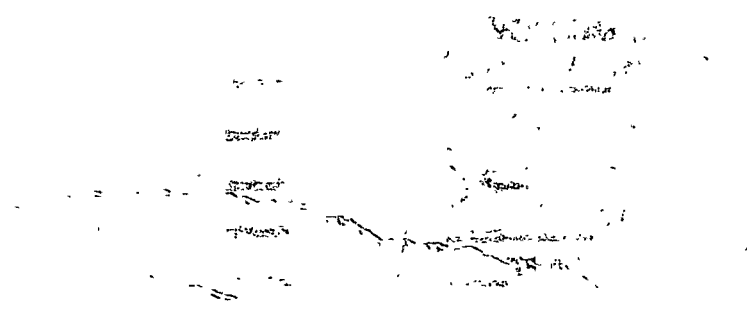


INHERITANCE OF PROPERTY AMONG THE WAR KHASI
OF EAST KHASI HILLS DISTRICT

SUBMITTED IN PART FULFILMENT OF THE REQUIREMENTS
FOR THE DEGREE OF
MASTER OF PHILOSOPHY IN ANTHROPOLOGY



PERSARA LYNGDOH
DEPARTMENT OF ANTHROPOLOGY
NORTH-EASTERN HILL UNIVERSITY
SHILLONG

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Doc. No. 102026
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PARENTS

SKETCH MAP OF EAST KHASI HILLS - DISTRICT

ASSAM



WEST KHASI HILLS DISTRICT

JAINTHIA HILL DISTRICT

BANGLADESH

SHILLONG

LAITTYRA

UMSHIEM

- BOUNDARIES :**
- HEADQUATER ● ROAD ———
 - INTERSTATE ——— VILLAGE ■ SCHOOL △
 - INTERDISTRICT - - - - - CHURCH +
 - INTERNATIONAL ———



Phone :

Grams : **NEHU**

North - Eastern Hill University

Mayurbhanj

Nongthymmai, Shillong - 793014 (Meghalaya)

Department of **Anthropology**

Dr. T. B. Subba
Reader & Homi Bhabha Fellow

CERTIFICATE

This is to certify that the thesis entitled "INHERITANCE OF PROPERTY AMONG THE WAR KHASI OF EAST KHASI HILLS DISTRICT" prepared by PERSARA LYNGDOH was done under my supervision.

This thesis or a part thereof has not been submitted to this University or any other University earlier for any other degree of any prize.

SHILLONG

THE 30TH NOVEMBER 1993

T. B. Subba
30/11/93
(T. B. Subba)
Supervisor

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Shillong,
The 30th November, 1993

P. Lyngdoh
30/11/93
Persara Lyngdoh
Dept of Anthropology
NEHU
Shillong.

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C H A P T E R - 1

CHAPTER I

INTRODUCTION

The present study is on the inheritance of property among the War Khasi of Meghalaya. It is bounded on the north by Goalpara, Kamrup, Nowgong and Karbi Anglong districts of Assam and on the east by the district of Cachar and North Cachar Hills on the west and south by the district of Mymensingh and Sylhet of Bangladesh. The southern border is the country's international border as well. It is about 496 kilometres long and separates India from Bangladesh.

The total area of this state is 22,429 square kilometres with a population of 17,60,629 persons (1991 Provisional census). The state is now divided into seven districts. They are; (1) East Khasi Hills District (2) The West Khasi Hills District (3) Ri Bhoi Hills District (4) Jaintia Hills District (5) East Garo Hills District (6) West Garo Hills District (7) South Garo Hills District. The Khasi Hills are predominantly inhabited by the Khasis, the Jaintia Hills by the Jaintias or Pnars and the Garo Hills by the Garos.

Shillong, the capital of Meghalaya, is situated at an elevation of 1,496 metres above sea level. It is also the headquarters of the North Eastern Council.

The Khasi Hills, which form the Central and Eastern parts of Meghalaya are characterized by imposing plateau, rolling grassland, hills and river valleys. The southern face of the plateau is marked by deep gorges and abrupt slopes. The climate of Meghalaya is largely controlled and influenced by the season-winds from the Bay of Bengal as in other parts of the North East.

The Khasis are believed to be descendants of one of the early people to have migrated from Indo-China. Thus their language belongs to the Mon-Khmer family of Languages. The major sub-tribes of the Khasis are the Bhoi, the War and the Lyngngam. The Bhois inhabit the northern Meghalaya, the Lyngngam area is on the western part and the Wars are concentrated on the Southern slopes of the Khasi Hills. Since it is not possible to cover the entire Meghalaya and all the Khasi tribes, I have restricted myself, for the purpose of the present study, to the War Khasi of the East Khasi Hills District.

The War Khasi area runs along the southern portion of the East Khasi Hills District. According to the census of 1991, the East Khasi Hills District with an area of 5196 square kilometres and including its headquarters or Shillong has a population of 6,57,160 out of which 3,41,216 are males and 3,15,944 are females.

It is desirable to mention here that the Khasi society as a whole has evolved with the concept and doctrine of Ka Khein Kur Khein Kha or the 'Kinship System.' The acceptance of the same is the binding force for them it makes them different from the neighbouring peoples in many respects. There are certain precepts which reveal the deep insight and perception of their forefathers. One of the fundamental precepts is; Ka tip briew, tip Blei, ka khein kur khein kha ka long tynrai ka niam bad ka imlang sahang; ka seng muluk ka seng jaka; ka sain hima ka sain sima; bad ka synshar ka bishar jong u khein Khasi Khara.

This precept teaches that the Khein kur khein kha or the kinship system is the foundation on which the society is

built. This fundamental precept has largely influenced the customary laws of the Khasi concerning the use, control and transfer or sale of property and wealth among them.

With regard to the transfer of property in the Khasi society, it is important to note how the Khein kur khein kha or the kinship system prevailing in the Khasi society has shaped the inheritance laws.

(Inheritance is a term which is associated with property. It means the procedure for transference of property from one person to another.) In the Khasi society, they have corporate as well as private properties. With regard to inheritance, the system is matrilineal and collateral in the case of some Wars, which is the main problem of this study.

As in the case of most tribal societies, so also among the Wars their customs and traditions have always remained oral and transmitted from one generation to another orally. It is still largely so. The first ever attempt at putting the customary laws on property in a condified form was in an article published in the newspaper U Nongphira (No.192) in 1914.

With regard to the traditional custom regarding the transference of property, it is necessary to examine the different types of property obtained in the Khasi society. They are: (1) Ka Nongtymmen or the ancestral property. (2) Ka Nongkhynraw or personal property (3) Ka kamai khynraw or wealth generated by the male members before marriage. (4) Ka mar ka mata or ornaments and heirlooms. (5) Ka khyndew ka shyiap or ancestral landed property. (6) Ka lynnong lyngwait or acquired landed property. (7) Ka Iing seng or the original house of the clan.

(8) Ka mar tymmen or the ornaments and heirlooms which are jointly owned and which are inseparable. (9) Ki riam ka iing or the personal share of the parents which must remain as a part of the ancestral property.

Being matrilineal, the general rule is that property is inherited by females but in many War, Khasi villages both sons and daughters are found to have equal share in the property of their parents though the youngest daughter inherits the largest share. In other words, they practise female ultimogeniture.

Operationalization of Concepts of Property and Inheritance.

According to E.B. Tylor 'Inheritance' is defined as "the procedures that apply to the transmission of property, such as matrilineal or patrilineal depending upon whether the male or female line is followed. The rules of inheritance say that a person is obliged to his relatives who should approved of his decision to dispose of his property. 'Property' is defined as "things over which persons have a totality of rights. Property can be held by a person, a kinship group or a society. Ideas on property cannot be separated from the social fabrics in which they are found. Different rules may hold for different kinds of property."

According to Mitchell, 'Property' "is closely associated with the term ownership but this suggests that property consists of a right or rights by a person over things or person"

Inheritance is a term which is associated with property. It means the procedure for transference of property from one person to another. Private property is property owned individually in which the owners has unlimited rights. Corporate proper

-ty denotes instances of shared rights. and the ownership is collective. The authority in managing these properties is vested in groups which have a single entity.

It may be stated here that 'inheritance' has a legal connotation but in the War Khasi society this concept has to be absolved of this connotation specially when it comes to ancestral or clan properties. This is because such properties are not appropriate word for such properties is instodianship but since we deal here with all kinds of property private ancestral and clan the word inheritance is loosely used in the case of all such properties.

Survey of Literature

Pranab. K. Das. Gupta in Life And Culture of Matrilineal Tribe of Meghalaya (1984) deals with the tribal life on sprawling southern slopes of Meghalaya. This study focusses on the Wars, their history, geography, environment, material culture, economy, politic, religion and social structure. He seeks to demonstrate how the matrilineal endogamous Wars, despite many similarities with the Khasis are different in dialect, political organisation, social custom and manners. This ethnographic study of the War embraces almost every facet of the War life and culture.

