East India. These were called and treated as excluded or partially excluded areas.²¹ In fact, the British virtually followed a policy of non-interference in the affairs of the region's tribal societies, unless it was necessitated by some interest of the Empire or of the British regime in India. Nonetheless, the prohibitive cost of overpowering these people could have also dissuaded the British from interfering with their situation.

Such isolation made it possible for these communities, inhabiting the area, to adhere to their own ways of life and thus facilitate the persistence of traditional political values and practices. The nature of these values is, however, not very clear so far as North-East India is concerned, as many works, including those cited above, remained descriptive narratives. Works on the tribal communities' history and culture in the region²² also do not discuss the issue. Despite this scholarly neglect, it remains one of the core political issues affecting the process of governance. Since in many "tribal" societies traditional organisations, institutions, practices and values persist, it is important to understand the consequences for governance.

Available works on traditional institutions are mere narratives of administrative changes based, at best, on British official records and, at worst, on hearsay. V V Rao's *A Century of Tribal Politics in North East India (1874-1974)* is a work based mainly on the earlier ethnographers, British records and personal interactions with tribal and non-tribal politicians of the later period. The book is written in the format of a school text without bothering to provide evidence for the conclusions drawn. Rao collaborated with some of his friends and students to bring out a

series of books on government and politics of the region. but all of these belonged to the same genre. We need not spend much time analyzing these books because, for purposes of political understanding, they are not of much help.

R. S Lyngdoh's *Government and Politics in Meghalaya* (1996) is merely a descriptive statement of the hill state movement and its influence on political parties. S K Chaube closely studied the emergence of hill politics in North East India from the British period to the 1970s. He traces the evolution of modern administrative systems in the area and recounts the history of its integration in what he calls 'national politics'. Written in the form of political history, Chaube's work does not go into the realm of values. In fact, social literature of the region does not discuss values and premises of governance at all. The effects of the introduction of the constitutional government on traditional semi-tribal, semi-feudal societies of the north-east region, remains unexamined even today.

Attempts at describing the traditional institutions:

There are, of course some attempts at describing the traditional institutions of the region's tribal people. The customary laws and systems of justice of the tribal people are well documented.²³ *Social and Political Institutions of the Hill people of North East India*²⁴ was a major attempt at presenting a descriptive account of such institutions. It also attempted to highlight changes that occurred after the independence of India, in particular, the exposure of societies to the federal democratic polity of the country. But, the conceptual and theoretical innocence displayed by this work is such that the data and analysis both become unreliable. For instance, while describing the traditional institutions and their practices, most scholars did not try to date, nor name traditions. Hamlet Bareh's description of the Khasi Syiemship as state, makes one wonder when early state formation began in these hills.²⁵ A scholar writing on Jaintia²⁶, for instance, freely uses nomenclatures, such as *Dorbar Myntri*, *Barkanda* and *Chowdhary*, obviously loan words, without realizing that these need not necessarily belong to a distant past.²⁷

So far as the effect of exposure to the federal democratic polity, introduced by the Indian Constitution, is concerned, these scholars merely described the new rules and procedures introduced under the Republic. They do not question how the new institutions affected traditional institutions and practices. Both Bareh and Pakem, have freely

tried to equate traditional practices and institutions of the tribes concerned with modern practices and institutions. For instance, Pakem translates the terms the *Daloi*, the *Pator* and the *Wasan* as police and magistrate.²⁸ It is necessary to remember that until recently most of these societies were pre-literate and unlike in the case of Africa, trained anthropologists have yet to study them in depth. As a result, folklore is considered as tradition.

It is also worth examining whether traditions are also being invented to suit newly emerging social forces. It appears from discussions on "traditional" institutions, carried out by many indigenous scholars that modern political values may be, unwittingly, interpolated with traditional ones. A passage from Pakem is evidence of this trend. While attempting to trace the history of traditional political institutions of the Jaintias, Pakem uses a myth, narrated by Gordon, a British ethnographer of the nineteenth century, to suggest the entire Jaintia hills were brought under the central authority of "*ki Syiem Sutnag* (Sutunga dynasty)". He then goes on to state,

"With the conquest of the Jaintia plains in the thirteenth century A.D., the central authority had for the first time, its own territory where its writs covered every aspect of administration. The Jaintia plains were regarded as the Union territories of the Jaintia Union, entirely under the control and supervision of the central authority."²⁹

It is not difficult to comprehend why the ideas behind the political system, established by the Constitution of India, were impressing tribal scholars in a manner which led them to invent concepts such as 'Union territory' and 'federation' in their past. These authors do not provide any evidence for their assertions nor cite sources.

