

ADMINISTRATION OF
JUSTICE
IN THE KHASI HILLS

E. JYRWA

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Under the British Raj, the Khasi and Jaintia Hills was divided into two parts—"Khasi and Jaintia Hills District" and "Khasi States". The "Khasi States" one of the Indian States that acceded to the Dominion of India are not parts of British India. Insofar as the administration of justice is concerned, the administration for the Khasi and Jaintia Hills District was governed by the Rules of the administration of justice and police prescribed by the Governor. The administration of justice in Khasi Hills for a long time was carried on according to customary law. There was no organised system of a police administration in the governing machinery of the Khasis.

This book is intended to trace the judicial system in Khasi Hills since time immemorial; the changes made by the British on the system; the effect this had on the traditional administrative and judicial functions; the impact British rule had on the powers and functions of the traditional village authorities and the legacy it had left for the Indian government; the laws, rules and regulations laid down when the Constitution of India came into force; changes that took place with the coming into existence of the District Council and also to understand better how far the District Council in Khasi Hills as transitional institutions has been able to administer justice to the tribal people as well as to present the maximum amount of authentic facts and to arrive at conclusions. This study is not only a matter of interest for research, but it will serve as an eye opener to the administrators, officials, non-officials and community at large.

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DEDICATED TO MY DEAR PARENTS

Shoshindro Marbaniang

&

Beatris Helen Jyrwa



M.M. JACOB
GOVERNOR

RAJ BHAVAN
SHILLONG
MEGHALAYA STATE
INDIA

FOREWORD

The concept of Law and Justice was a central theme in many of the writings of the early Greek philosophers. According to Plato (B.C. 427—437) in his work on Crime a Moral Error - "In this laws we take action against criminals or simply talk to them we may grant him pleasures or make him suffer. We may know him or disgrace him; fine him or give him gifts. We may use absolutely any means to make him hate injustice and embrace true justice or at any rate, not hate it."

The early concept of a legal system also finds expression in the words of the Greek Law Giver - Salon, who argued that "A community was held together by rewards and penalties"- and the earliest Greek Law codes back him up prescribing punishment on a wide scale.

This book is a commendable attempt by a distinguished scholar, Dr. (Miss) Erbanoris Jyrwa of the North Eastern Hill University to trace the Legal and Judicial system in Khasi Hills since time immemorial. In the British days a legal administrative system developed in this part of the country which was different from that in the rest of the country. IN the administration of justice the local traditional system followed by the tribal people was preserved and the tribals were allowed to administer justice according to their customs.

The author has made a serious study of several facets of the traditional system of administration of Justice in

Khasi Hills. She has traced the evolution of the traditional village council of the Khasi Hills and evaluated the institution of Syiems in Khasi States as well as the Administration of Justice during the British Rule and after Independence. She has also touched upon the administration of justice in the District Council and conducted a case study of administration of justice in Khasi Hills.

This researched document is a valuable asset and contributes significantly to existing knowledge on the Unique system of administration of Justice in the Khasi Hills existing with the modern legal system.

The legal and administrative system applicable to most of Khasi Hills has changed since Independence. With the introduction of District Councils, by the 6th Schedule of the Constitution of India, after Independence, the Judicial administration in the district was bifurcated between the Deputy Commissioner and the District Councils. In certain matters, the 6th schedule envisages exclusive judicial power by the District Council while in certain other matters the Deputy Commissioners and his Assistants have been entrusted with the exercise of Judicial Power. The powers and functions of local chiefs and traditional organizations were curtailed while on the other hand the District Councils were empowered to constitute village courts and other courts for the trial of suits and cases involving tribal communities within the autonomous areas.

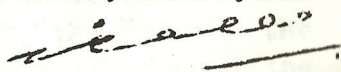
While on the positive side, it can be claimed that the traditional system of administration of Justice has helped to preserve the identity of the tribes and promote dispensation of quick and inexpensive justice, on the negative side, one can say that the system has been too static for too long and has failed to keep pace with the changing times.

