PLACING THE KHASI JAIN'TIAH HILLS: SOVEREIGNTY, CUSTOM AND NARRATIVES OF CONTINUITY

by

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Abstract

The north eastern region in India represents a legacy of uneven imperial state formation inherited by the Indian nation state. My doctoral dissertation examines British imperialism in the nineteenth century, as it operated in “non-British” spaces of the north east frontier of colonial India. I focus on the historical production and cooption of the Khasi and Jaintiah hills, into a frontier space of the British Empire. I analyse the interconnections between physical transformations, colonial structures of law, and colonial knowledge that produced inhabitants of the autonomous polities, north east of Bengal into “hill tribals”.

Law provided a foundational framework through which colonial commercial and military advancement into non-British territories such as the Khasi hills was achieved. The most profound implication of colonial processes was on ruler-subject relations, which accompanied the reconstitution of space and inhabitants’ conceptions of self. The dissertation traces both spatial and imaginative transformations that stripped the groups occupying the Khasi and Jaintiah hills of a political identity. The Khasi tribal subject’s relationship to the governing structures was navigated, and negotiated using a reconstituted notion of custom.

This project is more than a history of tribal minorities in India. It addresses the crisis of colonial sovereignty in colonial frontiers, and the nature of imperialism in non-British territories. The dissertation also addresses how the hills and its peoples have long resisted incorporation and integration into totalizing histories of colonial modernity, capitalism and nationalism. Social identities of the diverse communities in the north east of India are articulated through, what I have called narratives of continuity that are both
constitutive of and framed against colonial knowledge systems. Critical of the “naturalisation of the association between history and western modernity” and the consequent binaries of past and present, this dissertation analyses indigenous narratives, and the articulation of distinct pasts often inhered in the present.
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A Note on Orthography and Usage

I have chosen to retain the spellings of place names and concepts in Khasi as they are used in the present day, except when directly quoting another author. The word Khasi is variously spelled by colonial officials as Cossaya, Cossyah, Cassie, Kasya, Khasia, among others. Similarly, Jaintiah is spelled Jynteah in early colonial documents. Place names in the hills are also misspelled and variously spelled by different colonial officials. I have used the words “hill tribals” in quotations to emphasise the argument being made. Words like tribe and tribal are not in quotation marks, since they are in common usage in the north east, and do not carry the semantic load of colonial usage.

Italics are used to indicate titles of books or journals, and for non-English words. I have indicated wherever I have used italics to add emphasis.
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List of Abbreviations

Act. Acting
Asst. Assistant
BL British Library (UK)
Capt. Captain
Commg. Commanding
Commr. Commissioner
CC Chief Commissioner
CUP Cambridge University Press
Dept. Department
DC District Commissioner
EIC British East India Company
FKJGP The Federation of Khasi-Jaintiah and Garo People
FO Foreign Office
F&S Foreign and Secret
GG Governor–General
GOI Government of India
Gov. Governor
Gov't Government
GSA Guwahati State Archives
HNLC Hynniewtrep National Liberation Council
Hon’ble Honourable
IOR India Office Records (OIOC, BL, UK)
KADC Khasi Autonomous District Council
KSU Khasi Students Union
Lt.–Col. Lieutenant–Colonel
Lt.–Gov. Lieutenant–Governor
Maj.–Gen. Major–General
Mil. Dept. Military Department
NAI National Archives of India (New Delhi, India)
Nos. Numbers
NEF North East Frontier
NMML Nehru Memorial Museum and Library
ANEF Agent to the North–East Frontier
Offg. Officiating
OIOC Oriental and India Office Collections (BL, UK)
OUP Oxford University Press
Para. Paragraph
Pol. Political
Procs. Proceedings
Rev. Revenue
Secy. Secretary
SRS Synjuk ki Rangbah Shnong
SRT Synkhang Rympei Thymmai
Supt. Superintendent
Chapter 1