He has pointed out that though the descent and residence are matrilineal and matrilocal, children of both sexes inherit the parental property equally. Only the ancestral or patental house goes to the youngest daughter where she lives with her husband and parents. Landed and other properties are usually shared equally by the children; but if a brother or a

sister is poor, a larger share is given to him or her. The rules for division of property depend on the number of marriage alliances a man or woman has entered into.

He has also dealt with the system of landholding and seng or a cognatic group consisting of both male and female members descended from a common ancestress.

Among the War khasi clan and Seng are two different social groupings. A clan is strictly exogamous and matrilineal, i.e., an individual is affiliated to his or her mother's clan, while a Seng is a cognatic group and is non-exogamous.

Hamlet Bareh (1967) has discussed the evolution of the Khasi society, the matrilineal form of social organisation, the megalithic and religious aspect. He has presented the Khasi history based on all available sources and given a detailed account of both the political and cultural life of the people from the earliest time to the present day. He has also given special stress on art and cultural heritage.

As for 'inheritance' Bareh says; it is purely matrilineal in organisation, but the Wars on the southern sides of the District are an exception to the rules where both males and females own, control and possess property, and therefore observe both patrilineal and matrilineal custom.

Sir Keith Cantlie's Notes on Khasi Law (1974) has made a distinction between the custom of the Wars, both Khasi and Synteng and the highland people is that War children take definite share when they inherit, the difference between Khasi Wars and Synteng Wars is that among Khasi Wars the males as well as females inherit.

With regard to the inheritance of ancestral property of a female, he says that the children, whether male or female, inherit equal share and the youngest daughter gets the parental house.

Division of the property is usually made soon after the death of the mother, but sometimes there is a delay for as long as several years because they have to first settle the expenses made during the funeral.

The Seng land belongs to a group of families descended from a common ancestress. Every such family has a right to cultivate the Seng land. There is a Seng durbar (council) which manages the land and allots plots for utilisation to the eligible families and decides disputes.

In Customary Law And Justice In the Tribal Areas of Meghalaya (1982) the Indian Law Institute has classified property into ancestral (Nongtymmen) and personal (Nongkhynraw). Ancestral property cannot be alienated, except with the consent of the whole clan or family. But personal property can be alienated and the clan or family has no control over its transfer or sale.

Amongst the Wars generally both sons and daughters have an equal share in the property of their parents. Division of property generally takes place only after the death of one of the parents. But if they have no children, own or adopted, the shares of the husband and wife, which are generally equal, go to their respective relatives

Thus in the case of many War villages the children, whether male or female, inherit equally, though the eldest

child is given an additional piece of land and the youngest daughter the family house.

In a study of the Land System of Meghalaya (1984) : the Law Institute of Eastern Region has pointed out that the chief difference between the Wars and other Khasis is that in the case of the former the children inherit equally.

P.R.T. Gurdon, in his The Khasis (1907), gives a systematic account of the people, their manners and customs, their ethnological affinities, law and institution, religious beliefs, folklore and theories as to their origin and language.

With regard to the War land of inheritance of property, Gurdon says that it differs greatly from that of the Khyntiam Khasis. In the War country the children inherit both ancestral and acquired property in equal shares with the exception that the youngest daughter is given something in addition to her share of the property as also amongst the Khasis.

Objectives :

The main objectives of this research are (1) To study the system of inheritance of property among the War Khasis and (2) To examine how the collateral inheritance system derives compatibility in a unilineal system.

Methods :

For the purpose of the present study, fieldwork was conducted in two purposely sampled villages of which one had unilineal descent as well as inheritance system, whereas the other had a unilineal descent but collateral system of inheritance. First a house to house census was conducted which was followed by interview of the heads of households about

inheritance of property. The interview was based on an interview guide but it was not strictly adhered to. Both males and females were given equal attention with regard to interviewing them. As a War Khasi myself, I have also used my own knowledge and personal observations in the preparation of this thesis.

Plan of the Thesis

The present thesis is divided into five chapters :-
Chapter I deals with the problem, survey of literature, objectives and the method of the present study. chapter II introduces the War Khasis. Chapter III The War Khasi kinship organisation. Chapter IV deals with the system of inheritance in the two ^{War} Khasi villages, and chapter V concludes the findings of the study.

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C H A P T E R — 11

CHAPTER II

THE WAR KHASIS

The Wars are one of the major sub-tribe of the Khasis. About their origin, P.R.T. Gurdon points out towards.

"the north as the direction from which they migrated, and Sylhet as the terminus of their wanderings from which they were ultimately driven back into their present hills fastnesses (sic) by a great flood, after a more or less peaceful occupation of that district. It was on the occasion of this great flood, the legend runs, that the Khasi lost the art of writing, the Khasi loosing his book whilst he was swimming at the time of this flood." (1967:10).

The War Khasis are concentrated on the southern slopes of the East Khasi Hills District. Their area is bounded on the north by the Khyntiam Khasi, Pnar or Synteng on the West and by the plains people of Bangladesh on the South. They speak the same language and share the same social heritage with the Khyntiam Khasi, yet their culture, dialect, economy, kinship usage and political organisation are slightly different from the same among the latter. This will be clear from the subsequent discussion.

Economy

The War area runs along the southern slopes of the East Khasi Hills which stretches upwards along the steep slope, looking down towards the Bangladesh plains. The temperature there is rather high especially between March and September and

this border land is the zone of malaria, typhoid, dysentery and other diseases, which still take the lives of many. However, it is the most fertile for production of horticultural crops. The chief horticultural crops grown in this area are orange, banana and pineapple. This area is also fertile for crops such as betelnuts, pan-leaves, pepper and bay leaf.

Before the partition of India and Pakistan, the products of the Wars were taken down to Sylhet, one of the biggest centres in East Bengal, this brought unimaginable wealth to the War people but the partition in August 1947, which drew a borderline a few miles away on the south, considerably upset their economy which was based on trade with the erstwhile east Bengal, only a limited amount of trade was allowed and with local people at the border after partition.

Coal is deposited in some War areas such as in Shella-Mawlong. The southern slopes inhabited by the wars are also rich in limestones. The lime quarries are situated all along the southern slopes of the hill.

Animal Husbandary occupies an important place in the economy of the War people. They mainly rear cows, goats and pigs. Since pork forms an important part of the menu for most of them, the pigs are reared in large numbers. They are normally stall-fed though sometimes they are left in the open to graze for themselves. Such animals are not only used for meat and cultivation but also for socio-religious sacrifices by some of them who are not yet Christians. However, the non-Christians being few, their animals are mostly for economic purposes.

Education

The literacy rate in the War area of the East Khasi Hills District is 39.26% as taken from the rural areas of Mawsynram and Pynursla blocks and from both rural and urban areas of Shella block (according to the 1991 census). Table 1 below shows the literacy rate of the War Khasis of the East Khasi Hills District.

Table. 1.Literacy rate of the Wars of East Khasi Hills District

AREAS	PERCENTAGE OF		Total	Percentage
	Male	Female		
Rural and Urban areas of Shella Bholaganj Community Dev. Block	38.45	37.61	19,596	38.05
Rural area of Pynursla community Dev. Block	34.28	36.85	18,281	35.49
Rural area of Mawsynram Community Dev. Block	27.27	25.54	13,622	25.46
Total	27.131	24.368	51,499	100.00

Source: Provisional Census of Meghalaya 1991.

Table 1 above shows that 38.05% of the War people of Shella Bholaganj are literate, whereas 35.49% comprise of literates under the rural area of Pynursla community Development Block and only 26.46% comprise of literates in the rural areas of Mawsynram community Development Block. The lower percentage of literates from the rural areas of Mawsynram is due to the fact that not many educational institutions are established there as yet.

In the two War villages studied it is found that no high school has been established as yet. In Laityra there is only one Lower Primary school which is run by the District Council and one middle English school which is called the Laityra M.E. school and which is run by the village community. And in Umsyiem village, there is only one lower primary school run by the Presbyterian church.

Religion

The War Khasis profess the same form of religion as the Khyntiam Khasis do. Their religion may be described as 'animism' or 'spirit worship'. The propitiation of the various gods and goddesses is carried out either by priests or by old men who are well versed in the art of necromancy.

A very prominent feature of the War Khasi belief system is the propitiation of ancestor spirits. The War Khasi never symbolized their gods by means of images, their religion being non-idol tory. Of all ancestors, they most highly revere Ka Iawbei (Primeval ancestress) followed by U Thawlang, i.e., the first father and husband of Ka Iawbei, followed by U Suidnia or the first maternal uncle, i.e. the elder brother of Ka Iawbei (Gurdon, 1967). Ancestor worship consists of the appeasement of the spirits of the deceased ancestors with offerings of food. The underlying belief is that the chief ancestors and progenitors of the house or groups of families forming a clan should be appeased for they have become supernatural beings, partners with god, and have enough power to aid, assist and bless their descendants to grow, thrive and prosper. A system of divination



by means of cowries, breaking of eggs or examining the entrails of animals and birds also exists among some War Khasis. The cock is considered as a mediator between god and men and the convention of the cock is the foundation of the Khyndriam as well as the War Khasi identity.

