

CHAPTER SIXTEEN

Traditional Polity and Institutions Among the Jaintias

L.S. GASSAH

One of the areas of investigation which has seriously drawn the attention of social scientists of the North-Eastern region in the recent years, is the scientific study of traditional polity or polity formation and institutions in the form of chiefship. These two important areas of investigation have attracted the attention of the social scientists of the region because of the fact that these areas have not been properly studied earlier due to certain difficulties. Even the recent studies that have come out on state or polity formation are conducted because of the influence of other studies on the same issues in other parts of the country.

Professor B. Pakem could be said to be one of the scholars from North-East India to have contributed immensely to the understanding of traditional polity and polity formation in North-East India in general and Jaintia Hills in particular. Three scholarly papers by Professor Pakem were already published on these pertinent issues – two on the Jaintias and another one on the Biate of Jaintia Hills (the latter one is not included in this review).

The second aspect which this paper seeks to analyse is the study of the institution of chiefship among the hill people in North-East India in general and Jaintia Hills in particular. The institution of chiefship among these people is a common feature. Such institutions had prevailed in the past and are still prevailing among many of the tribal people of the region. Though among some tribes the office of the chief was abolished, we still find the existence of the same among majority of them. For example, among the Mizos, the office of the once powerful *Lal* or chief had been abolished after the passing of the Assam-Lushai Hills District (Acquisition of Chiefs' Rights) Act of 1955 with a provision to pay compensation to the chiefs for the loss of their rights over land and other privileges earlier enjoyed by them. Among the Jaintias too, the

office of the Syiem (King or Raja) was abolished by the British in 1835 after the Jaintia Hills was placed under the British administration with effect from the 15th of March 1835. However, the British retained the other offices of the traditional chiefs among the Jaintias like the *Doloi*, *Pator* and *Waheh Chnong* (village headman) to assist the British authorities in running the administration of the area concerned.

On the basis of the powers and functions held by the chiefs of numerous tribes of the North-East, they can be classified into different categories depending upon the extent of power entrusted or held by them. Further, the customary law of succession and the methods of election or selection also differ from tribe to tribe and area to area. Variation in the laws of succession to office could be found even within the same tribal community. The laws of succession also determined the extent of power entrusted to the chief either by the chief's family or clan or the council of elders or the villagers themselves or whichever body responsible in determining the succession process. A chief is either elected or selected for a fixed period or for a life time. Basically, not a single typology of chiefship could be found to exist among the various tribes of the North Eastern region.

Against this background, this paper attempts to review the contributions and the ideas put forward by Professor B. Pakem in his articles on polity formation and the political institution of chiefship which have been published in certain journals and books dealing with North-East political issues and development.

Professor Pakem has analysed thoroughly and in greater details on the institution of chiefship among the Jaintias in his articles that have appeared from time to time in different journals and books. Even in other articles which did not deal directly with this institution, he has highlighted many important aspects of such pristine institutions. The articles dealing with the institution or office of the traditional chiefs among the Jaintias may be broadly classified into the following issues:

- the process(es) of the evolution of the office,
- law of hereditary succession,
- powers and functions,
- effects/impacts of British administration,
- effects/impacts of Autonomous District Council,
- present status of traditional chiefs and the question of leadership.

On the question of the process(es) of the evolution of the office of traditional chiefs among the Jaintias, there appears to be lot of problems to ascertain the authenticity of the same. This is due to the paucity of written records

or the lack of them. The situation has therefore given the opportunities to the rise and development of many theories which had been propounded from time to time by different scholars in the field of study. In this respect, Professor Pakem has also given his viewpoints as to the process(es) of the evolution of the offices of the traditional chiefs in Jaintia Hills.

An interesting contribution made by Professor Pakem in this particular aspect of the study, is his preference to treat the matter in its historical perspective. Therefore, the question of migration as well as the route of migration of the Jaintias till they reach their present habitat is of utmost importance. Professor Pakem went back to the period when the Jaintias were nomads or semi-nomads, who, because of the pressures either in search of shelter from invasion of their enemies or in search of suitable lands for cultivation made the Jaintias to move from place to place until they found the impenetrable forest areas of present Jaintia Hill. Since the decision to migrate in some cases required an immediate attention, a leader in such a migratory society was a very powerful one and could not be a democratic leader. Therefore, any senior male member of the family or clan or any male member, generally a priest, having divine knowledge would become a natural leader. Professor Pakem further stated that centring around families and clans was generally a society where leadership fell on the seniormost male member called *U Knvi* literally a maternal uncle of the family or clan. *U Knvi* performed both secular and religious functions. In secular functions he was called *U Knvi* or uncle while for religious functions he was called *U Langdoh* or priest. To differentiate him from the priest of the larger area, he was sometimes called *U Ksoh Blai*, literally, one who holds God.

