

PROPERTY, STATE AND ETHNICITY :

A SOCIOLOGICAL ANALYSIS

34

DISSERTATION SUBMITTED TO THE INSTITUTE OF SOCIAL
CHANGE AND DEVELOPMENT. IN FULFILMENT OF THE
REQUIREMENTS AS A NORTH EASTERN COUNCIL SCHOLAR.

99
1993-94

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CERTIFICATE

This is to certify that Ms. Madhumita Routh has been working under my supervision and this thesis is in fulfilment of her project work titled "Property, State and Ethnicity : A Sociological Analysis" as a North Eastern Council Scholar. I recommend her work.

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(5002)

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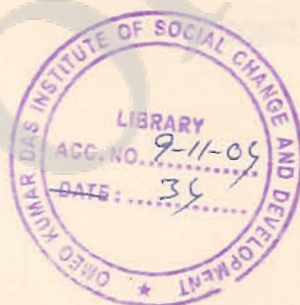
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ACKNOWLEDGEMENTS

I am indebted to my advisor Prof. P.S. Dutta giving me constant support and letting me work independently. His counsel stood me through.

My parents and dear Ujjal have seen me through the difficult phases. Sanghamitra and Raj gave me significant encouragement. Without the assistance of the Syiem of Myllem and Mr. Mawlong my field exposure would have been a dream.

My gratitude to the typist Mr. Biswas for dedicately typing the work.



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INTRODUCTION

To investigate the relationship between property and state among the Khasis we have to situate historically the evolving relationship between state and property. In tracing the evolution of the relationship we see that two competing conceptions co-exist-state or community ownership and individual ownership. Accounts of Khasi land relations show that at the normative level ownership is with the community. But actual control is exercised by certain category of individuals. It seems the prevailing pattern of individual ownership has evolved out of this." It is significant that in the perception of the people themselves Ri Kynti (private land) is a type of self acquired property of only those that are connected with the jait Syiem (the concept of jait among the Khasis means a clan or a collection of families bearing often the same surname and tracing descent from the same ancestors) and perpetuated with the aid of state power!"¹

A careful scrutiny of the finer nuances and actual working of the system reveals that a very large area of Ri Raid land (common land) of which the Syiem (king) who is the custodian, manages the land virtually in the same manner, he and his clansmen manage Ri Kynti land - an exclusive possession of the Syiem. All transactions relating to land have taken place between those who control property in the form of land i.e. Khasi elite and outsiders. These outsiders are characterised intruders which in one sense they are. To begin with, therefore the Khasi elite started the process of land transfer. The increasing destitution of the

Khasi population are thus inherent in the traditional laws and practices that govern the control and ownership of land.

The question of land is related to many aspects of Khasi life. Our study of the contemporary situation focusses on understanding how with the 1953 enactment and subsequently 1971 Meghalaya Transfer of land (Regulation) Act, prohibits transfer of land from tribals to non-tribals. Thereby, establishing the legal rights of only tribals and strengthening the attempts to check land alienation.

After the 1971 Act, in subsequent Acts we see there is no legislation touching upon the problems of abolition of intermediary rights or security for tenants or fixation of ceiling on land holdings. Was it that no more measures were needed for protecting the tribals' interest? Or was it that only threat to the tribals is from non-tribals. We wish to investigate this.

In this whole discussion property in land becomes an important variable. With ^{with} land ownership rules of inclusion and exclusion ^{being} are of central importance. Here creeps in the ethnic dimension, which in relation to land is only one dimension. It may be pointed out that 'dhkar' is a concept applied to those who come from "outside the identifiable culture area".² The term dhkar has a composite meaning covering ethnic, linguistic and cultural dimensions of group identity.

A major issue which surfaces time and again is the contradiction between the interests of the tribals and non-tribals. " But it seems the internal contradiction within the Khasi society gets shrouded and it is the external contradiction sold to the

commoners on sentimental and emotional grounds!"³ This appears to be a major reason for salience on land related issues and land reforms. This dimension is also to be investigated.

METHODOLOGY

For the purpose of my study tribals population means members of the Khasi community, who are notified as scheduled tribes under Article 342 of the constitution of India. However, the study will cover influence of other ethnic groups on their socio economic and political features. Field work will be confined to Shillong. Ground for field work will be prepared by examination of the Districts census handbook. Keeping in view

- (1) Conception about land.
- (2) Changes in overall land use pattern.
- (3) Land rights of tribals and changes therein.
- (4) variations in the ownership pattern from community ownership on one side to individual on the other, or co-existence of both.

To investigate this we took an almost homogenous area Myllem and some areas of Shillong and noted how accumulation has taken place. We also conducted interviews for unfolding the processes involved. The interviewees being drawn from the Khasis, outsiders, bureaucracy, students etc.

What is referred to as methodology also includes in a major way literature review and isolating periodically the impact of ethnic outbreaks.

CHAPTER - I

LAND : The organisational structure of knowledge establishment is such that those who generate knowledge, maintain a distance and hierarchy from those who are subjects of enquiry. There are scholars however, who are consciously using alternative modes of generation of knowledge both as a critique to existing systems of knowledge and as a method of intervention.

Reporting on the land tenure system of the Khasi and Jaintia Hills. Hunter said in 1879 " varieties of land tenure can hardly be said to exist. There is nothing whatever resembling the relations between landlord and tenant throughout the Khasi Hills. The lands as a rule are either ancestral property or belong to village communities, and are cultivated under unwritten but well - under stand agreement!"⁴ Almost a hundred years plus, later we get a picture where we acknowledge at least a few types of land which are not rent free.

In witnessing the transition it becomes difficult to see whether many changes have occurred during the British period as the Land Reforms Commission states " since the advent of the British revolutionary changes have however been introduced... This is seen in the attempts of some chiefs to issue leases or pattas and levy land tax or revenue on them. It is also seen in the issue of leases or pattas by the owners of Ri Kynti lands to non Khasis and Khasis as well, collecting land revenue from them!"⁵

Soumen Sen thinks that " a sort of land lordism has developed in Khasi and Jaintia Hills contrary to the supposed traditional system of community ownership of land. The process might

have been accelerated during the British rule and more than three decades of independence but it seems it was latent in the system itself".⁶

Several factors have contributed to the widening of debate on the egalitarianism among tribals in Meghalaya. The re-assessment on types of land has generated interesting results. It is stated and can be seen that two types of land viz Ri Kynti (Private lands) and Ri Raid (communal lands) was practiced by Khasis from time immemorial. Besides these Soumen Sen mentions Ri Khurid.⁷ Which the Khasi families held by right of outright purchase and over which they exercised similar right as those of Ri - Kynti owners." That the Ri Kynti owners had absolute rights over their lands are established by the mere fact that the British administration purchased and took on lease lands from them at the time of administrative headquarters at Shillong".⁸

Bani Prasanna Misra giving an account of agrarian relations in a Khasi state says " A careful scrutiny of the finer nuances and actual working of the system of land tenure in Muharam reveals that a very large area of even 'common land ' of which the Syiem is supposed to be the only custodian, is managed by the Syiem in virtually the same manner in which he and his clansmen manage Ri Kynti land which is the exclusive possession of the Syiem".⁹ of course we can see and contest here that Ri Rynti today is not the sole possession of the Syiem but many individual owners. It is difficult to state though if such a system began with the Syiem owning these lands. Of course, we note cases of the Syiems acquiring land by gift or a process of accumulation.