For example, Pakem mentions that along with the establishment of the kingdom, a three-tier system of administration came to be established in Jaintia hills.³⁰ He also states that an extra tier was constituted whenever the province was too large. This picture would lead one to believe that a kingdom with federal characteristics was in existence in Jaintia areas. He then contradicts himself, "we have tales of warfare between one Jaintia unit against the other as in the case between the Sutngas and the Changpungs, and many others".³¹ A scholar, familiar with tribal systems of governance throughout the rest of the world, would have looked at these so called Jaintia units as warring tribal groups or

clans instead of looking at them through the prism of the Indian Constitutions, which stipulates territories and units within the Indian union. Had there been a Jaintia kingdom with a three-tier system of administration, there could not have been warfare between one Jaintia unit and another. Those so-called units and tiers of administration might have been independent tribal groups occasionally brought under one chief.

It may be possible to explain the situations with the model of a segmented state,³² but Pakem³³ makes no effort in that direction. It is possible to argue that the history of such tribal groups, as constructed by these twentieth century authors, and the traditions attributed to such history might have been constructed to suit the requirement of contemporary politics. There are, therefore, no studies at present that either date the traditions or analyse their political value orientations.

In view of the above, it is essential to have a close look at the relationship of the traditional institutions and organizations of some of these communities with the institutions of modern governance, particularly the ones which remain active under the new system of governance. The situation in Meghalaya is slightly better; there are some works on the traditional political and administrative systems. Nevertheless, none of these studies go beyond description based on British official sources and writings of ethnographers from the early British period. In Gassah's work, for instance, all the primary sources are the records of Colonial administration.³⁴ In one of Gassah's chapters on the affects of British administration on the powers and functions of Dolois, the discussion merely pertains to the administrative steps taken by the British to curtail the powers of the *Dolois* and other traditional authorities. He merely laments that some old authorities and institutions disappeared as a result of British decisions and others lost power.

For example, whilst summing up the process that weakened traditional authorities and strengthened British bureaucracy in the Jaintia hills, he states that with the tremendous powers vested in the hands of the British officers, the traditional chiefs in the area were reduced to mere assessors or jurymen.³⁵ However, he does not examine the political implications of this. He is not preoccupied with key question: How did the people, who were used to traditional authorities and practices, adapt to the new authorities? Were the values they adhered to, under the traditional system, in conflict with the values of the new system, introduced by the British? Were the interests protected by the earlier

arrangement adversely affected by those changes (in other words, what were the effects on power relations)?

Gassah, however, is no exception. The rule in North East Indian studies, with respect to this subject, is to merely narrate and remain at the level of superficiality. Pakem, believes that under the British the priest had lost his political roles and that all the secular functions of the priest were taken over by the British.³⁶ Like Gassah, Pakem too did not ask the obvious questions.

The point that needs to be made is that where studies of traditional institutions were concerned, social scientists followed the method that went by the name of political history in the region. While political history could be a useful discipline to understand societies, as in the work of Romila Thapar on the Mauryas, the diluted form of this discipline practiced in North East India³⁷ merely reproduces official records. Furthermore, due to the nature of these records from the British period, discussions remain at the level of comments on events, individuals and institutions required by a colonial administration. What the British administration thought necessary to record and whichever analysis it thought was required, remained the guideline for the early ethnographers and administrators. Subsequently, "political historians" virtually lifted the records maintained by the British.³⁸

To overcome this handicap in understanding the conflict of values, it is necessary to closely examine the workings of traditional institutions of tribal communities. Particular attention needs to be given to the value premises, the changes introduced by the British administration and the Constitution of India and their effects on the traditional values and practices. This obviously requires an examination of the "traditionality of tradition" itself.

Since, the most active and the most influential of traditional institutions are to be found at the *Dorbar shnong* level in Meghalaya, a fruitful exercise can be carried out at that level. It is necessary to keep in mind that though these tribal institutions at the village level continue to exist and function actively in the new socio-political conditions of the Indian republic, their very nature might have undergone major changes, if the demographic patterns of the areas in which they exist have changed the way of life for inhabitants of their *Elaka*. (an area under jurisdiction of a *Dorbar*). Such changes can be expected to be more rapid in urban areas than rural ones.

Furthermore, a study of *Dorbars* in rural and urban settings needs to be carried out. A study of this kind may, on the one hand, provide us with a clearer picture of the nature of traditional institutions of the tribal people under a modern system of governance and, on the other hand, may also help us to understand how values and practices inherent in these institutions affect governance under Indian democracy. Consequently, such understanding may help resolve the conflict of values that otherwise may create a major crisis of governance.

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