All the religious rites are performed in the Ka Iing Seng (foundation house). The Ka Khadduh (the youngest daughter) inherits the foundation house for performing the traditional religious rites. She is the custodian of the clan and religion and has to perform the role as the family priestess according to their traditional religion.

Besides ancestor-worship, they worship other deities such as earth deities and household deities. These deities are believed to have the power of defence against invasion and prevention of epidemics. Such deities are called Ryngkew Basa, literally meaning earth deities, then ka lei Khyrdop meaning gods of highways associated with acts of defence of the state. With regard to the other deities mention should be made of Ka Lukhimai, and Ka lei Khuri or hearth deities. In acknowledgement of the hearth deities a senior member of the house broadcasts rice grains over the hearth as mark of gratitude to her.

Besides, they have a supreme god who is worshipped with prayers, gifts and sacrifices. In this regard, Nalini Natarajan says: U Blei (god) and his feminine counterpart, ka Blei were held supreme. God is said to be omnipotent, Omniscient and Omnipresent. The following epithets testify to the predominance of the monotheistic trait in the Khasi religion:

1. U Blei U Trai Kynrad: God of the Infinite.

2. U Blei U Nongbuh Nongthaw: God the Creator.
3. U Blei U Shihajar Nguh: God, the Over Lord.
4. U Blei u Nongsam Bynta: God the Decider of Human Fate
5. U Blei Najrong Natbian: God the Omnipresent. (1977:46)

Among them most of the rites and sacrifices are made in the name of the goddess Ka Blei for attaining godliness, divine providence and forgiveness. She is regarded as an embodiment of the divine law and is believed to confer material prosperity and spiritual happiness. She is also believed to have the power to punish the devils and wicked spirits which torment the human beings on earth.

The War Khasi principle of recognition of heir in some War areas is quite different from that of the Khasis in general. There are broadly two principles of recognition of heir which operate in the social organisation of some of the War Khasi villages. The first draws its descent through only female and another through male as well as female lines in the matter of inheritance. This is the most important aspect of the social organisation of some of the War Khasi villages. An exploration into this exception from the usual Khasi rule of inheritance is the main problem of the present study.

Types of Property

There are two types of property: inalienable and alienable. Inalienable property consists of the ancestral property or landed property handed down by the predecessors which cannot normally be disposed of. But if it is at all to be sold, the agreement of the whole family concerned is necessary. According

to the custom, movable as well as immovable properties must remain in the possession of the family. The individual or personal earning known as Nongkhynraw can however be utilised as the owner wishes. The kinds of property in the War Khasi society are land, jewellery, residential quarters, cattle, agricultural implements weapons, furniture and so on.

Among the Wars, there is a concept called Ri Seng in which Ri is land and Seng is a cognatic group consisting of male and female descended from a common ancestor or ancestress. But in the two villages studied, Ri Seng does not exist any more. Now they hold the land individually but it seems that they had such land before.

The property called Ri Seng is recognized in the matter of land ownership where the common ancestry entitles joint ownership to an undivided ancestral land. Originally the Ri Seng or cognatic group holdings were not divided between the members of the group but held in common for generation after generation (Das Gupta: 1984).

The affairs of the Ri Seng were dealt by the Seng Council or Durbar Seng which is composed of Tymmen Seng or old men of the Seng representing different branches of the seng. Division of such land was a prerogative of this council. Durbar Seng or seng council also had some religious functions in which the members recollected the memories of their ancestresses and ancestors and propitiated them by making offerings during the bam seng or feasting which the council arranged. Generally the feast was arranged by raising subscription from the Seng members or exacting some amount from the persons who had a share in the Ri Seng.

Rules of Inheritance

Among some of the War Khasis, property is divided equally among the children of both sexes with the exception that the youngest daughter inherits the parental house. This rule of division is dependent upon the marriage alliance he or she has entered into. Among them if any of the the heir or heiress dies before the division of property, his or her children inherit the share. Property of a person who has no issue is equally shared by his or her brothers and sisters. If one dies without having any child, his or her property inherited from the father goes to the father's brothers and sisters and that from mother's side to mother's siblings. If a man dies leaving behind his young children his property will be in the custodianship of the widow and when all the children get married, they can divide the property among themselves or hold the same jointly. If the children from the second husband enjoy the property, there is a strong belief that they may become blind or be prey to various kinds of diseases.

The custom of adoption also exists among the War Khasis. If a couple has no issue it may adopt a daughter and nominate her as the heiress but the girl so adopted should be of closest blood relation.

The property of a man acquired by him before his marriage goes to his brothers and sisters in case he dies without issue, but if he has helped in planting oranges or other things the income from such land goes to his widow. It is also to be noted that a man cannot take away acquired property on the death of his wife. It remains with the children. But he has the

right to enjoy such property as long as he stays with his child-ren.

Further, no War Khasi who commits the Sang or taboo shall be allowed to remain with the Kur or the keeper of the house. Such a person must move out of the Kur or clan and shall have no more claim to the property. If the parents are still living then the family can deprive such person of all properties. Such a person can take away only his or her personal share. If he/she had children then his/her property will be at the custody of the children born from him/her and the children will be the legal heir of such properties. If he/she is issueless and moves out of the village, his/her immovable property can be inherited by the spouse.

Regarding the apportionment of property, it is the same as among the Khyntiam Khasi. In this regard, Kynpham Singh points out: "Apportionment of the family property, whether it be Ka Nongtymmen or Ka Nongkhyntiam during the lifetime of the mother. Such apportionment take effect after her death".)cited in S.K.Chattopadhyay, 1985 :133).

With regard to the self-acquired property, apportionment is done by the father, mother and the children in consultation with the maternal uncle. Apportionment of the ancestral property is done in the presence of all those who have the right to the property and who are entitled to a share. If the property is movable, they are identified and symbolically handed over to a person to whom it should belong after the death of the mother. If the property is immovable, then the person to whom it should belong is taken to the site by her maternal

uncle or brother or elders of the clan to make her familiar with the position and boundaries of the site. The apportionment so made may be verbal or written (Chattopadhyaya, 1985).

Among some of the War Khasis, the mother and fathers are the founders and builder of self-acquired property for themselves and on behalf of their children. Among them clan and Seng are two different social groups in which clan is strictly exogamous and unilineal, whereas Seng is a cognatic group consisting of both male and female descendants from a common ancestress or ancestor.

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CHAPTER - III

WAR KHASI KINSHIP ORGANISATION

The War Khasi society is based on the concept of Ka Khein Kur Khein Kha or the kinship structure. It is the source and the binding force of the people.

The War Khasi society makes a distinction between the matrilineal kinship group and the patrilineal kinship group as the Kur or clan and Kha or patrilineal kin.

The concept of Kur is an expression of the underlying kinship system, among the War, it is necessary to find out how the clan is organised. Being a matrilineal society, the War Khasis trace their descent from an ancestress or Kyiaiw (grandmother) who is also described as Ka Iawbei Tymmen (grandmother of the root of the clan). The descendants of Ka Iawbei Tymmen are called Shikur or one clan and all the descendants of one great grandmother are described as Shi Kpoh or Lineage . Nakane (1961) has explained the nature of the Kpoh as a group of matrilineal kin usually confined to one domestic family or group of households linked by direct extension of the main household.

Among the Wars, the kinship bonds through the female show that their social structure stresses on the matrilineal solidarity, which is reinforced by the religious association of Ka iing seng or the foundation house and thus the religious sanctity which is attached to Ka iing seng reinforces the primary link of the matrilineal kinship. The customary rules guide the members regarding the expectation and responsibilities they have about his/her kur or clan and to his/her Kha or patrilineal kin. Therefore a War Khasi is always a member of a certain

Kur and has his/her own Kha. Among them, a distinction is made between the matrilineal and patrilineal kinship group. Diagram 1 below show the Kur and Kha among the War Khasi.

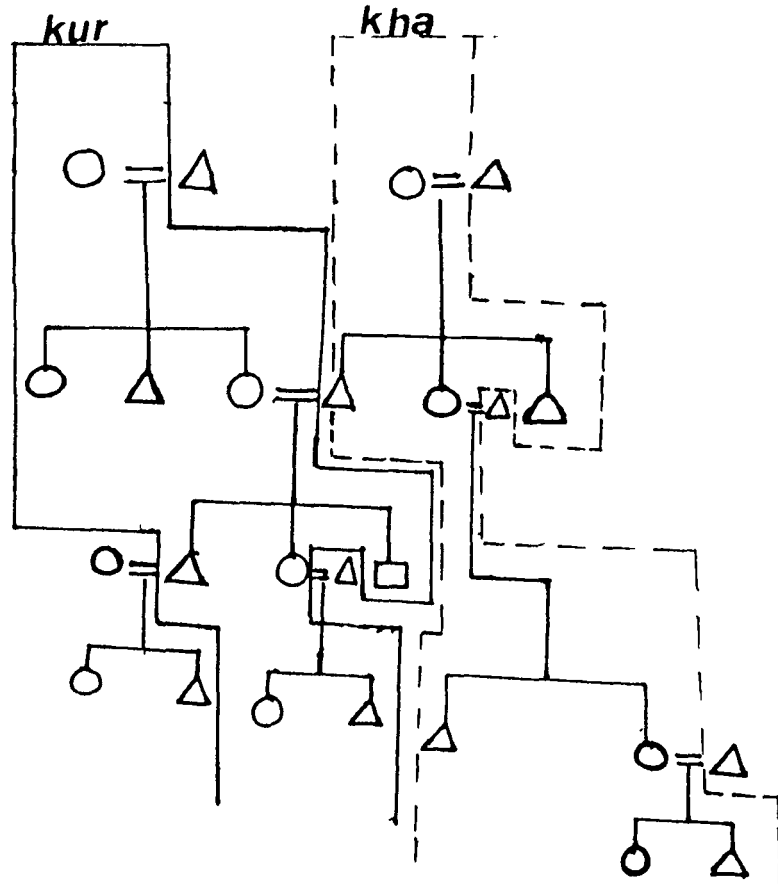


Diagram Kur or matrilineal kin and the Kha patrilineal kin.