A few memoranda such as by U Abel Nongkynrih and U Francis Lyndoh, submitted to the land Reofrms Commission for Khasi Hills also mentions exorbitant land rent and the result is that " the landless people have been rack rented by the Ri Kynti owners who collect 30 or 40 percent of the produce of the land if taken in kind or an equivalent ^{it} in cash!"¹⁰

Curiously the system had embedded in it scope for a process of proletarianization. "Heritable and transferable rights over Ri Raid land ^{occure} when the occupant has made permanent improvement on the land!"¹¹

The traditional leadership and administration was vested in persons belonging to certain original clan or clans (Kurs) and others were deprived of this privilege is agreed by people at large and scholars in particular. " Leadership was based on hereditary inheritance and the office of a traditional leader passed from the uncle to the nephew... In this way in the past, administrative leadership was patterned in a rigid form and was strictly on ascriptive footings. This pattern was followed on all the three tiers of administration in the Pre-British and even after that period!"¹² This is evident even in the present cases like election of various Syiems, Myllem, Nongklaw etc.

Another system which facilitated privatisation of land were the two principles which governed Ri Raid land

- (1) Paying for labours
- (2) Expenses incurred on the making of the site.

Thus, people could occupy a Raid land and this could later be sold on the operation of these principles.

STATE

State as an ancient institution is concerned with the distribution of power in society. Max Weber defined the state as 'a human community which successfully claims the monopoly of the legitimate use of physical force within a given territory!'¹³ Radcliffe Brown considered it "a collection of ^{individual} human beings connected by a complex system of relations". Engels in "Family, Private Property and The State" (1884)^u elaborated that the state came into existence only at a stage of economic development where antagonistic social classes appeared not clearly defined.

The transition of the Khasi society from a tribal structure to a system of clearly defined social groupings was crucial in state formation. Analysis of social structure shows that the Syiems consolidated their power through some form of state. The disintegration of the clan structure from purely genealogical group into groups of socio professional types amounting to the rise of certain clans with a privileged social status accelerated the process of social differentiation and formation of a hierarchy. The stages of development and polity formation augmented the vested interest of the chief through a recognition of his status as the legitimate ruler of the people. It is therefore the influence of social structure upon the emergence and spread of a divided society.

As per tradition the Khasi states were formed by a voluntary association of villages or groups of village. The head of the state was the Siem or the chief. The Siemship usually remained in one family but the succession was originally controlled by a small electoral body constituted from the heads of certain priestly clans.

The Siem is selected from a certain family and heirship is from the female side."The Siem was considered to be a divine institution and known as Ki Siem U Blei - Siem of god. Originally, the succession was controlled by a group of Lyndohs later it was expanded to include Sardars and basans. In some places election was by all male members, when the electoral college could not come to any unanimous decision!"¹⁴

In the Myllem state which has been my area of study the electoral college consisted of five Mantri clans, eleven Mataboss or heads of clans. If there were no male heirs of his uterine brothers he was succeeded by the eldest of his sister's daughter, failing that by the oldest of his female cousins on the female side. Those nearest in degree of relationship having prior claim. Whatever might have been the mode of election, the recognition by the British Government was necessary. The British exercised their suzerainty through sanads. They could remove the chief with consulting the Durbar. The chiefs were also subject to control of the Deputy Commissioner of the Khasi and Jaintia Hills.

The transformation of the Khasi System from its indigenous tribal formation to a full state reached through diachronic process. The evolution to be exactly traced belongs to history. What remains important and significant to be mentioned is that the process of state formation reached its crucial stage at a time when in the whole of the north eastern region of India similar developments took place. They passed through different stages of development and polity formations, Syiemships to District Councils to autonomous state to the attainment of full statehood. All this accelerated the process of

social stratification and augmented the vested interest of the Chief at one Stage, leaders and intellectuals and landed classes through a recognition of their status as the legitimate ruler of the people. The old Khasi indigenous institutions still have their relevance though with curtailed powers. They are under the district council of Hills specified in Table part A of the Paragraph 20 of the Sixth Schedule to be read with Article 244(2) of the constitution of India.¹⁵ Of course today with the coming of Christianity the institution exercises only the temporal powers and functions upon the Christians. We witness today the operation of a sort of parallel governments in the state. Of course it is clearly stated that in case of a conflict between the District Council and State the will of the State government shall prevail.

The transition of the Khasi society from a loose tribal structure to a system of stratified social grouping was crucial in state formation. The disintegration of the clan structure from purely clan groups into differentiated groups amounted to rise of certain clans with a privileged social status and accelerated differences.

In Pakems account of State formation he states " an account of state formation indicated the existence of an interest class always trying to protect its spiritual and material interests. The choicest plots of cultivation called Rek were generally reserved for original clans to pay for their Kinsmen who were holders of political office. There was a provision for religious or puja lands which were settled perpetually with leading families!"¹⁶ Community land holdings were quite a farce because the previous permission of the superior authority was necessary. Stratification with land holding go together with state formation.

The British Government closed the tribal people's avenues to the rest of India. This was to keep them aloof from independence movement gaining momentum.¹⁷ They considered it wise to maintain the indigenous system of administration. Further the British used these as buffers against Burmese and Chinese and this resulted in a sort of unclear stated division between the hill and plains!¹⁸

After Meghalaya attained statehood after a long period of struggle the people become conscious of the need to protect their traditions and economic interests. As announced by the government "the basic idea which induced the government ... is to protect and further interest of the local people of the state particularly of the tribals and to bring about an advancement of the people in all spheres of life". The central feature of all these policies and regulations has also been preservation of the their way^{of life} which involves land and this in turn played a determining role in the evolution of the land tenure in Meghalaya.