Times are changing fast. The Global changes in science, technology, commerce, trade and social intercourse has seen dramatic changes in the last twenty years. As we stand on the threshold of the 21st century, we are looking at a future which is going to be enormously different from anything we have known. We have to prepare ourselves to face the challenges of the present times and be pro-active rather than reactive in our approach. To cite a concrete example from the realm of administration of justice, I may mention that the time has come to consider the separation of the executive and the judiciary in so far as the courts set up by the State are concerned. IN fact as per the recent decision of the Supreme Court, steps for separation of judiciary from the executive are already under way and this has to be taken up expeditiously to carry out justice in a modern democratic state.

The ideas as contained in this book reflects Dr. Jyrwa's experience and detail research on the system of administration of justice as well as hard work under the able guidance and supervision of (Late) Prof. B. Pakem, former Vice-Chancellor of the North Eastern Hill University.

My sincere thanks to Dr. (Miss) Erbanoris Jyrwa for her dedicated work on judicial system in Khasi Hills. I am sure that the contents of this publication and articles thereof will be very useful to all research scholars and others interested in the unique features of traditional justice system of Khasi Hills.

I extend my best wishes to the author and hope that the publication of the book will bring a better appreciation and understanding of the judicial system prevailing in these Hills.



M.M. Jacob
Governor of Meghalaya

PREFACE

The administration of justice in Khasi Hills for a long time was carried on according to customary law. There is no organised system of a police administration in the governing machinery of the Khasis. The hereditary officials consisting of 'Heads' of the '*Hima*' execute the orders or sentences passed with the help of *Sardars*, village headmen and other recognised village authorities of the village concerned where the culprits belonged. The codes of civil and criminal procedure were not introduced. The administrator observed the spirit of these codes.

When the British assumed sovereignty over the Khasi land these indigenous organisations were not swept away. The British took advantage of their existence and the authority of the *Syiems* were recognised through *Sanads*. The policy of the British made the people unaware of the changes in their old-age customs and institutions.

Under the British Raj, the Khasi and Jaintia Hills was divided into two parts—"Khasi and Jaintia Hills District" and "Khasi States". The "Khasi States" one of the Indian States that acceded to the Dominion of India are not parts of British India. In so far as the administration of justice is concerned, the administration for the Khasi and Jaintia Hills District was governed by the Rules of the administration of justice and police prescribed by the Governor.

The Administration of Justice in Khasi Hills is a revised version of only one chapter of a thesis submitted to the North-Eastern Hill University in 1991. Basically, the book is on the judicial system in Khasi Hills. In addition, two more chapters have been added on the evolution of the traditional village council of the Khasis and the evolution of the institution of *Syiemships* in Khasi States for a clear understanding and better insights into the managerial, administrative and political system of the Khasis and the changes which have crept in.

The object of this book is to trace the judicial system in Khasi Hills since time immemorial; the changes made by the British on the system; the effect this had on the traditional administrative and judicial functions; the impact British rule had on the powers and functions of the traditional village authorities and the legacy it had left for the Indian government; the laws, rules and regulations laid down when the Constitution of India came into force; changes that took place with the coming into existence of the District Council and also to understand better how far the District Council in Khasi Hills as transitional institutions has been able to administer justice to the tribal people as well as to present the maximum amount of authentic facts and to arrive at conclusions.

In this book eleven (11) representative cases were selected for detailed studies. The factual material for the study are based on the data collected from primary and secondary sources. The primary sources used are official records published and unpublished, archival documents available both in the State Government, District Council offices, Government records, reports of the Committees and Commissions, discussions with people, eminent scholars and also through interviews with the traditional

village authorities, selected *Syiems*, *Lyngdohs*, *Sardars* and *Wahadadar* of the twenty five Khasi states, officers of the District Council Court as well as members of the District Council. Besides these, secondary sources have also been drawn from books, articles and newspapers. The study of the administration of justice has been made by some scholars and have been written in English in books and articles. A pre-survey of related research work shows that no one has attempted to make an indepth study of the judicial system in Khasi Hills. This study is not only a matter of interest for research, but it will serve as an eye opener for the administrators, officials, non-officials and community at large.

ERBANORIS JYRWA

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I owe a deep sense of gratitude to my supervisor (Late) Prof. B. Pakem, former Vice-Chancellor of NEHU for constant inspiration and able academic guidance that he had all along provided to me for the research work under which had been an active learning process for me.