The first ruler of the village was indeed a village priest whose office was elective. He combined in himself both the sacerdotal and secular functions. In course of time, with the increase of political functions, the office of *U Waheh Chnong* was created. He is elected by all the adult male members in the village. He is the head of the village council and in the past he was generally the ablest warrior. The office of *Waheh Chnong* was established specifically for political function with the Village Council or *Ka Durbar Chnong* as the highest authority in the village.

At a particular point of time, the Jaintias hit upon the idea of solidarity among the *Raids* having common traditions and clan relations. Thus, common traditions and clan relations and competitions among different *Raids* made solidarity movements among the *Raids* all the more necessary. This led to the formation of a federation of *Raids* in the form of a *Elaka*.

Thus, an *Elaka* was and is still in charge of a political head with the designation of *U Daloi/Doloi* or a Governor assisted in some *Elaka* by *U pator* or a Lt. Governor. Both of them are elected by all adult male members of the

Elaka from among the members of the original clans in the *Elaka*.

The third stage was practically the final stage of State formation in pre-colonial Jaintia. A groups of *Elakas* came together to form a loose confederation for the purpose of inter-*Elaka* relations, defence and foreign affairs. There was also a feeling to have a centralized authority to look after the common affairs of all the people, to frame common laws and unite all the existing political units into one centralized administration. This, in short, gave rise to the emergence of the office of the *Syem or Raja* among the Jaintias which lasted till 1835. Therefore, before the British took over the administration of Jaintia Hills, the Jaintias had a three-tier system of administration. Under such a set up, the office of the *Syiem or Raja* occupied the apex position in the hierarchy; in the middle or zonal level, there were and are still the *Dolois* in each *Elaka* and the office of the *Waheh Chnong* or village headman stands at the lowest rung in the ladder of administration. Occasionally, an extra tier also exists under the *Patory*.

A *Doloi* is usually elected from among the adult members of the original clan or clans of the *Elaka*. Further, even among the members of the original clan(s), the candidate(s) for the elective post of a *Doloi* were recruited mostly on ascriptive criteria rather than on grounds of achievements. However, as far as election is concerned, it cannot be attributed to be based on ascriptive criteria, but on achievement basis. It is true of course, that candidates to the office of *Doloi* must be the members of the original clan or clans.

With regard to the office of *Syiem* among the Jaintias, in the pre-colonial period, its role was viewed with much disdain as a lowly office which no respectable person would occupy it. Hence there must be a way out by which such a leader be found either by forcing somebody to take up the job or to create a miraculous origin myth to convince the people that the Divine has also a hand in the selection of *U Syiem*. The Jaintias chose the later course of action and believed that the royal family came out of a mermaid *Ka Li Dakha*. With the union of *Ka Li Dakha* and *U Luh Ryndi*, the Sutnga (later on the Jaintia) dynasty came out. Their eldest son, *U Chyngklein-Am* ruled the Jaintia State from Sutnga as its first headquarters in the beginning of the third century BC. The non-tribal version, however, simply indicated the Brahmanical influence in Jaintia State.

The Office of *U Syiem* was Hereditary

From the eldest to the youngest nephew from the *Syiem's* youngest sister; failing which from the eldest to the youngest nephew from the *Syiem's* younger sisters in order of seniority; failing which from the eldest to the youngest nephew from the *Syiem's* eldest sister; failing which from the eldest to the

youngest nephew from the *Syiem*'s other sister belonging to the *Syiem*'s family on the basis of seniority; failing which and if the *Syiem* has no more relatives then succession should be decided by means of divination.

Powers and Function: *Syiem* and *Doloi*

Professor Pakem dwelt at length on the traditional powers and functions of the chiefs and other traditional institutions among the Jaintias. However, this paper attempts to analyse this aspect in a limited sense by limiting it to powers and functions of *Syiem* (up to 1835) and *Doloi* and also tries to examine the *Syiem-Doloi* administrative relationship when the office of the former was in existence.