Few terms are as much in vogue today as ethnicity yet there are few as vaguely as this. Much of the confusion stems from multiplicity of disciplinary perspectives, differing ideological premises, varying usages by international and national development agencies and above all changing connotation of the term.

In the words of early social scientists the term used to be used synonymously with race. To comprehend fully the meaning of ethnicity it is imperative to discuss the meaning of the term ethnic. Anthropologists used the term to describe " a social group which consciously shares some aspects of a common culture and is defined primarily by descent!"¹⁹

Ethnic part of a family of terms of similar or related meaning such as minority group, race and nation and sharp distinctions become difficult. Race is biological as distinguished from ethnic which contains within it the cultural aspect as also a putative biological element.

Ethnicity is the pattern of behavior and attitude of an ethnic group. Barth defined ethnic group as a population which is

- 1) biologically self perpetuating.
- 2) shares fundamental cultural values, realised in overt cultural unity.
- 3) makes up a field of communication and interaction
- 4) Has a membership which identifies itself and is identified by others as constituting a category distinguishable from other categories of the

some .20

Izi Kowitz (1964 : 141-42) in his articles on "Neighbours in Laos" has shown how in a polyethnic society the ethnic groups maintain their individual boundary through introspective categories (techniques of expression, value-system, self identification) while through outward looking categories (defined roles, special status, interaction) they maintain relationships with other groups.²¹

The term identity crisis is also very common in the literature dealing with ethnic identity. On the question whether the tribes of India are undergoing phase of identity crisis there are opposing view points. Some scholars like Pandey think that identity crisis leads to regional autonomy plea. Pandey in his address before the 74th Session of Indian Science Congress said " all the demands for regional autonomy in India today are due to an identity crisis and there is nothing to be alarmed about because it is a natural phenomena".²²

The divergent views and perspectives also include the (1) Pre-mordialists- who take culture as their major focus. Ethnic identities are given i.e., they proceed from cultural givens of the past. Ethnic turbulence manifestation of a protest or revolt against structural inequalities inherent in the social framework. Here we can view conflict as mobilisation efforts on the part of groups for distributive justice.²³

(2) The cultural pluralists view the articulation and aggregation of ethnic demands as potential to widen the mediating structures and broaden the institution of power and authority in a pluralistic society.²⁴

In culturally divergent situations the structural pre-requisites of a political order lead to the subordination of one group by the other. This leads to characterisation of a society by domination, separation and instability.

(3) "Modernisation and developement are caught in the dialectics of their own dynamics".²⁵ Combating ethnic loyalty on the one hand and stimulating ethnic consciousness on the other consequently, these have to be viewed as a process of developement which cannot be stopped unless by elimination or assimilation of the group.²⁶

To Marxists and neo-marxists relative deprivation a gap between the expectations and perceived capabilities of a person vis-a-vis his economic situation, political power and social status in relation to others.

Ethnicity is also used in terms of subjective criteria where group distinctiveness becomes a critical source of identification. According to the objective claim race is a close mark. Language and descent are two others.

Ethnicity is to my mind determined by complex interaction of social forces. The notion of implication is probably the most fundamental mental tool used by man in order to explain or understand, the world around him. This statement applies ~~or~~ not only to ordinary experience but also to any discipline in intellectual activity and in particular sociology.

A perspective on race as a vital dimension of study is afforded by the work of Harold F. Kaufman. Kaufman takes as his main

point of reference the norm stability defining it as a process of orderly change. He goes on to consider some positive and negative factors which condition the hypothetical state of affairs in an area of depleted land. Kaufman seeks to identify what uniquely sociological contributions might be to such research. He finds it in the study of the "processes by which social order is developed and maintained. Concepts such as "group", "social organisations", "social control", "values" and "culture" are prominent in his analysis. For example we can say to a sociologist the land economy is seen as part of a total culture.

Land and their products play a significant role in the development through production of materials and employment of people. Land - related recreational activities also help the state's economy directly and indirectly. Development aims not merely at increasing the level of national income but at upliftment of life. As V.K.R.V. Rao puts it "the goal of development is the enrichment of quality of life and its availability at minimum levels to all sections of population".

India is a land of villages, where majority of the people and its 7% tribal population are dependent on land. A real "growth" of the country is possible by bringing about equal distribution. For development integration of state distribution of land and ethnic groups is essential to avoid strife and crisis.

Drawing on the writings of local and national processes of strife the factors in the indicators involved being state land in the form of property and ethnicity.

The holistic view of Mukherji formulates, has come to pervade nearly all the work sociologists have done on natural resources. ~~the~~ From this perspective land can be recognised as component of an "entire circle of mans life and well being". Human adaptations include control, increased utilisation and extension. This "entire circle" for its part predicted upto "securing a more or less stable equilibrium of the whole living world".

In the noteworthy series on subsequent investigations Mukherjee extended his holistic perspective into both theoretical and practical directions. He notes that :

"Co-operation in the conservation of land, in the use of water... and management of resources, in the reciprocal relations of village and city must be the key note of the future".

In "Man and Habitation" first published in 1938 Mukherjee emphasis on total situation standpoint in which conscious striving, aspirations and ideals mingle silently with the sociological force and processes. More recently observes that: "notions of wholeness solidarity or symbiosis as applied to vast harmonious ecological communities have indeed great practical significance for stability and continuity of human civilization.

REFERENCES

1. Bani Prasanna Misra, "Agrarian Relations in Re Khasi state", Economic and Political weekly, Vol XIV (May 19,1979) P-888
2. Myron Weiner, Sons of the Soil (Calcutta, Oxford University Press,1978) P-51.
3. P.S.Dutta, India's North East : A study in transition(New Delhi, Vikas Publishing House,1992) P-61.
4. W.W.Hunter. A Statistical Account of Assam, Vol II(Reprint,1975) P-228.
5. Ibid
6. Soumen Sen, " Property, Its significance in the Traditional Society polity in Khasi and Jaintia Hills"(in) B.B.Dutta & M.N.Karna (ed) Land Relations in North East India(New Delhi,People's Publishing House) P-93
7. Ibid. P-93
8. R.T.Rymbal,"Shillong And Its Land System", Shillong Centenary Souvenir (1976),P.P.-29-30.
9. Bani Prasanna Misra , "Agrarian Relations in a Khasi State,Economic and Political Weekly , Vol XIV(May 19,1979)P-888
10. Report of Land Reform's Commission for Khasi Hills, Vol -I,P-25
11. Ibid. P-17
12. L.S.Gassah, Village Administration in Jaintia Hills paper presented in a seminar on Indigenous Institution of the Garos and Jaintias of Meghalaya, Shillong 1980.
13. T.B.Bottomore, A Guide To Problems and Literature (NewDelhi, Blackie and Son,1962) P-151
14. Surajit Sinha (ed)Tribal Politics And State Systems In Pre-Colonial Eastern and North - East India(Calcutta,Centre for studies in Social Sciences,1987) P-281