I gratefully recall my indebtedness to Mr. Laborious Manik Syiem, former *Syiem of Hima Myllem*, Dr. Balajied Singh Syiem, *Syiem of Hima Khyrim*, (Late) Mr. Edwin Lyngdoh, *Lyngdoh of Mawphlang*, Mrs. Dramon Kurbah, Ex-Secretary of the Village Court, Marbisu *Sirdarship*, Mr. H.M. Dkhar, Judge, District Council Court, Mr. J. Reenborn, Additional Judge, District Council Court and Mr. D. Hynñiewta, (Rtd.) Deputy Registrar, Gauhati High Court (Shillong Bench) for extending their kind help and for access to the representative cases at their disposal which were vital for the research work. My grateful thanks are due to them.

I am ever grateful to (Late) Mr. L.G. Shullai for his selfless support, encouragement and the appropriate information which he had extended continuously during his life time. Through fruitful discussion and access to his Shillong Records Collection Centre these enabled me to bring out this research work in its present form.

My sincere thanks and gratitude to all those knowledgeable people for having spared their most valuable time and gave me precious information.

I am most grateful to my dear parents who have always been the greatest support in all my endeavours. I also recall the loving service of my sisters and brothers who always stood by my side in every hour of need.

Lastly, my sincere thanks to the Akansha Publishing House, New Delhi for their acceptance to publish this book and for taking the pain to bring out this book in a very short time.

ERBANORIS JYRWA

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INTRODUCTION

According to Tandon Mahesh Prasad, the administration of justice is the maintenance of right within a political community by means of the physical force of the State. It is a device adopted by the modern and civilized community in replacement of the primitive practice of working private vengeance and violent self-help. Further, Tandon stated that the administration of justice is divisible into two parts: (i) Administration of civil justice, and (ii) Administration of criminal justice. Wrongs may either be civil or criminal. The former are dealt with in civil proceedings and the latter in criminal proceedings. The real distinction as observed by the editor of Salmond's 11th edition of Jurisprudence, resides, not in the physical consequence of the act but in its legal consequences by which it may legally be followed.¹

In the modern state, according to Shambhu Dayal, very often our notion of justice presupposes fixed rules and is incompatible with a system of free judicial discretion. Justice is usually taken to require that people should be treated alike unless there is reason for treating them differently. On the other hand, it cannot be denied that we have some notion of justice independently of legal rules; otherwise we should not be able to consider whether a

particular legal rule is just or not.² According to Lord Wright, justice is an expression of varying import. It is a multi-flavoured compound. It is very difficult to give a precise and comprehensive definition, which may be acceptable by all. This difficulty was realized by Lord Wright in the following words,

“I am not afraid of sloppiness of thought when I say that the guiding principle of a judge in deciding cases is to do justice; that is justice according to law, but still justice. I have not found any satisfactory definition of justice ... what is just in any particular case is what appears to be just to be just man, in the same way as what is reasonable is what appears to be reasonable to the reasonable man.”³

According to Jethro Brow, “justice as a concept of jurisprudence is more conformity to law.”⁴ For Kelsen, it is simply ‘an irrational ideal’. Some take it as the ‘equality before law’ while others takes it as the ‘protection of individual interest’. There are still others who mean by Justice the harmonization of conflicting rights. Anyway “justice is whether I can define it or not”.⁵

The administration of Justice in Khasi Hills for a long time was carried on according to customary law. There is no organized system of a police administration in the governing machinery of the Khasis. The hereditary officials consisting of the “Heads” of the “Hima” execute the Orders or sentences passed with the help of *sardars*, village headmen and other recognized village authorities of the village concerned where the culprit belongs. When there is a doubt of resistance the help of the entire village or nearby village is sought, if necessary. The villagers of the respective village come readily to give the assistance when required. These villagers do so in the interest of the

security and safety of their own village. The codes of civil and criminal procedure were not introduced into the Khasi Hills. The administrator observed the spirit of these codes.

With the coming of the British in Khasi Hills, the British ruler left the people for sometime almost completely to themselves to lull them in a sense of complacency. The British, however, steadily introduce changes into the traditional system of administration to suit their convenience and also to bring about certain modifications in the traditional institutions to consolidate their positions and strengthen their hold upon the people as their subjects. This policy of the British made the people unaware of the changes in their age-old customs and institutions. Even, the cursory study of the treaties entered with the *Syiems* and the *Sanads* granted to them with one succession after the other reveal the erosion of the powers of the *Syiems*.