Among the War khasi, they have a concept called Tingkur, which basically means a group of phratry clans such as the Lyngdoh Mawphlang which consist of Thawmuit, Lyngwa, Lyngdoh Nonglait as phratry clans. Members of these clans are considered as cognates.

Among the War Khasis, descent being traced only through the mother, both male and female children identify themselves with their mother's descent group. A Khasi saying goes like this : Long jait na ka kmie, long rynieng na U kpa bad ka ktien U 'ni U kong ka dei ka ain. This means that they derive surname

from the mother, physical form from the father, and the word of the maternal uncle is the law. This signifies the importance of the mother, father and maternal uncle in founding their kinship structure.

In the War Khasi society a man occupies two distinct structural roles, each contra-indicative of the other. On the one hand, as a maternal uncle or as a member of the ling or family and the kpoh or lineage as shi kur or of the same clan of his sister he is the main functionary for all ritual purposes, and also the jural manager of her property. On the other hand, the same man, as husband of his wife, is a partner in her socio-economic activities and generational continuity to the domestic group of his wife, which is also inhabited by his children though the husband has no jural authority over the ancestral property of his wife. He, however, holds considerable managerial authority over the property owned jointly by the husband and wife.

According to the degree of kinship relationship the War Khasis have primary, secondary and tertiary kin, although kinship can be calculated to the nth degree. Primary kins are those who are directly related to ego through the family of orientation, e.g., ego's mother is ego's primary consanguineous kin and ego's wife is one's primary affinal kin. Any kin related to ego through primary kin are secondary kin, e.g., ego's mother's sister. Tertiary kin are secondary kin of one's primary kin and the primary kin of one's secondary kin.

Among the Wars, the first bond arising out of socially and legally defined marital relationship is called Ki kha ki

man or affinal relationship. The second type of bond is based on blood ties. It is called ki Kur ki jait or consanguinous relationship. The concept of kinship is so powerful among the Wars that it is regarded as incorrect to address any individual by his/her personal name. Members are addressed by the appropriate kinship term according to the relationship which is known as 'teknonymy' in anthropology.

The War Khasi kinship terminology does not show the structural significance of the marriage rules except for the basic distinction between one's own matrilineal kin or Kur and the one's patrilineal kin or kha. This distribution serves to enforce the exogamous rule.

The War Khasis have both the descriptive and classificatory systems of kinship terminology. Among them all members belonging to one clan are called ki kur and relatives by marriage from the father's side are ki kha. Tnga means spouse, the term kmei or mei is used both for mother and for mother's sisters and the term kpa or pa for father as well as for mother's sister's husband and also for father's sister's husband. Children of the same parents are shipara Trai, Kyiaw used respectively for mother-in-law and Kthaw for father in law, Pyrsa kurim is a term applied for both son and daughter-in-law. Mother's mother is termed as Meirad which is differentiated from father's mother which is Meikha, though the grandfathers on both sides are addressed as parad.

The term bakha is applied to both matrilineal and patrilineal cross-cousin. For instance, ka para kur is mother's sister's daughters. In the child's generation the matrilineal

nephew and niece are termed Pyrsa as well as Khun, kynum means the brother's sister's husband as well as the wife's brother and Kynsi is a term for the wife's sister's and sister's husband. Kni is the most important kinship term among the War Khasi. It designates the maternal uncle. Diagram 2, below shows the kinship terminology among the War Khasi.

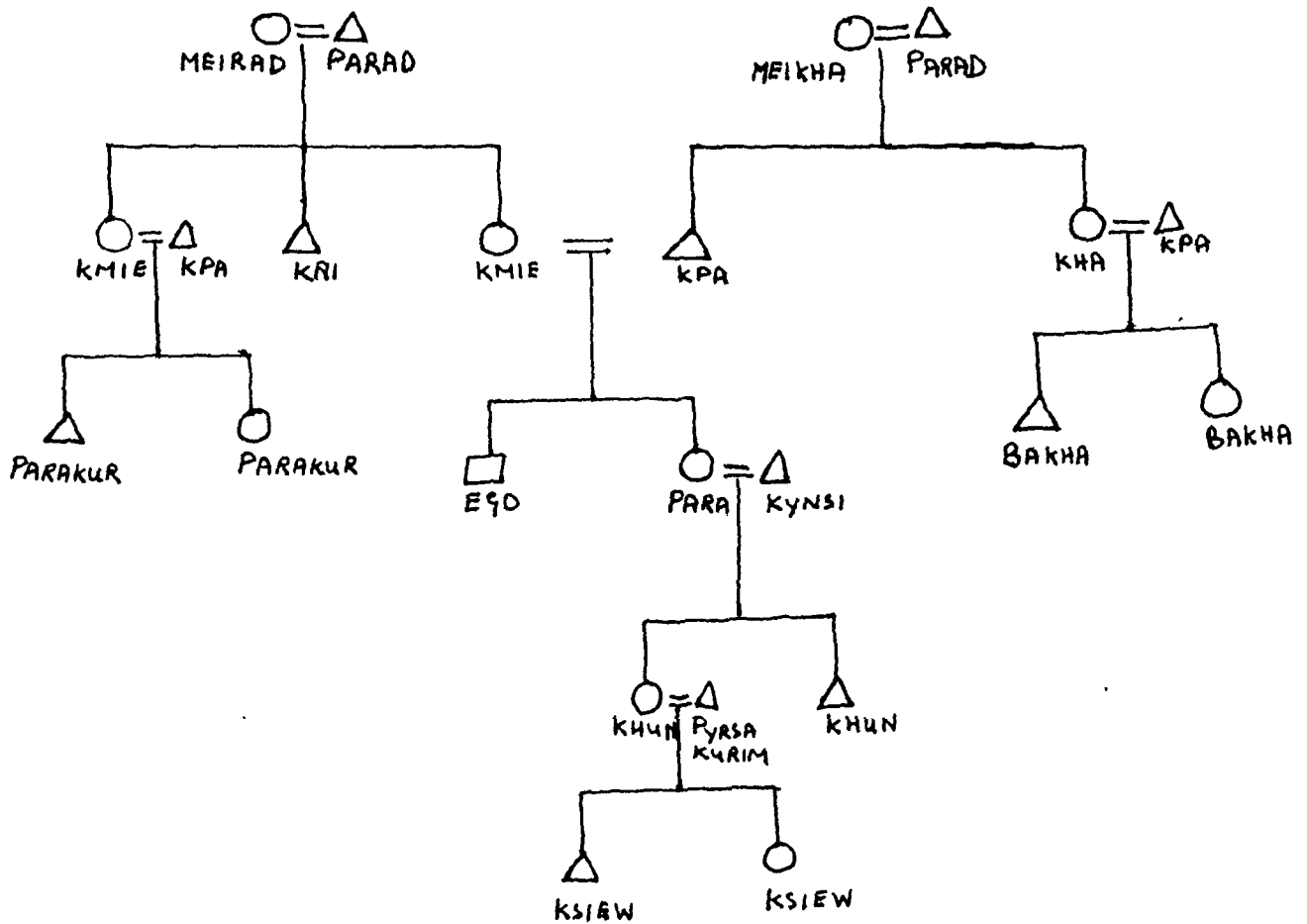


Diagram 2.

Kinship Terminologies among the War Khasi.

The Wars are divided into a number of exogamous clans which trace their descent from some ancestress. Some clans among the War bear the name of some animal like the monkey clan or Shrieh and its members abstain from killing or eating it. There are many clans common between the War Khasi and the other Khasi groups such as the Dkhar, the Deingdoh, the Kharkongor, the Nongrum and the Lyngdoh. The War Khasis have no preference for any clan with regard to matrimonial alliance. Marriage is prohibited between the members who have descended from a core clan. About the Khasi marriage, Gurdon writes :

Marriage with the daughter of a father's sister is not allowed during the life time of the father, but after the latter's death there is no religious ban, although such unions are looked upon with disfavour by the Khasi. In the War country, however such marriages are totally prohibited. (1967 : 78)

The main notion behind the aversion to mother's brother's daughter is that mother's brother being of the same family and clan, he is considered to be a consanguine.