Professor Pakem is of the opinion that the institution of Jaintia kinship appeared to have been in existence as early as the first century BC. So far as the *Syiem*'s power was concerned, he had his personal control over his subjects in the plains. This situation was clearly visible after the two plain areas, that of Nowgong in the North and Jaintia *parganas* in the South were conquered by the Jaintia kings and annexed to the Jaintia kingdom. Theoretically, therefore, the Jaintia *Raja* was an absolute dictator over his personal domains in these plain areas. In these areas, he was the supreme administrative head and the fountain head of justice. He also owned all the lands and all that was there in the plain areas. His powers ranged from the calling upon his *ryots* to supply all his requirements, to pay him land revenues and to furnish him with persons who would be offered annually as sacrifices to goddess kali at Ya-le Falls on the Kupli river.

The *Dolois* in Jaintia Hills are not autocratic rulers and have no dictatorial power over the people of their respective *Raids* or *Elakas*. Their *Elakas* are really republics though very tiny indeed. Like the *Syiem*, the *Dolois* also have to run the administration according to the popular opinion of their respective *Elakas*. This is clearly noticed from the fact that all actions initiated or taken by a *Doloi* would have to be approved by all the citizens of the *Elaka*, through the general *darbar* (*Durbar Raid of Elaka*). The people elected their chiefs to supervise the administration and not to oppress or suppress them.

The *Dolois* have certain executive, political, judicial and religious functions to perform within their respective territorial jurisdiction. In the past, they also performed military functions. Besides extending their hands in assisting the *Syiem* in his administration, the *Dolois* on their part executed and exercised important decisions in matters relating to the administration and welfare of the people in their respective *Elakas*. In running the administration of his *Elaka*, the *Doloi* was and is still assisted and guided by the *Durbar Elaka* and

an executive council consisting of leading persons like the *Pator*, the *Wasan*, the *Dan* (collector), the *Duhalia* (musician), the *Sangot* (Village crier) and others. (Some of these offices are no longer in existence today.) The *Doloi* although being the chief of the *Elaka* cannot act or decide things all by himself. Any decision concerning the *Elaka* has to be approved by the *Durbar Elaka*.

The *Dolis* also performed judicial functions. In the traditional system of administration of justice, a *Doloi* of an *Elaka* had an important role to play in dispensing justice concerning the people of his *Elaka*. A *Doloi* acted as a judge and the members of the *Elaka* court as a jury while trying or deciding cases involving the people of the *Elaka* concerned. In the past, a *Doloi* tried all sorts of cases, both of simple and serious nature.

Traditionally, by virtue of his descent, a *Doloi* is the link between his people and the supernatural spirits. As the leader of his people and the head of certain privileged or founding clans, he also plays the religious role in an ancestral cult. During the ceremonies and festivals which are common in Jaintia Hills, a *Doloi* plays an important religious role whenever traditional rites and ceremonies are to be performed. However, in religious matters, not all the *Dolois* perform this function. In some *Elakas*, the *Dolois* do perform the dual functions, both religious and secular, whereas in other *Elakas* they do not perform any religious function. The dual functions of *Doloi*, therefore differ from one *Elaka* to another.

Against this background relating to the *Doloi's* powers and functions, Professor Pakem is of the opinion that 'in their own domains, the *Dolois* were more autocratic than even the *Raja's* rule over his people in the hills. To all intents and purposes, they were feudal despots. It was true that the institution of *Doloiship* had a semblance of democratic nature as a political system. But then this was confined only to the original clans. The general population could not aspire to the elective post of a *Doloi*. . . operationally, however, as in the case of the *Raja*, the *Dolis* could not misbehave towards their people. Their people may appeal to their *Langdohs* if the *Dolois* had oppressed them in any way. And if the *Dolois* were found guilty, they might be removed accordingly'.

Syiem-Doloi Administrative Relationship

With the annexation of the Jaintia *parganas* and the Nowgong plains to the Jaintia kingdom through conquest, the Jaintia *Syiems* thus ruled over the plain areas as well as supervised the administration of the hill portions. The *Syiem's* personal rule and authority prevailed only over the conquered territories in the plains. In the hills section of the kingdom, the administration was left entirely in the hands and supervision of the *Dolois*; the *Syiem* in this case acted only as

a titular head. The only symbol of allegiance and the semblance of power which the *Syiem* had enjoyed over the *Dolois* from the hills was an annual tribute of one he-goat from each *Elaka* under their administration. But this was more ceremonial or religious than political, though technically, a tribute system is symbolic of a basic power structure. The *Syiem* was no more than a symbol of unity of the people, and if his activities threatened that unity, the latter would strongly oppose him.