Introduction

The Khasi and Jaintiah hills are part of the Indian province of Meghalaya, incorporated into the nation state by the signing of the Instrument of Accession, 1948, by a confederation of formerly sovereign polities. The history of these hills, set within a larger geographical space that became a frontier of the British Empire, provides rich historical insight into the workings of imperialism, sovereignty, jurisdiction and colonial knowledge. While colonialism is most often understood as a global process, this dissertation focuses on its profound local effects. Such a localized study brings into question the seemingly encompassing nature of imperialism. A colonial state space was produced over the course of the nineteenth century by integrating far-flung regions within defined borders. By the mid-twentieth century, this space, integrated through railway networks, newspapers, education, trade and commerce, and military control, was inherited by the two nation states of India and Pakistan. This dissertation focuses on the long nineteenth century processes of imperial expansion and colonial knowledge that shaped and produced the Khasi-Jaintiah hills as part of a north east frontier. These processes resulted in a loss of shared histories, the sharpening of identity-based social differences, and a reconstitution of the geographic orientation in the hills. I will, first, briefly document my relationship to the Khasi-Jaintiah hills and highlight what the dissertation sets out to do. Next, I discuss new trends in the scholarship on this region, and important themes in the historiography of southern Asia. The introduction ends with a discussion of the theoretical and methodological approaches used, and a chapter breakdown.

I grew up in Shillong, the capital of Meghalaya, a northeast Indian state bordering modern day Bangladesh, where the realities of borders, frontiers, and militarized landscapes were part of everyday life. The Central Reserve Police Force patrolled neighborhood markets and
streets. The Border Security Force was a familiar sight along roads and highways. Their purpose was two-fold: keeping an eye on and disciplining local Khasi youth, and demonstrating the integration of the erstwhile autonomous Khasi polities into the Indian nation state. The efforts at “maintaining order” – at times reminiscent of the days of colonial rule in the region – focused on the most politically active members of the region, many of whom had joined groups that expressed their antipathy towards the Indian nation through extortion, kidnapping and attacking “non-locals.”

Curfews and impromptu “holidays” from school were a regular feature of my life during the early 1990s. These were the formative years when I created bonds with life-long friends, and in retrospect, internalized my putative identity as a national majority in opposition to that of my ethnologised friends. I remember how waves of resistance directed against the Indian state, during that decade, intensified fear and created social distance between Khasi “locals” on the one hand, and Bengali, Assamese, Nepali, Marwari “outsiders”, on the other. While such social tensions were invisible in friendships borne in classrooms and in playgrounds, differences were sustained in deep and pervasive prejudices, and in the forgetting of the histories once shared by the different peoples now in conflict with one another.

My most recent visit home was for the purpose of my doctoral fieldwork. The urban landscape is no longer as visibly militarized as I remember from my years as a child, and friendships and social relationships have persisted with a relative agnosia of social fissures. During the last four years of doctoral work, I realized that I was located in a personal and intimate relation to the place that was my object of study, but also at an (imposed) physical and (attempted) emotional distance from it. The physical distance came from practical reasons; most of the archives were situated at more than a reasonable distance from the Khasi hills, and I was enrolled in a university thousands of miles away; the emotional distance became more significant to my thesis. I had to resist and overcome the feelings evoked by the violence of colonial
processes and structures, evinced in records I examined, especially as I identified their persistence in the contemporary lives of inhabitants of the Khasi hills. In order to focus on a historical analysis, the visceral experience of social realities had to be set aside during the process of writing. Certain persistent questions that emerged from my own political subjectivity became the mainstay for continuing the work, despite the several limitations posed by the scanty literature on the Khasi hills, as well as by the lost records and dispersed and non-functional archives.

This dissertation examines colonial sovereignty in the non-British territories of the Khasi and Jaintiah hills, which were incorporated into the north east frontier space of colonial southern Asia. The challenges faced by the Company shaped the specific nature of colonial sovereignty, first evinced in negotiations and accommodations between the colonial officials and sovereign polities of the frontier regions. I have also examined resistances to colonial processes that further corroborate the idea of an imperial state as one with severed boundaries, incomplete knowledge, and patchy sovereignty that were never conjoined into a seamless form. Colonial efforts to overcome the interruptions and gaps in imperial sovereignty in pockets identified as non-British reconstituted these autonomous and semi-autonomous polities into “exceptional” or “anomalous” spaces. The sovereign status of these polities was eventually recast to assert the dominance of the colonial state. Identifiable over the course of the nineteenth century, such processes significantly shaped the relationship between subjects of these hills and the nation state that inherited the colonial structures in 1947. I attempt no analysis of such a relationship in this dissertation, and focus on the long nineteenth century and its transformations.