Incase taboo is strictly followed by the War Khasi as by the Khyriam Khasi. They believed that incestuous marriage brings death, and children born out of such union may be deformed or physically handicapped. Any person committing incest is looked down upon by the society and counted out of the clan (Tait kur). Based on the category of relationship, the War Khasis share the same term with the Khyriam Khasis for incest, and this is ka sangiap sangim which prohibits sexual relationship between primary kins-between parents and children, between

siblings and between members of the same clan. ka sang Sohpetkha means incest between siblings of the same father but different mothers and also children of ago's brother upto three generation; Ka sang syngkenkha is prohibition of marriage with one's aunt from the paternal side, i.e., those classified as the father's sisters, Ka sang synrih is a taboo on exchange of both men and women between two families and this is called as Ai khaw kylliang or return of the bread earner (cited in Chatto-padyay, 1985). From the exchange theory prespective, ka sang synrih does not allow exchange of men as well as women between two families. Only when a person of one family marries with a member of the opposite sex of another family, then it is allowed, provided that the elder marries the elder and the youngest marries the youngest. This can be represented in the diagram below :

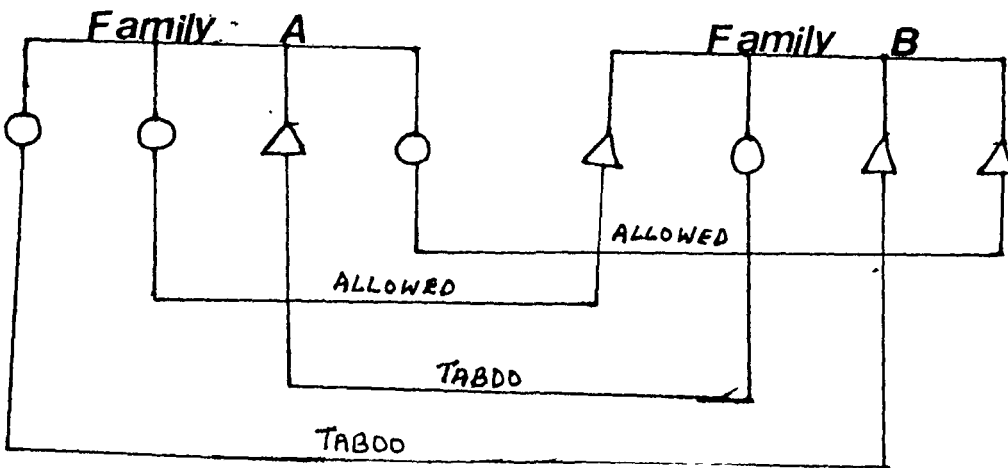


Diagram 3.

Marriage relations between two families.

From the diagram above, d from family A can marry h of family B. According to the principle of sex, c from family A cannot marry f of the family B. According to the principle of seniority b of family A is allowed to marry e of family B because b is the elder of d as e is the elder of h but the marriage between family A and h of family B is a taboo because a is the eldest and h is the youngest. Hence, this breaches the principle of seniority, which is prohibited.

The rule of residence after marriage is matrilocal. After marriage, the husband comes to live with his wife in his mother-in-law's house. But after a year or so they construct a separate house in the same or nearby compound and shift there, while the youngest daughter who gets the parental house, lives with her husband and children in her parent's house.

Thus, among the War Khasis, kinship plays an important role and is an indispensable aspect of their social and cultural life. It enables man to have his own identity and bring about social solidarity. Economics, political, religious and social aspects are integrated through kin relationship.

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C H A P T E R — IV

CHAPTER IV

SYSTEM OF INHERITANCE IN UMSYIEM AND LAITTYRA VILLAGES

For the purpose of the present study, field work was conducted in two purposively selected War villages, which fall under the East Khasi Hills district, The first village, Umsyiem, was selected as it had a unilineal system of descent and inheritance, while the other village, laittyra, was selected as it had a ulinineal descent but collateral system of inheritance.

Umsyiem village is situated on the southern slope of the Khasi Hills. This village was established on the 13th September 1915 by four men whose names were U Hat Talang, U Monheng Lamin, U Dengput Kongwang and U Mansing Kongwang. These four men at first lived at Nongpdeng, a village in the Jaintia Hills where most of the people were non-christians. Since these four men became Christians, and they wanted to settle down in a separate village. In doing so, the zamindars of the Syngkrem clan from Darang (Jaintia village) willingly presented them land by paying Rs.15.00 as a custom. At first this village was known as "Nongumsyiem" but later its name was changed to "Umsyiem". The lengend runs that there was a pond, where previously the chief of the Khyrim state used to go and take bath. This village is bounded on the east by the Umsum Syiem or the pond where the chief used to take bath, on the west by the river Ryngkuosiet, and on the south by river Umngot. It is about 80 kilometres from Shillong and its nearest urban centre is Pynur-sla which is about 40 kilometres from this village. Umsyiem village is located on the southern part of the District.

Age and Sex

The total number of households in the Umsyiem village is 84 with a total population of 510 out of which 244 are males and 266 are females. Table 2 below shows the age-group and sex-distribution in this village.

Table 2.

Age Group and Sex in Umsyiem.

Age Group (in years)	Percentage Males	of Females	Total Number	Percentage
0-10	31.14	25.56	144	28.23
11-20	24.18	25.69	130	25.49
21-30	18.03	21.05	100	19.60
31-40	14.34	15.78	77	15.09
41-50	4.92	6.39	29	5.69
51-60	4.51	3.38	20	3.93
61	2.87	1.12	10	1.97
Total	244	266	510	100%

Source : field work.

The table indicates that 28.23 percent of the people of Umsyiem belong to the age-group of below ten years, and 25.49% belong to the age-group of eleven to twenty years of age. The percentage decreases as the age-group increases and it is found that 3.93% belong to the age-group of fifty one to sixty and only 1.97% belongs to the age-group of sixty one and above. Regarding sex. Table 2 shows that females are more than males.

Family

The inhabitants of the Umsyiem village have neither very small nor very large size of the family. The size of the family in the village varies from 1-3 to 13+ members. This is shown in the table below.

Table 3.

Size of the family in Umsyiem

Nos of family members	No of Household	percentage
1-3	5	5.96
4-6	39	46.42
7-9	22	26.19
10-12	11	13.09
13+	7	8.33
Total	84	100.00

Source : fieldwork.

With regard to the size of the family in Umsyiem. Table 3 shows that 5.96% of the household have very small family, where the members are constituted by one three members only. But most of the households which comprise about 46.42% have neither big nor small family with their family members having about four or six members. There are also cases of more than thirteen members in one family and such cases comprise about 8.33%. Thus Table 3 above indicates that nuclear families are predominant.

Marital Status

As most of the inhabitants of Umsyiem belong to the age-group of below twenty, majority of them are unmarried, However, the unmarried members belong to both the higher and lower age-groups. The marital status of the population in this village is shown below.

Table 4.

Marital Status of the Inhabitants of Umsyiem

Marital Status	Percentage of		Total	Percentage
	Male	Female		
Married	32.37	32.71	166	32.55
Unmarried	60.66	59.78	307	60.19
Separated / Divorced	5.32	2.25	19	3.73
Widower	1.64	5.26	18	3.53
Total	244	266	510	100.00

Source : fieldwork.

From Table 4 above, it is seen that 32.55% of the population of Umsyiem village are married, whereas about 60.19% are unmarried. Some cases are also found where some married couples have been separated or divorced and they constitute 3.73%. Table 4 also indicates that 3.35% of the total population of this village are widows or widowers.

Educational Background.

The educational background of the inhabitants of Umsyiem has also been studied. It is found that an appreciable

percentage of the inhabitants are literates. The educational status of the people of Umsyiem village is shown in Table 5 below:

Table 5. The Educational Status of Umsyiem

Level of Education	Percentage of		Total	Percentage
	Male	Female		
Illiterates	21.31	24.06	116	22.75
Infants	18.03	14.28	82	16.07
Primary Education	26.22	33.45	153	30.00
Secondary Education	20.91	20.30	105	20.59
Higher Secondary Education	7.79	4.88	32	6.27
Under Graduate	3.69	2.25	15	2.95
Graduate	2.04	75	7	1.37
Total	244	266	510	99.99

Source: field work.

Table 5 above indicates that 22.75% of the population are illiterates, that is, those who cannot read or write, whereas 30.00% comprise of those people who are educated only upto the primary level, 20.59% possess secondary education, 6.77% comprise of those who have succeeded upto the higher Secondary level, 2.95% of the Under graduate and only 1.37% are graduates. The lower percentage in the higher level of education probably due to the fact that there is no higher educational institution nearby.