When the office of the *Syiem* was in existence, the Jaintia *Syiems* recognized the *Dolois* as important administrators of the hill portion of the kingdom since it were the latter who actually conducted and supervised the administration in the hills. The *Dolois* wielded much power over the hill territories and being powerful heads of the hills, assisted the *Syiem* in his administration. The *Syiems* also used to convene the *Dolois* to his court where State Councils were held for settling problems arising out of inter-*Elaka* relations.

In the hills section of the Jaintia kingdom, the administration was left entirely in the hands of the *Dolois*. They allowed the *Syiem* to handle only those matters of common interest like defence, communication and foreign affairs and that too in a limited way. The *Dolois* and their people from the hills could even take a decision to do away with the *Syiem* if he so incurred displeasure or acted in ruthless manner against them.

The relationship between *Dolois* and *Syiem* (when the latter's office was in existence before 1835), indicated that the the hills portion of the kingdom was concerned. The *Syiem's* position and status was that of a titular head only. The *Syiem* reigned but the ultimate source of legitimate authority lies with the people.

Effects/Impacts of British Administration

The British period is one of the important milestones in the history of Jaintia Hills. This period had also its tremendous effects/impacts on traditional institutions among the Jaintias. These effect/impacts may be shortlisted as follows.

1. The British abolished the office of the *Syiem* in 1835.
2. Though the British retained the other traditional institutions like that of the *Doloi*, *pator* and village headman, most of their traditional powers and functions were either curtailed or taken away. For example:
 - (a) The tenure of office of the *Doloi* was reduced from a life time tenure to that of three years only;
 - (b) The *Dolois* could try only petty cases involving their own people;
 - (c) The British increased the number of *Elakas* by bifurcating those *Elakas* which are big in size;

- (d) The *Dolois* were appointed as 'Commission Agents' of the British;
(e) The *Dolois* were asked to learn the three R's.

Commenting on the effects/impact of the British administration on the *Dolois* Professor Pakem wrote that the reduction of their power was only between the chiefs and the British authorities. He further stated that the fact that the Deputy Commissioner of the district had the power to approve the election of the *Doloi* also made it clear that the power over the chiefs had passed to the British administration. The people then respected the chief, not so much because they agreed that he should be the chief, as because of the fear of the authority which he derived from the British. So, there was a change in the power concept in Jaintia Hills with the coming of the British. But this change was not felt by the people, as they were ruled by their own chiefs, who belonged to their own tribe. So, as between the chiefs and the people, the former enjoyed more power than ever before, though that power was simply the radiation of the British power. In fact, in matters of precedence, the *Dolois* were raised from the third to the first rank. The chiefs were quite satisfied with the new power they received from the British and the people could not under such circumstances, start any movement against the strong police system of the British.

The above comments made by Professor Paken on the effects of British administration on the chiefs, especially the *Dolois* in Jaintia Hills are brief and to the points. But there are a lot more such detailed effects on some other aspects which can be gleaned from the British records relating to the Jaintia-British relations.

Effects/Impacts of Autonomous District Council

Any discussion on the role, power and functions of traditional chiefs and institutions among the Jaintias cannot escape analysing the effects/impact of the Autonomous District Council (ADC) when this modern constitutional institution was introduced among the Khasis and Jaintias since 1952. It may be mentioned that the traditional chiefs in Khasi and Jaintia Hills never welcomed the ADC since the beginning.

The coming of the ADC into existence and the passing of the various Rulers, Regulations, Acts, etc. from time to time had greatly affected the traditional powers and functions of the chiefs in the area under study. In some respects the introduction of the ADC in the area does not improve the status, power and functions of the traditional chiefs. It is not wrong to say that their position and status is almost the same as that during the British rule.

With the advent and introduction of such agents of political modern-

ization and the emergence of the new constitutional institutions in the area, many changes had taken place. These changes had brought immense effects on the powers and functions of the traditional chiefs and institutions. This has also certainly created a changing role and power relationship between the two sets of institutions. On this aspect, Professor Pakem is of the opinion that while the traditional institutions have been operating in the traditional socio-political structure, standing for the old traditional values and institutions and satisfying various traditional needs of the tradition-oriented society, the newly created constitutional institutions stand for and committed to economic, social and political change and modernization. As such, the new political institutions which were created after Independence were in fact eroding the powers and functions of traditional councils instead of improving upon them. The immediate effect was that the powers and functions of these traditional institutions were taken away and put under the overall control of the ADC. This was another blow which had actually first started during the colonial administration on the part of those institutions and chiefs who had the privilege of severing and supervising the administration of their own people according to the traditional customs and usages of the people.