The making of the northern and eastern regions of Bengal into a frontier was among the most significant transformations, visible from the late eighteenth century onwards. The Khasi and Jaintiah hills were brought under the purview of the imperial cartographic imagination after the creation of Sylhet into a collectorate and with the Permanent Settlement of 1793, which invested proprietary rights in land to a class of Zamindars, thereby leaving large sections of cultivators
dispossessed. As a consequence of this profound transformation, political and proprietary authority became gendered, and non-sedentary groups in the region were displaced or confined to hill territories.¹ Changing boundaries marked the location of these hills in the frontier space. After the transfer of power from the East India Company to the British government, the province of Assam was carved out of Bengal in 1874 and the Khasi-Jaintiah hills were defined by new provincial boundaries. Following the creation of the two nation states of India and Pakistan in 1947, the Khasi states signed the Instrument of Accession. In 1948 the hills became part of the Indian Union sharing an international border with Pakistan (and following the war of 1971, with Bangladesh). In 1972, Meghalaya – constituting the Khasi, Jaintiah and Garo hills – broke away from the Indian state of Assam and became a separate province. The historically tenuous and imperfect borders in the hills have continued to be sites of military oppression and ethnic violence in the post-colonial period. Historicizing the permeability and fluidity of these boundaries can yield insight into the persistence of mobility in the post-colonial period.² These boundaries have experienced shifts in their meanings over time, as markers of imperial sovereignty, signifiers of national statehood, and sites of religious and ethnic identity.

The relationship between the region defined as India’s north east and the Indian nation state can be better understood by uncovering the historical transition of the region’s inhabitants first as colonial subjects and later as national subjects. The nineteenth century has been characterized as a transitional period when older geographical and political conceptions were stymied, and reconstituted by the appearance and growth of an imperial social formation. This dissertation contributes to the burgeoning historiography of the colonial north east frontier by


² William van Schendel, The Bengal Borderland: Beyond State and Nation in South Asia (London: Anthem Press, 2005). This work is among the more influential in a plethora of emerging literature on themes of e, borders, boundaries and related violence.
focusing on the history of inhabitants of the Khasi and Jaintiah hills and identifying the inhabitants, the hills, and landscape as active historical agents in the constitution of political subjectivities. I argue that the colonial processes that incorporated the hills within a colonial state space, consistently proved to be incomplete and provisional. Additionally, I show that existing historiography fails to address the presence of groups of inhabitants including those living in Khasi polities who were not defined as British subjects. Yet these groups were incorporated within legal structures, subjected to various forms of coercion, and located within racial and civilizational discursive fields. Finally, through a critical reading of colonial correspondence, and a contrapuntal reading of scientific and non-scientific narratives from the nineteenth century, I examine the interfaces of colonial law and local custom, as well as, colonial knowledge and indigenous conceptions. This dissertation covers the period from the late eighteenth century when the territorialisation of Sylhet resulted in an archive of colonial reports and correspondences on sovereign polities that spread across the north and east of Sylhet plains and the hills that rose from it, until the turn of the twentieth century when the sovereign status of Khasi polities was overcome by the colonial state.

1.1 New Scholarship on the “North-East”

The dominant trend in recent historical literature on the north east has been a reconfiguration of the region understood as a colonial frontier. Manu Goswami’s *Producing India* is a bench-mark in the “spatial turn” noticeable in South Asian historiography. She applies Henri Lefebvre’s concept of production of social spaces to demonstrate that India was *produced* first as a colonial and later national state space. Although her work focuses on larger structural

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3 Just as this region was produced as the north east of the British colony in India, these hills were termed the Khasi and Jaintiah hills in the colonial period.

processes and shies away from discussing specific examples of north east India or Kashmir, her arguments demonstrate the modern nature of India as a spatially bounded entity.