Under the British Raj, the Khasi and Jaintia Hills District was divided into two parts: 'Khasi and Jaintia Hills District' and 'Khasi States'. India at that time was divided into three parts viz., 'British India', 'Indian States' and 'Tribal Areas', these tribal areas are not tribal areas as shown in table appended to paragraph 20 of the Sixth Schedule to the Constitution of India. They are tribal areas outside the British India. With the passing of the Indian Independence Act, 1947 by the British Parliament 'British India' was divided into two dominions, that is India and Pakistan, with effect from August 15, 1947. In the North East part of the Dominion of India lays the tribal areas, known as the 'Assam Tribal Areas'. The Assam Tribal Areas become part of the Assam State from January 26, 1950 as given in the First Schedule to the Constitution of India and as passed by the Constituent Assembly of India on November 26, 1949.

The "Khasi States" one of the Indian States that acceded to the Dominion of India are not parts of British India. As per the Government of India Act, 1919, the "Khasi States" need not send the members to the Assam Legislative Council and need not send their members to the Assam Legislative Assembly. As regard the administration of justice in the 'Khasi States' during the British rule, it was administered in accordance with the provisions contained in the *Sanad* issued to the "Heads" (*Syiems, Lyngdohs, Wahadadar* and *Sirdar Hima*) of the Khasi States. The Khasi States were brought within the boundary of an Autonomous District known as the United Khasi-Jaintia Hills Autonomous District vide subparagraph (1) of paragraph 20 of the Sixth Schedule to the Constitution of India as originally adopted on the 26 November 1949.

Further, the Khasi and Jaintia Hills District, since they are part of British India they have to send their representatives as per the Government of India Act, 1919. In so far as the administration of justice is concerned, the administration was governed by the Rules for the Administration of Justice and Police in the Khasi and Jaintia Hills prescribed by the Governor in exercise of the powers vested in him by Section 6(six) of the Scheduled District Act, 1874 (Act XIV of 1874) issued under Notification No.2618-A.P. dated the 29 March 1937.

Before 15 August 1947, there was a Central Legislature known as "Indian Legislature" which consists of the Upper House known as "Council of States" and the Lower House known as "Legislative Assembly". For the removal of doubt, it may be mentioned here that the Upper House of the "Indian Legislature" is known as the "Council of State" and the Upper House of the present Parliament of India is known as "Council of States". Besides the "Indian

Legislature" there was a Constituent Assembly which is a Constitution Making Body". The first meetings of the Constituent Assembly of India was held on 9 December 1946. The Government of India Act, 1935 with effect from 15 August 1947 was modified by the India (Provisional Constitution) Order, 1947 promulgated by the Governor General of India as empowered by Section 8 and Section 9 of the Indian Independence Act, 1947 passed by the British Parliament.

The "Indian Legislature" ceased to function with effect from 15 August 1947 and the Constituent Assembly of India assumed both the functions as the "Central Legislature" and as the "Constitution Making Body". The Constituent Assembly (functioning as Central Legislature) on 9 December 1947 passed the Extra Provincial Jurisdiction Act, 1947 which received the assent of the Governor General of India on 24 December 1947. The Constituent Assembly when it sat as a "Constitution Making Body" was presided over by the President (Dr. Rajendra Prasad) and when it sat as a "Central Legislature" was presided over by the Speaker (Shri G.V. Malavankar).⁶

As of now, it may be stated that the traditional Institutions have not been able to play their role in the true sense of their foundation as they were before the British came to interfere with them. Though we do really find such practice in vague among the Khasis, yet whatever might be the situation and forces at work to abolish the customs and traditions we can still find the *Dorbar Shnong*, *Ka Khang Shnong*, *Ka Pyrta Shnong*, that play a vital role in the social and political life of the people. The sentiments of the people for the preservation of all the traditional customs can be seen whenever they are made to come into contact with any threat or influence.

Notes and References

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2. Dayal, Shambhu, *Jurisprudence and Legal Theory*, Central Law Agency, Allahabad, 1976, pp.110-111.
3. *Ibid.*, p.100.
4. *Ibid.*
5. *Ibid.*
6. Shullai, L.G., "Administration of Justice in Meghalaya", a Paper presented at the Seminar organised by the Law Research Institute, Eastern Region, Guwahati High Court, 4th September, 1999 at the State Central Library, Shillong (unpublished), p.1.