15. D.C.Bhatta Charya, The Constitution of India ,Article 244(2) and the Sixth Schedule.
16. B.Pakem,"State and State Formation in Pre Colonial Jaintia",~~(ed)~~
(in)Surojit Sinha (ed)State Formation In India Tribal Regions of East And North East India (Calcutta, Centre for Studies in Social Sciences,1981)
17. P.C.Kar,"A New Introduction"(in) Major-A Playfair;The Garos (New Delhi,Sterling Printers,1971) P-1
18. Barun Dey and Nripen Bando Padyay, " An Approach To The Study of Tribal Economy in India."(in) K.S.Singh (ed)Economics of Tribes And Their Transformation (New Delhi,Concept,1982) P-13
19. Ibid. P-243
20. P.Dasgupta," Ethnicity and boundary maintenance in a polyethnic situation"(in) R.K.Bhodra and S.R.Mandal(ed)Stratification,Hierarchy and Ethnicity in North East. P-177
21. Ibid. P-180
22. Ibid. P-181
23. Urmila Phadnis,Ethnicity and Nationbuilding in South Asia(New-Delhi) P-16
24. Ibid. P-17
25. Ibid. P-18
26. Ibid. P-18
27. H.P.Kaufman, " Sociology of Forestry"(in) W.A.Durr and H.R.Vaur (ed) Research in Economics of Forestry (Washington D.C) P-113

EVOLUTION OF LAND AMONG THE KHASIS

The protection and development of Land are necessary for the Survival of human civilization. This does not mean overlooking the productivity of land in economic development. Development with some sort of distribution and protection with production should be right objectives for a tribal based economy.

There is a qualitative change in Man's relationship with land from early stages to the stage of industrial man. In the beginning land was under British Imperialism and in plenty and had a low perceptible impact on distribution. One of the most important aspects of man-land system is the type of relationship between the two and further it extends between groups of people . Three distinct concepts of land can be enumerated:

Private land

Community land and

Government land..... contd. p - 20-

Government lands are those that were purchased or leased in by the British government when it established its capital at Cherra Punji and Khetri at Shillong: In Meghalaya one has not directly witnessed this sort of ownership because land is governed by customary laws.

Now the local practices are viewed as destroying. The state may begin to assert its rights while the locals still believe that the land belongs to them. Here a conflict situation arises with the state trying to assert its rights. In this context Zimmerman² applies to the national and supranational level the holistic perspective fruitful in his community studies. Where he traces a dialectical succession "from a system of international capitalism in agrarian food products to a politically grounded monopolisation and bureaucratised agrarian system. During the course of succession Zimmerman notes that there has been widespread dislocation in the 'balance of nature' and impoverishment of the local population. A certain class in this case rose to play the role. Thus it is the bakow-batri makes the scope of Khasi "democracy very limited".³

CORPORATE AND INDIVIDUAL OWNERSHIP

In recent years a new concept of ownership has been revealed as developing. In the quest of attracting institutional finance for intensive exploitation of land and resources. Here we find a formal frame of the western economics which are specialised to the core. The land is viewed as resource owned by corporate body or private individuals which are governed by economics of plantation. For sometime the community may be given benefits but all these considerations are irrelevant irritants in the system in which real relationships are recognised at the formal level.

COMMUNITY OWNERSHIP

In the early stages of human development, the local communities owned land. When man was part of natural system, concepts of ownerships was vague and effectiveness depended on man's natural superiority even over other uses of land.

From the viewpoint of modern economics land became an important source of revenue and wealth to the state. Sociologically this assumed significance because closer control over land disturbed the entire economy and introduced a psychological conflict which reflected itself in the social realm. The colonial exploiters began to exploit land. Foresters and planters were two significant exotic species introduced into India. Like imported botanical species competing with indigenous flora, these two groups become competitors with locals for access to land so long as there was no conflict of interest.

INDIVIDUAL OWNERSHIP

The situation however changes with the emergence of the concepts of state ownership - the final arbitrator now is the state not community.

Land under the first category belongs to the community and is controlled and managed by the community itself. Every member of the village, community has the right to use and occupancy. Community land is known as Ri Raid in Khasi Hills. It is important to note that community lands or rather a major portion of it exist in the realm of ideals. The task of appropriation has always been there. For practical purposes state is synonymous government.

In the process people are torn from their niche which has great social implications. A conflict arises when the administrative legal form outstrips the appropriate stage of society and economy for instance, development may give rise to formal structure and therefore the idea of corporate or private ownership is as natural to it as the concept of community ownership.

After independence the general pattern has been that the state and private individuals have strengthened right on land. The local tribals came under control of the Syiems who formed the state then with the ^{help} of colonial rule the land only followed a process of accumulation in the hands of particular individuals and consolidation of their authority.

The basic reason is this uni-directional change is the conceptual distortion which arises from the fact that different stages of economy represent different stages of development.

Here an important quantitative change comes in the style of earning a living as the capital base increases. In this entire process the struggle of a particular section of the society increases.

CONSEQUENCES

As state ownership and individual ownership gets consolidated and formalised and decision making further away from the field, the special relationship of the masses with the land is not appreciated. This process began with imperialism and the

introduction of the values of a consumerst society. Their rights are viewed as a "burden" on the land. On the other hand the socio-economic situation of the tribal community is not static. As the pace of development moves, a particular section of these communities also began to move faster in the direction of acquisition and exploitation of land. The earlier relationship of the massed decreases; traditional rights or concessions may be used by the community only marginally. Besides, coming of intermediaries gives a new dimension to the attitude of the local people.

We also find complete divergence in the perceptions about land as between the community and policy framers. Thus a conclusion is reached that no section of the community can be allowed to wastefully use land. In this perception the people are denied command over land. This faulty "balance" as Odum puts it should be the focus of regional planning endeavours as much as "the measure of the regions ultimate wealth must be found in the working balance between nature's endowment and its distribution!"⁴

The protection and development of land are necessary for the survival of human civilization. This does not mean overlooking the productivity role of land in economic development. Efficient use of land is of prime importance.

The only people who have a realistic understanding of land are the people who inhabit them. Between the inhabitants and the land the government acts as a mediator and sets the

operational framework between the living and non-living. Land is socially significant because many myths and legends are associated with them and also its possession as a form of property stratifies society.