Occupation

Since Umsyiem is a rural village, the major economic activity of the villagers is cultivation. Most of the households

in Umsyiem possess land. They are mostly self-cultivators though none households also engage villagers as labourers. Nearly 15% of the inhabitants are found to be engaged as labourers. Some of them are engaged as government servants, some as carpenters, some as businesswomen and also a large number of women stay at home as housewives and look after their children and grandchildren. Some men are also found to have stayed at home for they are sick, handicapped, or too old to work. As it has been gathered from this area, the people have varied occupations. The occupational breakup of the inhabitants of this village is shown in the table below:

Table 6. Occupational Distribution of the Inhabitants of Umsyiem

Occupation	Percentage of		Total	Percentage
	Male	Female		
Government Servants	4.92	1.12	15	2.95
Labourers	20.91	9.02	75	14.71
Cultivators	13.11	15.03	72	14.11
Business(wo)men	2.87	1.88	12	2.35
Carpenters	82	-	2	39
No Occupation (Housewife + Old People)	1.64	20.68	59	11.56
Students + Infants	57.73	52.26	275	53.93
Total	244	266	510	100.00

Source: field work.

According to the occupation of the inhabitants of Umsyiem, Table 6 indicates that most of the people of this village are

non-workers meaning housewives, students, infants, etc. There are some people who are engaged in government services such as teachers, drivers and clerks, who comprise about 2.95%. Many inhabitants are also engaged as labourers who constitute about 14.71%, followed by 14.11% cultivators, 2.35 business(wo)men and only 0.39 are carpenters. Thus this shows that the people of Umsyiem have varied occupations and only a small percentage of them depend entirely on agriculture as their mainstay of life.

Income

The monthly income of the employed persons of the Umsyiem village varies from Rs.500 - Rs.3000. Table 7 below shows the monthly income of the employed persons.

Table 7. Monthly Income of the Employed persons of Umsyiem Village.

Income	Percentage of		Total	Percentage
	Male	Female		
Below 500	21.15	40.27	51	28.99
501-1000	46.15	33.34	72	40.91
1001-1500	20.19	15.27	32	18.18
1501-2000	7.69	6.95	13	7.38
2001-2500	1.93	2.78	4	2.27
2501-3000	2.89	1.39	4	2.27
Total	104	72	176	100.00

Source: field work.

Table 7 above indicates that majority of the people of Umsyiem are engaged in such types of works with which they can earn only

Rs.501 - Rs.1000 a month. They comprise of 40.91%. this high percentage is because of fact that this category of people comprise of the labourers who earn their livelihood through daily wages. More than 18% are those whose income is between Rs.1001/-1500, whereas 7.38% are those people who are engaged in a better jobs and their monthly income is from of Rs.1501 - Rs-3000, and 2.27% include those persons who earn between Rs. 2501-Rs 3000 a month. These comprise of those who possess proper education, hold good government jobs or are well to do persons who can run their own business.

Economy

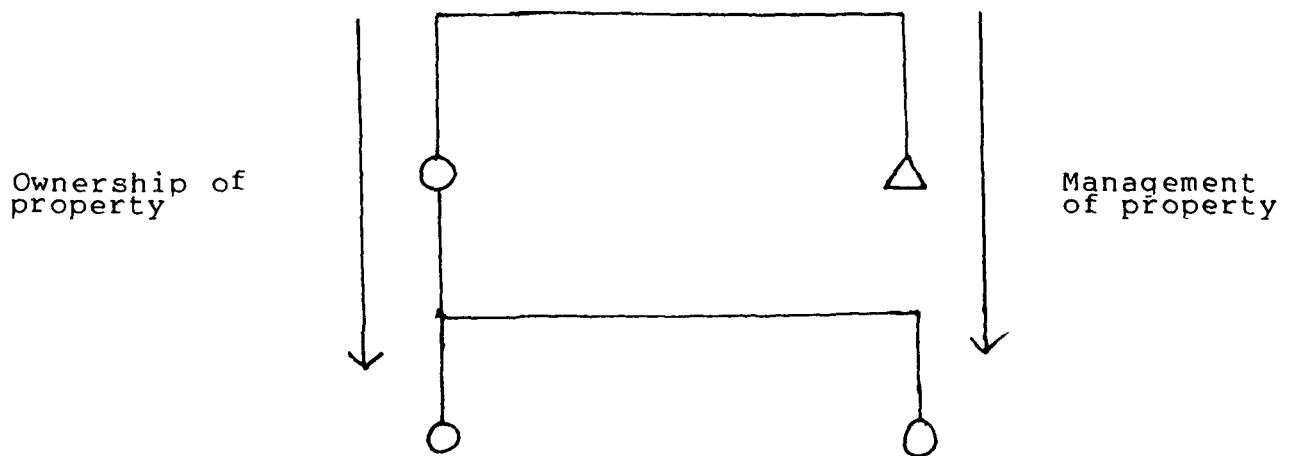
The economy of this village is based on cultivation. Umsyiem has a fertile soil and is one of the most prosperous among the War villages. The vegetation here is numverous, plant -ain trees are also seen which enhance the beauty of the village. Extensive groves of orange are grown which are much profitable to these people. Jackfruit and pepper plants are also frequently found here. the people therefore are mostly engaged as cultivators, though a few are engaged partly as carpenters and traders also. The people of this village sell their products such as betelnut and oranges at Shillong and also at the bordering markets to the Muslims of Bangladesh. So through such market relations the people of Umsyiem are in continucus contact with the Khasi proper as well as the Hindus and Muslims of Bangladesh.

System of Inheritance

Umsyiem, a War Village having a unilineal descent as well as inheritance system the same system as the Khyriam

Khasi as the inheritance of property follows the female descendants only.

The rule among them is that only the female children inherit both movable and immovable properties of their parents, with the exception that the youngest daughter inherits the parental house or Iing Seng for it is she whose duty it is to perform the family ceremonies and propitiate the family ancestors. Thus, among them the females inherit while the males control, manage, and make decision in all crucial matters as shown in diagram 1 below :



Among them, if there is only one daughter, she personally inherits everything, but if there is more than one daughter, the movable properties are divided into equal parts among all the sisters and one part goes to the Ka khadduh or the youngest daughter. Landed property is equally shared by the sisters, with the exception that the youngest gets the largest share and the extra share which is known as Ri kur or the clan land of

of which she is only a custodian.

Among them, in the Ka iing seng or parental house, Ka khadduh or the youngest daughter or any female member who has committed Ka sang or taboo shall not be allowed to remain in the Kur and shall be deprived of her share in the ancestral or family property. She is allowed to take only her personal property.

With regard to Ri kur or clan land, any male, if unmarried, so long as he is still staying with his Kur or clan, can enjoy jointly the income from the clan land but cannot take away any part of it. If married, a male can cultivate or make use of clan land for the benefit of his family but has to pay rent. Then all the income from this land shall be shared by all the sisters, but a part shall be set aside for the custodian for repairs and maintainance of Ka iing seng or parental house.

The self-acquired property of a man from the time he stays with his wife and children and which he wholly applies towards the welfare of his children belongs to his children. His kur or clan does have any right to such property. A man cannot take away his self-acquired property on the death of his wife, but he has the right to enjoy such property so long as he stays with his children.

If the wife dies without having any issue, the movable and immovable property brought by the husband for the wife will be shared equally between the wife's clan and the husband. Similarly, if the husband dies his property will be shared equally between the wife and his clan members but his personal property should remain with his own clan.

If the wife commits adultery, the husband has the right to take away the whole property generated by his labour. He may leave a portion for his children, though the children do not have any claim over that property. But if a man leaves his wife without any mutual understanding then he has no right over the property acquired by him for his family, but if the separation is by mutual agreement then the property will be shared according to the mutual arrangement between them.

Among them, if in a family the female members have died or if there is no female issue to inherit the family property, the male members are allowed by custom to adopt a girl from their own clan if any, else from a closely related family to continue the custodianship of property. The female so introduced into the family then takes the place of Ka khadduh or the youngest daughter.

With regard to the apportionment of property, whether it be Ka nongtymmen or ancestral property or Ka Nongkhynraw or self-acquired property it is made during the life time of the parents but it will take effect only after their death. In self-acquired property, apportionment is done by the parents and children and in consultation with the mother's brother. In ancestral property, apportionment is done in the presence of all those who have the right to the property, along with the parents and their maternal uncle. If the property is movable, it is identified and symbolically handed over to the person to whom it should belong after the death of the mother. If it is immovable, the person to whom it should belong is taken to the site by her uncle, to make her familiar with the position and

boundaries of the land.

No legal system had been formulated regarding apportionment. The apportionment so made may be verbal or documental which is done within the family itself. There is no religious ceremony performed during apportionment. Thus, in this village, the rule of inheritance follows the female line of descent with the youngest daughter who inherits the family house. If the heiress is barren, the next elder daughter inherits the property after her death and the property is inherited by the youngest daughter of next eldest daughter. The ancestral land inherited by the youngest daughter cannot be disposed of, but if it is to be sold, the agreement of the whole family concerned is necessary if such a need arises. There, system of inheritance can be understood from the diagram below.