CONCLUSION

The Khasis had their deep-rooted tribal institutions since time immemorial. At the beginning, the power of the village council seemed to be unlimited because it exercise sovereign powers within the areas of the jurisdiction. But with the evolution of the confederacies of village or *Raid* and the final evolution of the *Hima* or State most of the powers of the village council were taken away by the higher authorities and the village council lost all its sovereign powers. When the British assumed sovereignty over the land these indigenous organisations were not swept away. The British took advantage of this existence and the authority of the *syiems* were recognised through *sanads* granted by the sovereign power. The *sanad* ratified the appointment of the *syiem* on his election and he was subject to the control of the Deputy Commissioner of the District of Khasi and Jaintia Hills. Traditionally, the *syiem* is not the head of the state but he is a nominal head. He is the symbol of unity and integrity of the State. It is the *Dorbar Hima* which is the paramount power. It was during the British rule that paramount power was taken away from the *Dorbar Hima*. The British Government as the paramount power reserved to itself the right to remove

the *syiem* in case of oppression or misconduct or dereliction of duty.

After the lapse of a British paramountcy, the twenty five Khasi States formed a federation of their own as the 'Federation of Khasi States' and acceded to the Dominion of India subject to the provisions of an agreement by means of an Instrument of Accession. By this instrument, although the *syiems* acceded to the Dominion of India they did not liquidate their separate entity and resolved to maintain their old-age customs and usages regarding the administration of Khasi States, election of chief or Headmen, power of *Dorbar*, etc. All these changes leave far reaching consequences.

In Khasi Hills the system of administration of justice was fascinating. For a long time, the administration was carried on according to customary law. The Codes of Civil and Criminal Procedure were not introduced into the Khasi Hills. But the spirit of these codes was observed by the administrator. Under the British Raj the rulers of the Khasi States were empowered to govern their respective States and allowed to adjudicate and decide all civil and criminal cases except the more heinous ones in which their own subjects alone were concerned through *Sanads*. Later, during the time of the Province of Assam their powers were retained with modifications and accordingly they were empowered to adjudicate and decide all civil cases and all criminal offences, except those punishable with death, transportation or imprisonment for five years and upwards which may arise within the State in which the parties were Khasis.

Further, the Governor of Assam in 1937 framed Rules for the administration of justice and police in the Khasi and Jaintia Hills in exercise of power under Section 6 of the Scheduled Districts Act, 1874, for the British areas of

Shillong and the 31 British *Sirdarships* in the Khasi Hills district, but not for the non-British area. The administration was vested in the Governor of Assam, Commissioner, Deputy Commissioner and his assistants and the traditional village authorities recognised by the Government. When the Assam High Court was established in 1948, the judicial authority was transferred to this Court. The said Rules, however, were not applicable in the Shillong administered areas in as much as the area comprised within the *Hima* (State) of Myllem. This judicial authority was still retained and recognised even upto the eve of the Indian Independence as per agreement accepted by the Governor General of India on 17 August 1947. On the other hand, the Khasi States continue to exercise the judicial authority with little modifications under the Khasi States (Application of Laws) Order, 1948, and the Khasi *Syiemship* (Administration of Justice) Order, 1950, which applies to the Khasi States excluding so much of the areas comprised within the Municipality of Shillong.

On the coming into existence of the District Council, the judicial powers in the autonomous area of United Khasi and Jaintia Hills Districts, the Khasi people were governed by the United Khasi-Jaintia Hills Autonomous District (Administration of Justice) Rules, 1953, framed by the United Khasi-Jaintia Hills Autonomous District Council. On its coming into force, the *syiems* exercise their powers under the said District Council Rules and the Administration of Justice Rules, 1950, and 1952, were repealed by Rule 58 of the said Rule of 1953 in so far as they related to the matters dealt with the 1953 Rules. The *Syiem's* Courts and the District Council's Court exercises judicial power and jurisdiction over all the Shillong Administered Areas except the areas comprised in the Shillong Municipality only as amongst the tribal

people. Since the existence of the District Council and after the enactment of the said Rules of 1953, different courts were set up in the KHADC. The Judge of the District Council Court has equivalent powers like the District and Session Judge and the District Council Magistrate has also sentencing powers of five to seven years as has been offered upon them by the Governor's order under Paragraph 5 of the Sixth Schedule to the Constitution of India.