The history of land till the British period is shrouded in obscurity. The origin of the Khasi tribe says that their language resembles Mon-Khmer group of old Indo-China or Burma. It was during the ~~Anglo-Burmese~~ Burmese war, David Scott, in 1824 realised the importance of a hill road connecting the Surma and Brahmaputra Valleys.

"In 1826 the British and Tiro Singh agreed to a proposal to built a road from the border of Sylhet to the border of Kamrup district. But all the Khasi Chiefs resisted this. The British government promptly concluded treaties with the Chiefs and granted Sannads in which their rights were kept intact except certain reservation of concessions for the British!"⁵

Towards the ends of the 19th century there were, according to Alexander Mackenzie,"²⁵ states, of which 15 were presided over by 'Syiems' one confederacy under 4 elected Chiefs called Wahadadars,⁵ under Sarders and 4 under Lyndohs" " The constitutions of the states were democratic, the chiefs being in no sense territorial sovereigns but merely elected heads of village confederacies! Whereas we also read that " There was no single sovereign ruler above these chiefs!"⁷

According to the Khasi Hills Land Reforms Commission, all lands in the Khasi Hills may be divided into two principal classes -

Ri Kynti land may be ancestral or self acquired. Clans own the former. The person who acquired it has control over the latter. However, self acquired land would be considered ancestral property when it passes to the next generation~~and~~ and becomes subject to the jurisdiction of the clan. But today one witness large individual ownership like under the Hima Myllem major ownerships are handled by the Kharkongors, Nongkhlaws, Kurkaking, Mawri, Rumnong, Than~~g~~khiew and Khyrim.

A large number of cases have also been witnessed in Myllem where land was acquired from Ri Raid holdings. This has led to a sort of absentee landlordism. It has become highly prevalent for people living in the urban areas to possess land in the rural areas. Herein we witness a psychological inference of rural-urban continuum. This has also resulted in large scale pauperisation and development of tenants as a class.

As long as in the past land was plenty and improvements introduced were minimum, it was unlikely that anyone would be prepared to pay for what he could obtain by other means. In such a situation no one raised the question of legality of sale or rent as the buyers were rarely to be located. Direct access to resources and creative, ~~and~~ pre-emption did not clash as long as land was seen in plenty.

" There was an attempt to delineate the ethnic boundaries during the colonial period in terms of Innerline. The Government of India Act 1919 identified backward areas and sought to exclude them from the jurisdiction of constitutional reforms and administration of provincial governments!"⁸ The nationalist opinion evolved over a period of time and considering persistent movements the government showed an understanding of the ethnic formation. The result was the Sixth Schedule.

The post constitutional development in the birth of a state with string for tribal solidarity. The move to recognise Assamese as state language gave a fillup to this movement . Electoral politics has in a way been a major cause of ethnic conflict gave rise to inter-group conflict.

NO LAND LAW FOR THE KHASI HILLS

So far as land matters are concerned, the British Government did not enact any law for the Khasi and Jaintia Hills. Nor did it apply the Assam Land Revenue Regulation 1886 to these areas, except a few sections relating to recovery of arrears only. The new state of Meghalaya for sometime continued the application of the same section of the ALRR. " In 1972, however it readopted the A.L.R.R. by its Act called the Meghalaya land and Revenue Regulation (Application and Amendment) Act 1972. But again it applied only a few sections. These deal with ejection, recovery of arrears and appeals etc. and do not touch upon basic land system. The scope of the Act, however, is limited to matters relating to transier only!"⁹

"The first batch of Indian Settlers mostly Bengalis from Sylhet arrived from Cherra with the district headquarters. The Deputy Commissioners staff were allotted lands on periodic lease in the northern end of Shillong!"¹⁰ Consequently traders and government employees settled in and around Shillong obtaining land not from government but from Syiem and Ri Kynti owners.

Thus among the categorisation of land this seems to be important in the context of the development of private property. One crucial factor that played a major role in the evolution of private property relations in Meghalaya is a hydraulic system. In areas where water was available lands were converted to paddy fields for permanent cultivation!"¹¹ Further commercialisation of agriculture and facilities to dispose of crops by better transport had tempted people to occupy and claim as much Raid land as they could....However, in recent years, there has been indiscriminate and "unauthorised issue of leases or pattas, by village head man or chiefs of the community to local tribals as well as outsiders without sanction of customs of any duly enacted law!"¹² This issue of leases is particularly rampant in the Bhoilymbong area.

Interview in Myllem area regarding Ri - Kynti Land:

I visited certain houses of Myllem area and interviewed a number of Key-persons including Mr. Laborious -Manik.S., the Syiem. It transpired from the interviews that most of the lands were owned by Ri-Kynti owners. Though these were originally clan hands, nowadays they are not held jointly by an clan. The present

owners stay in areas of Shillong city itself and do not know and in some case refuse to know how land has been originally acquired by ancestors. They only know it as being hereditary. Now they hold the lands individually and have got these registered in the Syiem's office. Successors who inherit any Ri-Kynti land on the death of previous owners get their names similarly registered.

The Ri-Kynti owners of the village do not pay any land revenue or land tax to the government or the District Council.

Every Ri-Kynti owners have permanent herited and transferable rights over the land held by him, but transfer is restricted to the Khasis only. However as I saw in Myllem pattas are issued to non-tribals also. Of records five plots were transferred to non-tribals.

The Khasi land Reforms Commission strongly condemned a new practice raising its head. It relates to sale of Ri-Kynti by the owner to another Khasi burdened with certain unusual obligations. This is prevalent in almost all subures of Shillong though the parties involved refuse to admit such a practice. "The Ri-Kynti owners have started to issue periodic leases or pattas to Khasis whom they have disposed (it is also issued to non-Khasi which the Commission has failed to ellicit) of the land on payment of the full value of the land at the time of sale or transfer.... The pattas imposes conditions restricting the purchase in many ways one of which is that he cannot dispose of the land by way of sale to another Khasi without the previous consent and approval

of the Ri- Kynti owner. Their consent or approval is given only on payment of a Salaami which is a percentage rate of the total sale price of the property!"¹³

Also is witnessed the system of exorting a land rent which customarily a Khasi Ri-Kynti owner does not have sanction.

In a visit to 5th Mile of Myllem Block in the East Khasi Hills district we covered 20 plots of these 7 are under Tenants. Period of tenancy was for 3 years. Of these all the 8 gave fixed money. Land is given by written document for cultivation for 3 years only for which land may be resumed-. Of course there were small plots here and there owned by tenants which were not officially recorded though the owners ~~paying~~ staying at Nongthymmai and Pythormukhra received fixed crop or money at convenience.