On this issue, Professor Pakem went further to state that when the British authority was removed in 1947, the power of the secular authorities was drastically reduced and the District Councils assumed power over them. The power and functions of such secular traditional institutions were therefore further curtailed and reduced by the District Council under the Sixth Schedule to the Constitution of India. The effect of the District Council on these traditional institutions and chiefs were tremendous. However, being a democratic political institution, the District Council used to be at loggerheads with the traditional authorities.

On the Question of Changing Leadership Pattern

The emergence of politics as the dominant theme of the new nations and the increasing politicization of individual and his groups in these societies is a fact of great historical, sociological and political significance. But one cannot deny the fact that new pattern of leadership has emerged and this has created a considerable gap between traditional and the new type of leaders.

In the case of Jaintia Hills, though the society is by tradition a casteless and classless society, but the traditional pattern of authority and leadership structure was almost the same ascriptive one found elsewhere in India. Thus, traditional leadership was vested in persons belonging to certain original clan or clans.

It may be noted that, unlike the past ascriptive traditional set up of leader-

ship, the new one is based on achievement, measured through acquisition of the elective positions. The new political structure has a serious impact on the traditional political system and administration. It has created a new relationship and role. There is a sea-change between the traditional and the emerging pattern of roles and leadership.

The colonial impact led to the emergence and birth of a host of new educated elites in the Jaintia society. Most of them are urban based. These new educated elites were not lacking behind their counterparts in the plains. The emergence of such political elites and political leaders in Jaintia Hills can also be well seen after India's Independence. This happened because of a new kind of administrative arrangement that was brought in the hill areas of the NE India, that is, the introduction of a democratic political institution under the Sixth Schedule to the Constitution, which replaced the British and Indian administrative system for tribal affairs in *Ri Jaintia*.

With the introduction of such political democratic institution in the region, including Jaintia Hills, most of the powers and functions of the traditional chiefs have been taken away and they were put under the control and supervision of the District Council. The traditional leaders are treated only as subordinate officials of the District Council. This had happened because of certain provisions that were contained in the Sixth Schedule. For example, under paragraph 3 (i) (g) of the said Schedule, the District Council can regulate the appointment or succession of Chiefs and Headmen. The subsequent amendments made to the principal Act of 1959 led to more drastic effects on the powers and functions of the traditional chiefs in the area under study. Thus under the new constitutional set up, the chiefs are pushed behind the line of leadership. They are to keep themselves content with whatever powers and functions that were left to them by the District Council. Further, under such a precarious situation, frontal leadership in the area or for that matter in the whole state of Meghalaya passed into the hands of the emerging elites. The prevailing conditions are therefore more in favour of such elites than the old guards of tradition. Moreover, the District Council having armed with such constitutional powers, has put under it a complete control over the traditional authorities. There are, therefore, drastic effects on the powers and functions of the traditional chiefs with the coming into existence of the District Council. The new pattern of leadership as it exists today, reflects a transition from individual to collective, from the hereditary to elective and from ascriptive to achievement-oriented. With this, leadership roles have been greatly transformed.

NOTES

This review article is based on the following papers of Professor B. Pakem.

- 1 "The socio-political system of the Jaintia tribe of Assam: an analysis of continuity and change' in *Tribal Situation in India* (ed.), K.S. Singh, IIAS, Simla, 1972.
- 2 "The changing power structure of the political institution of Jaintia chieftainship", *Journal of N.E. India Council for Social Science Research* Vol.I, No.1, April 1977, Shillong.
- 3 "Meghalaya: some aspects of political development" in *North-East India: A Sociological Study* (Ed.), S.M. Dubey, Concept Publishing Company, Delhi, 1978.
- 4 "State formation in pre-colonial Jaintia", *The NEHU Journal of Social Sciences and Humanities*, Vol.II, No.3, July-Sept. 1984, Shillong.
- 5 "Political development and change in North-East India" in *Changing North-East India* (Ed.), A.P.Singha, Gagan Publishers, Ludhiana 1986.
- 6 "State formation in pre-colonial Jaintia' in *Tribal Politics and State System in Pre-Colonial Eastern and North-Eastern India* (Ed.), Surajit Sinha (CSSS), K.P. Bagchi & Company, Calcutta/New Delhi, 1987.