The analysis of the system of administration of justice in Khasi Hills shows that the Courts set up at different levels by the KHADC have control over the administration of justice in their respective areas. No doubt, the KHADC Court is carried out by legal experts and judicial officers having degrees in law on the trial of cases, disputes efficiently and expeditiously. Of course, judicial autonomy of the hills is often abused. Money economy has further aggravated the deteriorating condition of the utility and importance of the tribal system of justice. Oaths whether of traditional or of modern forms are not always reliable. Influence can lead to misinterpretation of the tribal customary laws. It is, therefore, necessary that judicial uniformity be introduced for the administration of justice. But there are almost insurmountable difficulties in bringing about this judicial uniformity. The difficulties arise out of the fact that nowhere in the hill areas customary laws have been codified. Although in Khasi Hills, Khasi laws that were partially codified by the Khasi National Durbar in 1925 and served as the basis of Sir Keith Cantlie's *Notes on Khasi Law* have not been found uniformly applicable and were objected to by the articulate non-Christians.

Since the customary laws are not codified and uniformly interpreted, the introduction of a uniform

system of justice seems to be very difficult. The Khasi people do not feel enthusiastic in codifying their customary laws at present. With the existence of the autonomous District Councils, the thrust seems to be more on legislation rather than codification. Codifications will naturally encourage litigations. Legislations, no doubt, can provide for a sort of uniformity in their traditional system rather than codifying the customary laws that vary from *Elaka* to *Elaka*. Thus the question of codification and uniform interpretation of the customary laws of the Khasi people needs immediate attention to bring into existence a uniform system of administration of justice in their respective *elakas* and thereby to avoid misinterpretation or their being influence by certain sections.)

As the Pataskar Commission commenting on judicial autonomy said,

“The expectation in the beginning was that the district councils would continue the age-old methods of the tribal people to dispense justice in an inexpensive and simple manner as the tribal people had been doing in the past. Instead we find that the District Councils have established a hierarchy of courts very much akin to the set up in the other parts of the State We believe, the Councils can ill afford the sophisticated judicial processes and modern laws would still be alien to the tribal society in its present stage of development. The full impact of modern judicial administration will create difficulties for the tribal people and add to administrative complexities in these areas....There is to our mind no harm and a good deal of advantage in allowing the tribals to continue to administer justice through their simple procedure.”¹

The basis of administration of justice in Khasi Hills has been simple and inexpensive. But due to the introduction of modern legal system to that of the Khasi traditional system, the Khasis have failed to get the best of the two systems. Only the well-to-do people in the Khasi society have benefitted out of this confused system of judicial administration.

The Dutta Commission's report of enquiry appointed by the State Government on the functioning of the District Councils in Meghalaya has rightly pointed out:

“the District Councils have practically no machinery to enforce their laws and orders. For example, the Village Court set up by the district council has no means to compel the attendance of an accused before it. Whenever, the Village Court wrote to the district authorities for the arrest of an accused, they treated the letter as an FIR and got the accused arrested, but had produced him in the Deputy Commissioner's Court and not the Village Court.”²