Also in the East Khasi Hills Dist in the Bhoi area in village Umroi, Norkya and Nongjri respectively in Umroi 6 plots were sold to tribals, none to non-tribals and of these 4 were sold by unregistered documents and 2 by delivery of possession.

In Norkya plots sold to tribals were 5 and all by unregistered documents. And two plots were being used for Pine plantation.

In Nongjri two plots were sold to non-tribals both Nepali's by unregistered documents and both families were planning to leave as soon as they could sell these at an appropriate price.

In the Shillong city over the past two years a number of transfers have taken place especially in some areas like Nongthymmai and Laitumkharah. In Nongthymmai some Ri-kynti owner acquired land through proper documents. The Marbanangs, Nongkhlaws, Kharbuli's. These land transfers took place in all cases from non-tribals to tribals record about 7% of the non-tribals inhabiting the area sold their property and left and were not available. About 3% took up alternative accommodation. A Dutta family took up land on lease. When they pay rent annually at a nominal rate besides the 99-year lease payment. In Laitumkharah area also & non-tribal families sold their land. One house was sold to a Khasi family in the Arbuthnot area. This is considered to be a highly secure area considering the security provided by the Assam Rifles located here.

Here one can see the Ri- Raid lands. The management and control of this land belongs to the community is completely within the jurisdiction of the community concerned. With the pressure of land mounting up on account of increase of population also need of the Government for lands for various public purposes, acquisition by Ri Kynti Owners and indiscriminate issuing of pattas. Community land covers about 15% of the total area of the

Mylliem village. A person acquires heritable and transferable right on Ri-Raid land, if he has made permanent improvements on it. There are various types of Ri Raid land but today all these exist only customarily in paper. People profit from them without destroying it. The people who are the losers are the villagers. For whom land is the only source of livelihood. Many Raid lands have been taken over for plantation and this again harvests a kind of corruption in which only the upper crust gains.

Land tenure in the Khasi Hills. The land tenure system is a very complex matter amongst the Khasi. There is yet no legislation on the administration of land. Tenancy is on the rise. The government and intellectual and noted citizens only talk of retaining customary laws. Under this pretext they hide the finer nuances which characterize the society. Thus even after the constitution of the land reforms commission (1974) the government remains silent on tenancy reforms.

Yes, we do wish to see the age old customs survive. But such survival is beneficial only if the majority of people benefit. In Meghalaya it is not so. The masses are fed on misinformation of outsider / insider conflict arising because of usurpation of land. Any sort of survey by the government is met with strong opposition. This is evident in the various memorandums of more recent significance the one submitted to the then chief Minister, Shri B.B. Lyndoh dated 4th April 1991. -he

SUBJECT :-

A PRAYER FOR TOTAL EXEMPTION FROM THE PROVISIONS OF THE MEGHALAYA LAND SURVEY AND RECORDS PREPARATION ACT, 1980. Respect of the lands in Khasi Hills under section 19 of the Aforesaid act.

" Our apprehensions that the proposed survey operations in the entire Khasi Hills under the thin umbrella of the Meghalaya land survey and Records preparation Act, 1980 is nothing but a settlement operation have strong legs to stand."14

A further reference to this is made in a letter to the district council dated 1st January 1992. The District council however after prolonged meetings succeeded in convincing the syiems of Myllem and Khurim recently (as recent as November 1993) that a survey would be conducted to determine only the boundaries.

In conclusion we can safely say the contradiction between the interest of the upper class viz the syiems and other categories of owners and the non-owner leads to the "internal contradiction within the Khasi Society getting shrouded and it is the external contradiction sold to the commoners on sentimental and emotional

grounds."¹⁵ This also appears to be a major reason for silence on land related issues and land reforms.

In the next chapter I have attempted to show how property in land is used and becomes an important variable to determine inclusion and exclusion. Here creeps in the ethnic dimension only one dimension of the cause of current tensions and turmoil in Meghalaya.

REFERENCES.

1. These lands were purchased by the British government for public purposes as well as for the residential use of government employees. After independence the residential plots became private property of those occupying them.
2. C.C. Aimmer man, Outline of cultural Rural Sociology (Cambridge phillips Book store, 1948) PP. 27-28.
3. Bani Prasanna Misra, "Agrarian Relations ⁱⁿ a Khasi state," Economic and political weekly. (May 19, 1979) P. 88.
4. H.T. Odum, Southern Regions of United states (Hapel Hill, N.C. University of North california press, 1929) P. 23.
5. Chottopadyay.
6. Mackenzie, The North East Frontier of India (New Delhi, Mittal Publications, 1919).

7. A study of the Land system of Meghalaya. Law Research Institute Eastern Region, Gauhati High court (Gauhati, Henkosh Printers) P. 51.
8. The 4th Elwin Memorial Lecture (in) K.S. Singh (ed) Ethnicity, Identity And Development (New Delhi, Marohari, 1990).
9. A. Study of the Land system of Meghalaya. Law research Institute Eastern region, Gauhati High Court (Guwahati, Hemkosh printers)
10. Imdat Hussian, "Shillong. British Enclave to Tribal City (in) A.C. Singha, Chakho, Aier (ed) Hill cities of Eastern Himalayas : Ethnicity, Land Relations and urbanization P. 76.
11. B.K. Roy Burman, Demographic and Socio-Economic profiles of the Hill Areas of North-East India (Census of India 1961) P.195.
12. Interview with suiem of Myllem.
13. The report of land reform commission for Khasi Hills (Shillong Government press, 1974) P. 23.

14. Ka Memorandum Ba La Phah Shah U chief Minister B.B. Lyndoh.
4th April 1991. P.3

15. P.S. Dutta, India's North East : A study in Transition (New
Delhi, Vikas publishing House, 1992.) P. 61.

CHAPTER III
ETHNICITY : SOCIAL ANALYSIS

It is Robert Park who highlighted the significance of studying land relations in urban area. According to him "of all the facts that can be expressed geographically, land values are probably the most important for the sociologist because they offer a relatively accurate index of forces determining the occupational and cultural organisation of the community".¹ The Indian society presents an interesting and unique case of study because of the existence of both peasants and tribals. Conceptual model of a tribe is that of an isolated, self sustaining viable society - but this remains a conceptual construct and not a phenomenal reality. Continuous contact of tribal and non-tribal communities has led to varying degrees of change and upsurges.

The North-East in general and Meghalaya in particular tribals have been directly exposed to Western thought and ideology without really being influenced by the indigenous population. "The process of State formation here could have started only when it had to a considerable extent, moved from shifting to permanent cultivation. For now there was a quantum of surplus and in water available areas settlement took place.