“Deprovincialising” the north east, to use Bodhisattva Kar’s term, has induced two important historiographical shifts: first, the new scholarship has wrested the histories of communities in the north east from the totalizing narratives of empire and nation. 5 Second, it has demonstrated the dynamic political-economic systems and thriving social formations that had, in the past, produced a geographic seamlessness between places now separated by international borders. 6 My research builds upon these ideas by contributing a deep site study of the Khasi and Jaintiah hills located within a reconceptualised political economic and social landscape. The hills were both a bridge and barrier between colonial Bengal and what was eventually characterized as the north east frontier province including Assam, northern and eastern Bengal, and the undulating landscape leading up to the Himalayan ranges in the north and the Burmese kingdom in the east.

Drawing attention to the relationship between the geographical history of the hills and the social realities in current times in a recent article, David Ludden poses a rhetorical question: “where is Assam?” He argues that the history of the region cannot be justifiably understood from within the gridlines of national geography. He points out that the social realities can be located in multiple, changing and mobile spaces, a condition that remains invisible in the type of knowledge that nationalises histories of communities, culture, identities, and even weather. 7 The process of


geographically describing the north east frontier is traced in another essay by Ludden, in which he argues that colonial territorialisation in Bengal established the first modern boundary, put in place to separate the Khasi and Jaintiah hills from the Sylhet plains. The boundary was modern in the sense that it not only physically separated the hills and plains, but also played on social differentiation between inhabitants. This boundary was made, he writes, to limit the claims of Khasi rulers to lands in the plains appropriated under the Permanent Settlement. Ludden’s suggestion that an absolute, modern boundary can be traced to the late eighteenth century needs to be problematized. This is what Gunnel Cederlof attempts in her work on the ecological history of Sylhet and its surrounding areas. Cederlof suggests that a comparison between the nineteenth-century boundaries and the modern state borders is anachronistic. She states that the social boundaries based on ethnic difference, which Ludden postulates were taken into account by Company officials while drawing this boundary, were not rigid or clear in the early nineteenth century. In this dissertation, I follow Cederlof’s postulation that boundary-making initiatives between Sylhet and the Khasi hills were not “absolute” by examining in depth the boundary disputes between Sylhet and the Khasi hills. Additionally, I argue that ethnic identities were not an invention of the late nineteenth century “ethnographic state” as Cederlof presumes. Processes of dividing the hills and plains accompanied the differentiation of various groups in social, cultural and racial terms, as evident from records on the Khasis from late eighteenth century onwards.

Colonial records from the late eighteenth century demonstrate the attempt by Company administrators in Sylhet to separate the hills and the plains. The records also suggest the

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9 Gunnel Cederlof, “Fixed Boundaries, fluid landscapes: British expansion into the North East Bengal in the 1820s”, The Indian Economic and Social History Review 46, no. 4 (2009)

10 For an analysis of the colonial state as an “ethnographic state” see Nick Dirks, Castes of Mind: Colonialism and the Making of Modern India, (New Jersey: Princeton University Press, 2001)
instability in the relationship between the colonial government and the inhabitants of these hills. Gunnel Cederlof has examined such an uncertainty in relation to the revenue yielding and agricultural subjects of Bengal. Cederlof suggests that the ruler-subject relations that developed in the region in 1820s were characterized by fiscal-subjecthood. The Company, not yet functioning as a state, identified the inhabitants as revenue-yielding agricultural subjects.11 In postulating a purely fiscal relationship between the Company and the inhabitants of northern Sylhet, Cachar and the Bengal province in general, Cederlof destabilizes the notion that the Company was acting in the capacity of a state. Her focus on the 1820s as a transformative decade obscures the changing nature of the political landscape evinced from the mid-eighteenth century onwards. Moreover, ruler-subject relations in the Khasi hills, which were not incorporated into the taxation economy, complicate the idea of fiscal subjecthood as the definitive characteristic of colonial power relations in the north east frontier. I address the non-fiscal nature of ruler subject relations in non-British territories by examining the colonial state’s efforts to overcome the gap between non-territorial control and sovereignty in these hills.