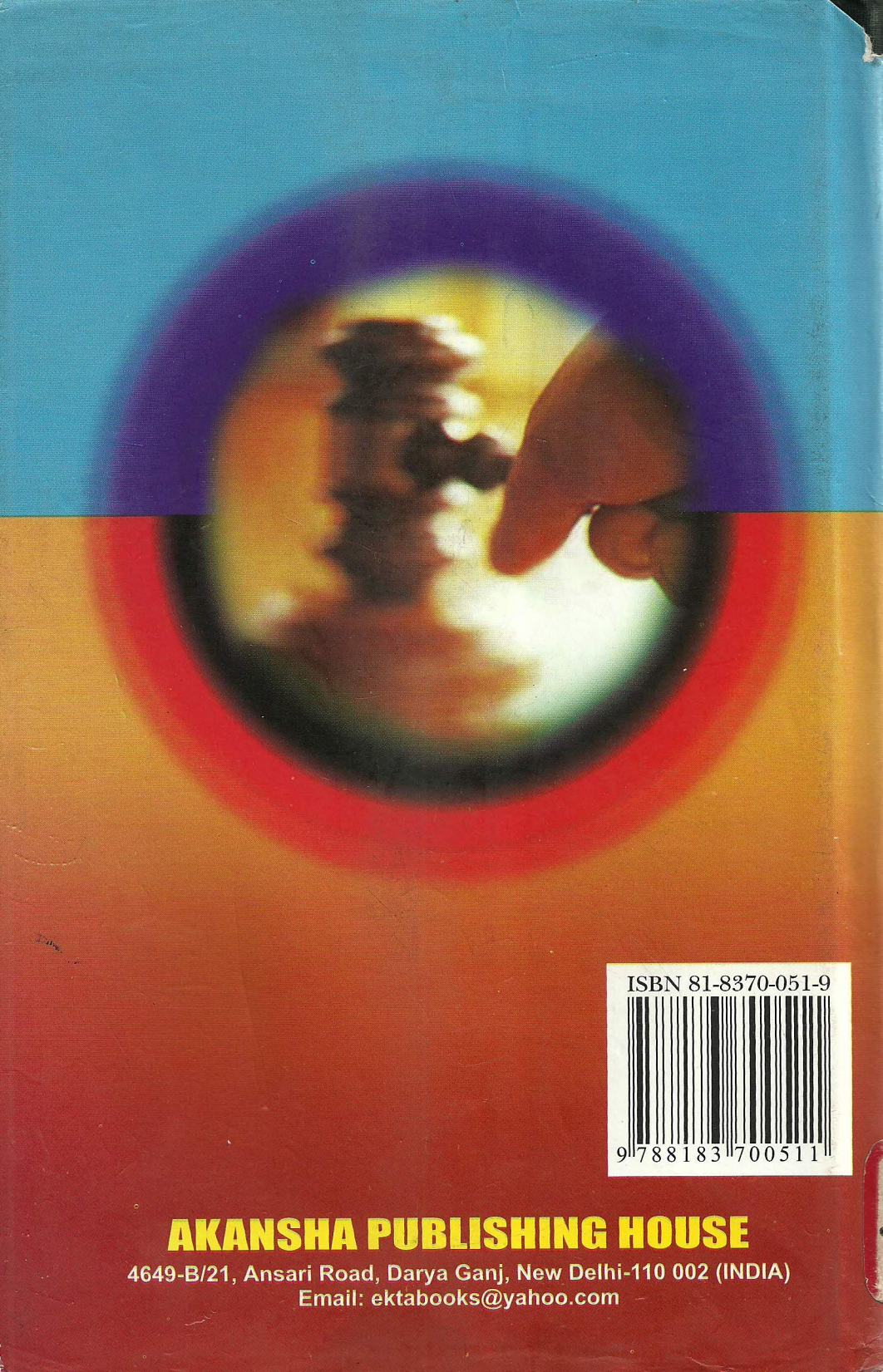
After the District Councils have set up the Courts, all the cases involving non-tribal people are tried exclusively by the courts under the Deputy Commissioner which also try cases relating to offences, punishable by death, imprisonment for life or for a term of not less than five years, even though they may involve tribal people, till a court under the District Councils are empowered by the Governor to try such cases. In the KHADC, it is found that the Courts have been invested with this power. But in most cases, only the tribal people are involved. In this respect, mention may be made that according to the Pataskar Commission it was stated that:

".... the organisations of the tribal people which have advocated the extension of the jurisdiction of the District Council Courts over non-tribals supported their proposal on the ground that the inability of these Courts to try cases relating to non-tribals, 'Wounds the Sentiments' of the tribal people."³

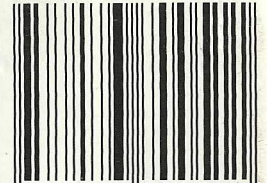
As such, it is, therefore, felt that the jurisdiction of the District Council Courts should also be extended to the non-tribal people. It is also strongly felt that non-tribal people should not be subjected to the jurisdiction of the Courts of the Council if the cases involve between the tribal and non-tribal people.

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2. See, "Dutta Commission Report Forewarns: District Councils will die a Natural Death", *Shillong Times*, Vol.XLV, No.29, dated 13 September 1989, p.2.
3. Fan. 1, p.101.



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