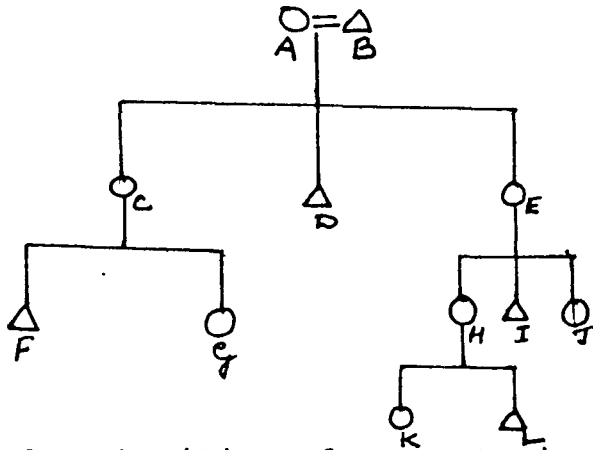


Diagram 2. Inheritance of property in Umsyiem Village.

The property of A and B will be inherited by C and E. E also inherits the parental house of A, then the property of E will be inherited by H and J, and the parental house of the E will be inherited by J. Since J is dead without leaving any issue her property as well as the parental house inherited by J from E will go to H and which will be inherited by her daughter

K. The property of C will be inherited by her daughter G but D controls the property of C and E while I controls and manages the property of his sister H.

Laittyra

Laittyra is another War village situated on the southern slopes of the East Khasi Hills District. This village is about fourteen kilometres south of Cherrapunjee. The word 'Laittyra' literally means 'free from bamboo'. This village was established after the great earthquake of 1897. Since most part of the area was covered with bamboos the people chose that part of the area where there was no bamboo, settled there, and gave the name 'Laittyra'.

This village is bounded on the North by Mawsmi village, on the east by village Ryngus, on the south by Bholaganj, and on the west by Thangkharang village.

It is sixty six kilometres from Shillong and its nearest urban centre is Cherrapunji. This village lies on the western slope of the District.

Age and Sex

The total numbers of households of Laittyra village is 69 with a total population of 422. Out of this 201 are males and 221 are females. Table 8 below shows the age-group and sex distribution in Laittyra.

Table 8. Age-group and sex distribution in Laittyra.

Age Group (in years)	Percentage of		Total Number	percentage
	Male	Female		
0-10	33.84	29.38	130	31.36

11-20	20.39	21.81	87	21.11
21-30	16.92	19.43	75	18.20
31-40	14.93	13.27	58	14.07
41-50	7.46	8.05	32	7.76
51-60	4.47	5.21	20	4.85
61+	1.99	2.85	10	2.42
Total	201	211	412	100.00

Source : fieldwork.

About age-distribution Table 8 indicates that 21.11% of the people of Laittyra belong to the age-group of below ten. Another 21.11% belong to the age-group of eleven to twenty. The table above further shows that the percentage declines with the increase in age. So only 4.85% belong to the age-group of fiftyone to sixty and 2.42% belong to the age-group above sixtyone.

Family

The family size in this village is shown in the table below.

Table 9. Size of the Family

No of family members	No of Household	Percentage
1-3	7	10.14
4-6	31	44.93
7-9	18	26.08
10-12	9	13.04
13+	4	5.80
Total	69	100.00

Source : field work.

With regard to the size of the family in Laittyra Table 9 shows that 10.14% of the households have very small family size where the members are only one to three. But the households which comprise 44.93% have neither very small nor very big size. Their family members range from four to six. There are also families having more than thirteen members which comprise of 5.80% thus Table above indicates that nuclear families are predominant in the village.

Marital Status

As most of the inhabitants of this village belong to the age-group of below twenty, it is found that the majority of them are unmarried though separated men and woman can also be found. The table below gives details of the marital status of the inhabitants of Laittyra village.

Table 10. Marital Status of the inhabitants of Laittyra

Marital Status	Percentage of		Total	Percentage
	Male	Female		
Married	32.33	32.22	133	32.28
Unmarried	58.21	58.77	241	58.49
Separated	6.97	5.69	26	6.31
Widower	2.48	3.31	12	2.91
Total	201	211	412	100.00

Source : field work

Table 10 indicates that 32.28% of the population of Laittyra

village were married, whereas about 58.49% were unmarried. However, the unmarried members belong to lower as well as the higher age-groups. Separated men and women can also be found to constitute about 6.31% and 2.19 are constituted by the widows and widowers.

Educational Background

Informations regarding their educational background have also collected. The educational ranges from primary education to the graduate level. The educational status of these people is shown below in Table 11.

Table 11 The Educational Status of Laittyra

Level of Education	Percentage of Male	Female	Total	Percentage
Illiterates	24.37	29.38	111	26.94
Infants	22.89	18.49	85	20.63
Primary Education	20.39	22.27	88	21.35
Secondary Education	19.40	16.59	74	17.97
Higher Secondary Education	7.97	5.69	28	6.79
Under Graduate	2.99	4.26	15	3.65
Graduate	1.99	3.31	11	2.67
Total	201	211	412	100.00

Source : field work.

Table 11 above indicates that 26.94% of the population are illiterates, 21.35% are educated only upto the primary level, 17.97 possess secondary education, 6.79 have succeeded upto the higher secondary level, 3.65% constitute the under-graduates, and only 2.67% are graduates.

Occupation

Cultivation is like in Umsyiem, not the mainstay of the people in the village. Since this area is very near to the bordering market of Bangladesh some of them carry out trade activities. A large number of women stay at home as housewives and look after their children and grandchildren. Some men are also found to stay at home for they are too old to work. Table 12 below shows the occupational breakup of the inhabitants of Laittyra.

Table 12. Occupational Distribution of the Inhabitants of Laittyra

Occupation	Percentage of		Total	Percentage
	Male	Female		
Government Servants	8.45	4.26	26	6.31
Labourers	17.92	10.91	59	14.32
Cultivators	4.47	7.59	25	6.06
Business(women)	3.48	1.90	11	2.67
Carpenters	1.99	-	4	.98
No Occupation House wife + old people	.99	21.32	47	11.40
Students + Infants	62.69	54.02	240	58.25
Total	201	211	412	100.00

Source : field work

Table 5 indicates that most of the people are non-workers meaning students, infants, housewives, etc. There are some who are engaged in government services such as teachers, nurses, drivers and clerks who constitute about 6.31%. The inhabitants who are

engaged as labourers constitute about 14.32%; 6.06% are cultivators, traders constitute about 2.67% and only 4 persons or nearly 1% are carpenters. This shows that the people of Laittyra have varied occupations.

Income

The income of the employed persons (both government and private) of this village varies from Rs.500 to Rs.3000 per months. The table below shows the monthly income of the people of this village.

Table 13. Monthly Income of the Employed person of Laittyra

Income	Percentage of Male	Female	Total	Percentage
Below 500	19.17	38.45	34	27.20
501 - 1000	26.02	23.07	31	24.80
1001 - 1500	23.28	17.30	26	20.80
1501 - 2000	12.33	11.53	15	12.00
2001 - 2500	8.21	5.76	9	7.20
2501 - 3000	10.95	3.84	10	8.00
Total	73	52	125	100.00

Source : field work

Table 13 above indicates that the people of Laittyra are engaged in such types of work with which they can only earn below Rs.500 comprise about 27.20%. They include mostly the young girls who work as daily labourers. Those who can earn Rs.1001 to 1500, and 12% comprise of those whose monthly income is between Rs.1501 - 2000 and 8% comprise of those who can earn between

Rs.2500 - 3000 a month. They are those who cultivate their own land, run their own business and work as government servants.

Economy

The mainstay of many Laittyra villagers is agriculture. The climate is neither too hot nor too cold but during summer they receive heavy rainfall. However the soil is very fertile for betelnut, pepper, bay leaves, etc. Again the soil and climatic conditions are suitable for the production of horticultural crops such as oranges and pineapples. The people settled in this area seem to enjoy prosperity. Since the people in Laittyra mostly grow cash crops, they depend on the trading economy. They sell their products to the Cherrapunji market or to Shillong and also to the people of Bangladesh. Hence, they have had close economic contacts with the people of the plains.

System of Inheritance

Laittyra is a War village having a unilineal descent but collateral system of inheritance. Here both male and female children inherit the parental property.

Both movable and immovable properties are inherited by both sexes of children, yet here too the youngest daughter inherits the largest portion. She inherits the parental house or the Ka iing seng where she has to act as the family priestess. Unlike the system followed in Umsyiem village, the males not only control and manage the ancestral property of her sister but also inherit the property, as shown in the Diagram 3 below:

Among them, the property of the parents is divided among all the married spouses which can be represented in the diagram below.