Four major monographs discussed below intersect with methods applied in this project and the region studied. Some aspects of the historical issues highlighted above have been examined by Sanghamitra Mishra in her recent book Becoming a Borderland. In her study of colonial Goalpara, Mishra notes that the frontiers of Mughal and Ahom empires were not marked by rigid territorial boundaries. The pre-colonial political landscape was defined by imprecise political sovereignty and shifted with changing fealty and reciprocity between subjects and authority. She draws from Benedict Anderson to note that the sovereignty of one ruler faded into and merged with the sovereignty of neighbouring political authorities.12 The interconnected space

11 Cederlof, “Fixed.”
12 Mishra, Becoming. 22.
was characterized by a hierarchical relationship between larger (Mughal and Ahom) and local sites of power, and dependent on trade and commercial networks. The shared sovereignty of Zamindar in Goalpara, the monarch of Bhutan, the Dalai Lama of Tibet, Ahom ruler, and other smaller nodes of power was reconstituted with the expansion of colonial power. Colonial spatial transformations induced by changes in marketing practices, trading connections and land settlement patterns also challenged the multiple and overlapping nature of sovereignties. I have drawn from such analysis to examine further the interrupted and patchy sovereignty exercised by the Company in the hills. A large number of the inhabitants in the Khasi hills, particularly in polities removed from nodes of colonial power such as Cherrapoonjee and Shillong, conceived of and continued to understand sovereignty in shared, or in non-territorial terms.

Mishra’s understanding of the chronology of the transformation of this region into a colonial borderland can be complicated further. Mishra looks at memories of this space in folk tales, which corroborates what the colonial records reveal— that there was a rupture in the lives and livelihoods of subjects of Goalpara. Intersections between pre-existing or alternative conceptions of self and authority, and those imposed with the spatial production of the region into a hinterland, offer further nuance. A focus on Goalpara and its surroundings limits her critique to the colonial production of an idealized, sedentary cultivator as British subject. Mishra’s work, much like Gunnel Cederlof’s analysis, excludes the non-cultivator, non-British subjects of this frontier space. This dissertation argues that the relationship between non-revenue yielding, non-British subjects, and the colonial government added a significant layer in the articulation of imperial sovereignty.

In studying the spatial reconstitution of the frontier, these scholars focus on the transformation of the physical landscape into productive revenue-yielding land. Jayeeta Sharma’s book offers a close and critical examination of the transformation of Assam’s landscape and
social demographic in the nineteenth century with the establishment of tea plantations. This transformation was a result of Assam’s incorporation into a colonial state space that induced colonial scientific agricultural knowledge, encouraged a commercial system based on economic pragmatism, and generated an influx of English planters, entrepreneurs, coolies, Marwari traders, Nepali grazers, Sylheti clerks, and east Bengali Muslim peasants into the region. Sharma demonstrates that the construction of the landscape as a tea “garden” was a prelude to the transformation of Assam’s jungles into an a landscape more suitable for the commercial production of silk, cotton, coffee, and sugar. Moreover, legislative, military, and missionary initiatives intensified hill-plain boundaries. Such processes examined by Sharma provide a basis to understand contemporary socio-economic and political realities. A serious implication of the changes in political economy and demographics of colonial Assam, was the racialised and civilizational notions adopted by the Assamese elite. These frameworks were employed in distinguishing their Hindu upper caste or high born Muslim lineages from laboring immigrants and other preexisting social groups in neighbouring areas who did not adhere to conventional forms of the dominant religions.

Sharma also provides the ground for locating the increasing differences between tribal groups and those with high caste or genealogical status. The latter articulated their role in anti-colonial nationalist politics by distinguishing from tribal groups, on the one hand, and coolies, peasants, and migrants who had moved in to this region in the nineteenth and twentieth centuries, on the other. Sharma’s analysis provides the historical basis of many regional symbols like tea, militarized landscapes, identity assertion, and separatist movements.