Ethnicity in relation to land is only one dimension of the various causes which is giving rise to this problem. The causes of this problem here can be said to be due to :

- 1) Common set of tradition not held by others
- 2) a sense of continuity in belonging is lacking
- 3) Conceptually the people feel held together by different

ties of race nationality or culture. Related to his are also

(1) Imaginary sense of fear

(2) Also related to a feeling of deprivation where both groups feel

that the others enjoy more facilities in socio-cultural affairs.

All these leads to protest through a distinctive mentality of ethnicity.

Ethnic identity or stratification provides a model to look on the social inequalities of Indian society. The concept I shall try and interpret with a situational background just to make the whole thing meaningfully significant and appear relational. At the time of independence "the ex-colonial countries of the Third World latched their faith to 'nationalist expectancy', the hope being that having fought the foreign imperial power, temporarily keeping their primordial collectivism under suspended animation the populace will work together for the realisation of their common aspirations, namely, building nation- States", ²

But empirical evidences clearly reflect that these remain only in the conceptual realm. Reality reflect an incessant search for roots and self assertion. The government responded to the locals sense of fear by passing a regulation ordering non-transfer of land to non-tribals in 1952. This was reaffirmed in another act the Meghalaya Transfer of Land (Regulation) Act 1971. The development and recognition of Meghalaya as a full- fledged state was sought to be achieved by reducing the numerical strength of outsiders in Meghalaya.

Inspite, of centuries of isolation Meghalaya and the Khasi

tribe in particular never developed as an insular social foundation. Col. Bivar wrote as early as 1872 that with "the Khasis Government employment is not popular and the people are independant in spirit and prefer agriculture and trading persuits to desk work, and under the circumstances, situations in various offices are filled by the natives of Bengal." 3

But the facts remains that various kinds of legislation of non-transfer of land stands no good till the people realise and bunk the actual roots of conflict. Most simplistically it is said that the Khasi society is equalitarian. A deeper study reveals to us a different picture from the days of yore. The social formation itself perpetuated a stratified base thus we can see that as early as during " the colonial rule the British who administered the States through the Syiems, who became their tools in signing away lands - a right he never had by any Khasi custom or law." 4

It has since been this class which has perpetuated its base and acquired more property. This has resulted in a clear cut polarisation of the society. Today to divert attention from their process of accumulation this class which occupies major centres of power, class and status operates smoothly in creating a drift. Meghalaya was shaken to its very root when the town experienced trauma of communal frenzy in the year 1979. It went down as one of the darkest chapters in the entire history of the State and since then, Shillong had never really recovered from the communal disease whose germ have only circulated and been spread through propaganda and made people worried, confused and violent. The malady today has developed a wide variety of syndromes.

The year 1979 was followed by 1987 in terms of major ethnic turmoil in Shillong or in Meghalaya at large. But, the intervening period had never been totally peaceful. Rather within the period had insidiously ripened the seeds for another spate of routine ethnic violence.

Violence again shook the city in the year 1992 the intensity and pervasiveness were unprecedented. Along with this we can also state the larger growth of consumerism in the Khasi society and the growing gap between the two classes. All legislations ensured that no land was transferred. Yet why the tension prevails? Of course, the tribals affinity to his land and his fear of alienation is justified and understood.

But, given this situation the direction of local politics had recently taken a new turn. By the Acts the State Government was empowered to prohibit any transfer of land to non tribals. The result was that it "de-facto sealed for good" as a recent scholar writes the fate of growth of Shillong city, as the present permanent population pattern of Shillong comprises 50% non tribals. Therefore, half the population of the city has been permanently debarred from purchasing or selling urban landed property in 75% of Shillong municipal areas." 5 Hence, the scope for civic participation has been reduced by 1/2 of Shillong's population. Equally, Shillong's resources have been reduced by half. Investment which would normally have been made by this segment are now diverted elsewhere.

In the year 1992 violent outbreak, murder became a child's play and women chief target of wrath and assault (a scar in Khasi's rich matriarchal society). The city first became tense when an innocent tea hawker was most dastardly burnt alive at Mawkhar. What actually set stage for events to come was a F K J G P (Federation of Khasi, Jaintia and Garo People) move. The statewide blockade programme was a conspicuous provocation as far as the vast number of non-tribal citizens were concerned for it coincided with the actual days of Durga Puja celebrations.

As confusion and uncertainty loomed a very meagre section of non-tribal youths took out vehicular procession to challenge and violate the blockade. The result was a dastardly bomb explosion in which a young teenager was killed. What was to follow was countless number of violent deaths and a few rape cases.

Most simply and clearly put there is no doubt that the State government and police had failed. We note that on 7th October, 1993 the "army was called out from barracks to assist civil authorities." In the course of my interviews I also discovered the fillip given to the violence by the authorities. Many non-tribal youths were hauled at random and kept in prison. The local police connived with the marauders to fulfil the plan. Many instances saw that the culprits would be released and the just in custody. Of course, these do not find any place in the records.

The period after 1992 has been a constant period of political upheavals also. All political parties especially the youth at the slightest upsetting of their demands seek to give everything a communal touch. As late as 10th February, 1994 the Khasi Students Union (KSU) "demanded that non-tribals should not be allowed to vote in the ensuing District Council election." ⁷ The period has also witnessed the growth of a new militant outfit, Baniwtrep Achik Liberation Council (BALC) "which in accordance with its ongoing social cleansing," has issued a 'final ultimatum' to the Harijan Committee here. The BALC "commander" Mr. Blah, reiterated that his outfit never indulges in terrorising innocent people but only the crooks." The fact remains how can such an Organisation take law into its own hands. Despite this accolade the "Khasi Students Union (KSU) asked the Chief minister, Mr. Salseng Marak to remove the Sweepers Colony from Barabazar locality as illegal and anti-social activities are taking root in the area." The KSU submitted a nine-point charter of demands urging the Government to shift all defence headquarters from the State and the Harijan settlement from its present site." ⁸

The Chief Minister said "plans were afoot to resettle Harijan families in groups in different localities of the city." ⁹ What is this sort of government measure encouraging ?

A Telegraph report on 11th March 1994 says " the militant outfit HALC has claimed responsibility for the recent

murders in the city saying it had meted out 'death penalty' to purge Khasi society of evil elements." 10 Panic gripped the entire business community mostly outsiders and they are succumbing to extortions due to this fear psychosis.

Meanwhile, in the course of my movement in Shillong town I found a lot of shop owners reporting extortion of goods from the shop. It is remarkable that on Sundays and Khasi festive days non-tribal shops shut early because of fear of looting and arson. When asked what the police did, the shop-owners fearfully stated what will they do other than being mere onlookers or helpers after all they belong to the same community.