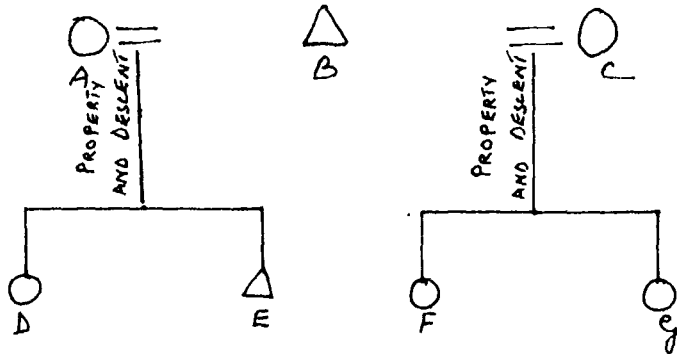


Diagram 4 Inheritance of property and descent.

From the diagram above, B at first gets married to A and then he remarries another woman C on his death. The property is divided first into two halves according to the number of his wives, i.e. A and C. The share of A will be divided between her children D and E and the share of C will be divided between F and G.

Among them, landed property is shared by both sexes of children, with the youngest daughter who inherits the largest and the extra share of land known as Ri Shyieng, which is a part of Ri Seng and which cannot be disposed of. If any of the heir or heiress dies before the division of property, his or her children inherit the share, and if one dies without having any child or sibling, his/her property which is inherited from his/her father goes to his/her father's brothers and sisters and property from mother's side to mother's brothers and sisters.

Here, if a man dies leaving his wife and young children behind, his property will be looked after by the widow, and

when all the children are grown up and married they can divided the property among themselves or hold the same jointly. If the widow remarries, neither she nor her children from the second husband can enjoy the property of the deceased husband. There is a strong belief that if the children from the second husband enjoy the property of the deceased husband they might become blind or contract various diseases.

In Laittyra, if a man divorces his wife without any mutual understanding, his wife and children have no claim on his property during his life time, but after his death, his children, if any, inherit his property. If his divorced wife has helped him in clearing the land or in planting oranges, she can claim half of the income from the land.

Regarding those who have committed Ka Sang or taboo, the system is the same as among those who follow the unilineal system of inheritance. Such persons are cast out of his/her clan and are deprived of the family property. The system of adoption also prevails among the inhabitants of Laittyra, where those who have no female issue to inherit the parental house can adopt any girl from the same clan, if any, else from a closely related family.

As in Umsyiem village, the inhabitants of Laittyra share the same custom of apportionment, where both ancestral and self acquired properties are apportioned by the father and mother in the presence of all those lineage members who are entitled to a share. The apportionment is also done in consultation with the maternal uncle. Here too no religious ceremony is performed during apportionment.

The collateral system of inheritance followed by the inhabitants of Laittyra village can be represented in Diagram 5 below:

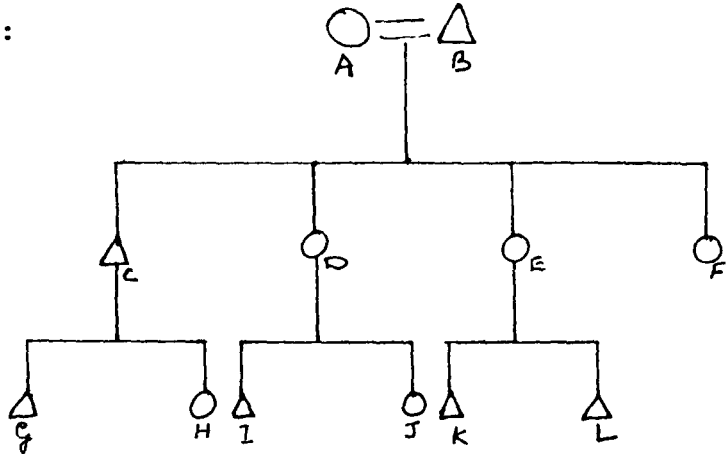


Diagram 5. Inheritance of Property in Laittyra village.

From the diagram above, the property of A and B will be equally shared between C, D, E and F, F being the youngest daughter inherits the parental house. If F has no issue, her property is shared between C, D and F, but the parental house goes to ka E being the next younger sister, but if E has no female issue too the parental house goes to D which will be inherited by her daughter J. The property of E will be shared by her sons K and L, while her house will be inherited by Ka J, being the closest female relative. C being the only brother, manages the property of his sisters. His property will be inherited by his children G and H and the property of D will be shared between I and J.

C H A P T E R — V

CHAPTER V

CONCLUSION

I shall deal here with the problem concerning the inheritance system among the War Khasis of East Khasi Hills District. The discussion in the first chapter includes the operationalisation of the concepts of property and inheritance and survey of literature. The second chapter profiles the War Khasis, their economy, education, etc. The third chapter deals with their kinship organisation. The fourth chapter discusses the system of inheritance as obtained in the two war villages. The fifth chapter is conclusion.

With regard to the system of inheritance in these two War villages, the findings show that one of the two villages, i.e, Umsyiem has a unilineal descent as well as inheritance. Thus in this village property is inherited equally by the female children, with the exception that the ka khadduh or the youngest daughter inherits the ka iing seng or parental house. It is there that the members of the family assemble to witness her performance of the family ceremonies. She inherits the largest share because it is she whose duty it is to perform the family ceremonies and propitiate the family ancestors. On the other hand, the other village, i.e, Laittyra, has a unilineal system of descent but collateral system of inheritance. The rule here is that both male and female children inherit the parental property. But in this village too, the youngest daughter inherits the parental house for she has to perform the role as the family priestess.

As in the former village, the females inherit the pro-

erty while the males manage and control the same. But in the latter village, both males and females inherit parental property and at the same time the males manage the same. The youngest daughter or the Ka khadduh, gets the largest share in both the villages but she is actually only the custodian of the family property. She is not the real owner or inheritor because she has no right to dispose of the family property by herself. She is the custodian while her maternal Uncle is the manager.

On account of the above, their system of inheritance or the succession of property is based directly or indirectly on their kinship system. Their precepts teach them that Ka khein kur khein kha or the kinship system is "the foundation and the basis on and around which the religion, the family, the society and the economic and political structure of the race is build". (cited in Chattopadhyay, 1985:122). Thus this fundamental precept has greatly influenced their customary law on the use, application, transfer and alienation of property among them.

As in the case of other tribal groups, the War Khasis too are changing. With the advent of christianity, many changes have taken place as their culture and heritage, tradition and culture revolved round their traditional religion. Yet, it is not correct to say that christianity has discouraged the continuation of the matrilineal system. The majority of the War Khasi population are christian today but traditional system of inheritance of property still continues except that the traditional ceremonies which of descent and inheritance. The youngest daughter is expected to perform have disappeared at least among the christian War Khasis.

The general rule in War Khasi society being collateral, two possible explanations may be provided for giving rise and sustenance to this system. One, which is likely but difficult to demonstrate is their age-old interaction with the plains people of Bangladesh with whom not only trade but also cultural interactions have taken place since ages. The latter people being patrilineal they may be responsible for effecting collateral system of inheritance among the War Khasis. The other explanation, which is less likely though frequently put forward by people, is the system of visiting husbandship. This system creates opportunities for the males to retain close, day to day linkages with their parents and makes it possible for them to inherit and own their parents' property. But the snag here is that even the pnars are reported to have close interaction with the plains people as well as the system of visiting husbandship. Yet they have no collateral system of inheritance. This problem requires further exploration and research without which this apparent anomaly cannot be resolved.

In the past, the heiress could get the share after her parents' death, but today this often results in quarrels and conflicts within the family. A desidion or agreement within the fakily has now been a general practice in connection with the distribution of property among the children. This shows that there is no legal will system formulated as yet.

With the passage of time, their population have increased and changes can be noticed in many aspects of their social life. Migration from rural to urban areas, education, new ideologies and institutions coupled with mixed population have acce-

lated the changes.

Some Khasis are now reviewing the matrilineal lineage and questioning the future of matriliney in the Khasi society. There are two shades of thinking in this connection. According to one group there is an apprehension that matriliney in this society is doomed whereas another section of people is canvassing for the abolition of matriliney. Such arguments and wishes apart, the real life experience is that matriliney in the War Khasi society is not only continuing unwavering, but contrary to the wishes of some, matriliney among them is getting somewhat reinforced. With regard to the abolition of matriliney, it is worthwhile to remember what Kynpham Singh points out "Lada duh noh ka khein kur khein kha pura puri sha ka liang ka kynthai ka long na ka bynta ki jingsniew ba ki la khein kor noh ia ka spah ban ia ka doh ka snam bad ki khein kor noh ia ka bor ban ia ka hok." (cited from Chattopadhyay, 1985:128). Which literally means that if the Khasi custom, especially the matrilineal kinship system ceases, there would be a great confusion which might lead to controversies and misunderstandings of the Khasi customary laws.

Thus the War Khasi law on inheritance of property is intrinsically bound up with the kinship system which is the basic feature of the Wars. Their law on property has been fortified by a combination of checks and balances to ensure peace and harmony in the society.

To conclude, the War Khasi collateral system of inheritance proves to be compatible to their system and is not difficult to follow because if property is fairly distributed be-

tween the children, both males and females, there can be no conflict, jealousy and discontent among the sibling. Yet matrilineal trait can exist. It seems wise to give male members their dues but at the cost of the very identity of the Khasi society.

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