An important repurcussion of each phase of such outbreaks is that consequent on these land shifts from outsiders to the insider Khasis. In fact, during such periods a section of the people eagerly wait to buy off land at throw-a-way prices.

Responses of students to the problem

Tea and Samosas, stiff upper lip, lots of rain and long walks in the campus are a small sample of students at the University. These are relaxed and complacent responses that exclude the unpleasant realities of ethnicity. The responses are therefore necessarily neutral. Pushed further, questioned on Shillong's varied ethnic component a biology student remarks, "Lets face it, we're not really multi-cultural. Calling ourselves ~~that~~ is being unnecessarily political. It is primarily Khasi culture." He is refreshingly honest.

To the more rebellious Shillong's University should be a far cry from tranquil intellectualism. It should arouse us and make us aware of our rich culture and heritage. Says Martin "We have been dominated far long." My observation also noted that a large part of the sense of alienation lies with an ignorance of each other's culture and a decided lack of interest. It is a "fear of the unknown", remarks Audrey. One student who time and again wished to remain anonymous said "everyone is building walls around their culture and values, and choosing to live in isolation and this has exaggerated differences. They have adopted only a part of the city as their own. Basically they refuse to conform to our society."

Some students maintain that their way of life is incompatible with the East. (East here means the non-tribal culture). Citing their conservatism as the focal point, "It doesn't nurture us to integrate completely." Fair enough. But this should not prevent socialising. However, it is significant to note that a majority of female students are quite open to the idea of marrying an outsider. Some of the typical responses included : "they are good enough." " I have no objections on principle." "I do not see why not ? " A few mention that there might be initial hiccups with parents which would subside. Anyway, it's been quite prevalent.

Responses of bureaucrats and leading citizens

Socially outsiders are integrated in professions. But culturally they not included as being Khasis. Shillong is cosmopolitically cosmopolitan. Mr. Lyndoh of the District Council has this to say, "We have no objection to living with others. But the 'others' should not look down on us. I am strongly against the kind of violence disturbing us. We will have to make joint efforts to make things run smoothly."

The Syiem of Myllem merely notes "its some misguided youths who are perpetuating this. We just need to reason out with them." A leading citizen whose name I withhold as promised says, "the only social barriers that you will encounter in Shillong are those of education, irrespective of ethnic differences, the worst instances of violence came from uneducated." But, unfortunately this is not true. Ethnicity is an issue

that finds place mostly among the educated and affluent. The poor man is only thinking of his meal. After any bout of violence an encounter with the street vegetable sellers mostly Khasis reveal how disgusted they are by these sporadic breaks.

A section of tribal and non-tribal intellectuals feel that differences are destined to continue. There are a lot of things that need to be solved. Things are so bad today that "petty incidents like as a noise complaint of a morning prayer in short, mundane everyday activities amount to an unreasonable degree of fuss."

Overall impression one gathers is that the bureaucrats are actually not bitten by the bug. Their faces only seem to express "We'll cross the bridge each time we come to it." Not a single official had any sort of remedy to offer. 3% of officials at the Land Revenue department prohibition of land transfer is a positive policy on the part of the government. But they fail to see the fact that has in turn encouraged and initiated under hand transactions.

REFERENCES

1. Sinha, Chacko, Aier (ed) Hill Cities of Eastern Himalayas : Ethnicity, Land Relations And Urbanisation (New Delhi, Indus Publishing House 1993) P.13.
2. T.K. Oommen, "Insiders and Outsiders of India. Premordial collectivism and Cultural Pluralism in Nationbuilding," International Sociology (Amsterdam) Vol.1 No.1 (March 1986), P.P. 53-54.
3. Imdad Hussain, "Shillong, British Enclave to Tribal city" (in) A.C. Sinha, M. Chacko, I.L. Aier (ed) Hill Cities of Eastern Himalayas : Ethnicity, Land Relations and Urbanisation (New Delhi, Indus Publishing House, 1993) P.79
4. S.K. Chaube, Hill Politics in North-East India (New Delhi, 1973) P.63
5. Umasadhy Bhattacharjee, Local Government of Khasi Hills (New Delhi, 1980) P.120
6. Shillong Times , 7th October, 1992.
7. Telegraph, 10th February, 1994.
8. Ibid, 27th February, 1994.
9. Ibid
10. Ibid, 11th March, 1994.

CONCLUSION

The paper seeks to raise (1) certain questions regarding the distribution pattern of land and (2) How social inequity present in the society is being perpetuated.

One of the main features of the Khasi land tenure system is the ambiguity surrounding the concept of ownership, control and occupancy rights of some categories of land and the ancestral system. The main purpose of the land distribution system among the Khasis is to ensure availability of land to all sections of the population but empirical reality reveals something else. The Syiem and bakhraw- batri makes the scope of the Khasi society very limited. One can define them to be members of a hereditary nobility. The Sylems managed and manage public lands virtually in the same manner as their private lands.

Variations among rich and poor are considerable and these social differences are a result of economic differences. The tribals have a close linkage with their land habitat. Appropriate use of knowledge of tribals in the rural areas may add a significant dimension to the administrative activity. Infact, this should be the Philosophy of legislation.

There is a process of social and economic change that is ripping apart the fabric of tribal society. On the one hand we

we are witnessing the gradual disappearance of social and cultural practices that have given tribes their distinctive identity. The State's policy should recognise the tribals actual position. The tribals actual position is of those sections who live in the rural areas and practice agriculture. This is still the reality. Unless this premise is accepted and built into the system we are not likely to make any headway. The frankenstein state policy only seeks to erode democratic characters.

The present legislations are getting shape in such a manner that should have been inalienable rights are acknowledged as "rights of community" and are becoming "rights, privileges and concessions."

In the realm of ethnicity if the premordial collectivities were only to insist on their right to protect their land or preserve their styles of life, the problems remain largely manageable. But when they demand economic benefit and political rights on the basis of their group affiliation the situation dramatically changes. The expressions they seek have developed with the womb of the present society which aggravates the conflict unable to contain it.

To complicate matters, the political parties and even the State apparatus respond to these demands rationalising their response as demands A democratic polity and welfare State even when they relegate them in times of trouble as legally unsustainable. Gearing of official responses ~~shows~~ how the State connives with vested interests.

Another problem is also perceived in a gap of understanding between the Centre and the State. Ethnicity prevailing here finds manifestation in many other forms. Development of a fear psychosis a type of literature condemning a particular section and series of social process like bandhs, picketing and local upsurges and a feeling of an parthied of sorts emerges which find place in every sphere of life.