Indrani Chatterjee’s book *Forgotten Friends* offers a reconceptualization of the pre-colonial past of inhabitants that are now subjects of India’s north east. Chatterjee introduces the

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14 Indrani Chatterjee, *Forgotten*. 
concept of “monastic geographicity” to describe a spatial unit that encompassed Himalayan and trans-Himalayan regions in Burma, Tripura, Tibet, Assam, and across Bengal to the coast of Bay of Bengal. This space, Chatterjee postulates, was established through the political, commercial and social networks of Vaishnava, Buddhist, and Sufi monastic orders and their lay disciples. Chatterjee provides a rich historical analysis for understanding the simultaneous colonial fragmentation and production of this space. The creation of rigid hill-plain boundaries, the ethnologising of groups as ‘tribals’, the emergence of singular male proprietary authority are all understood within the dual processes that chipped away at monastic geographicity on the one hand, and created the north east frontier province on the other.

The creeping colonial territorialisation that crystallized hill-plain boundaries is explored by Chatterjee, to find the historical production of ethnologised groups and nomenclature such as Naga, Lushai, and Cosseah. Naga chiefs, she notes, were relics of an old Ahom monastic bureaucracy, while colonial records identify the Lushei as groups or bands of militant warriors, ascetics, and bairagis. Similarly, Manipuri men whom colonial officers also termed as tribals were Vaishnav monastic heads or gurus-in-waiting who travelled amidst populations identified as pra{}ja (subjects) collecting foods, goods and services. Chatterjee adds that Jaintiahpur in the Surma valley, the seat of the Raja to whom inhabitants of both the plains paid tribute to, was part of the Vaishnav monastic network. She translates the word Cossyah, later spelled as Khasi, from a Tibetan word that meant a group constituting both the lay and ordained. The methodology used by Chatterjee is innovative and can be usefully employed to decipher encoded non-European sources. The book explores monastic and itinerant hermeneutics in sources including Buranjis, narratives written by Tantric composers, heteroglot genealogies, and poetry. Chatterjee translates both English and regional language sources to enrich the textual analysis of such sources.

Despite the force of her contribution, Chatterjee accords a sweeping sameness to tribal groups across the region whose migratory histories or linguistic diversity is ignored. An emphasis
on recovering shared, forgotten pasts, as a theoretical position, runs the risk of marginalizing specific histories and local conceptions of the past. If we locate the history of the Khasi and Jaintiah hills within this framework, it becomes easy to identify certain trends pointed out by Chattejee, such as, the masculinization of property and authority, and conceptions of land rights and custom. Variations in linguistic genealogies that separate the Khasis of Mon Khmer descent from the neighbouring Garos of Tibeto-Burman descent is an important and historically relevant difference that Chatterjee glosses over. As I will show, Khasi historical memory relies on the term U Hynniewtrep or seven huts as a self-descriptor. I argue that local conceptions of the past are equally if not more important than the more general forgotten ones.

An entirely different approach to the history of the region is found in Andrew J. May’s book on Welsh missionaries in the Khasi hills, which describes the interconnections between various imperial agents such as missionaries, administrators, and legal officials. May begins his analysis by locating his family history with the journey of his ancestor Thomas Jones, who was one of the first Welsh Missionary Society representatives in the hills. He uncovers the intricate commercial, legal, and political webs that missionary life in these hills was caught in. Using sources on the legal disputes between missionaries, prominently Thomas Jones, the colonial state, and several local actors, May suggests that it was radical and unconventional missionaries like Thomas Jones whose actions brought into question the credibility of state and church, thereby destabilizing imperial power in the region. May has studied sources that contain insightful and hitherto untapped windows into the working of imperialism in the hills. However, in spite of his recognition of the racialised frameworks that informed colonial discourse, his sources are not critically analysed. Colonial legal discourse and missionary literature is often uncritically used to construct the book’s narrative.

The transformation of the landscape into a colonized frontier is indispensable to understanding the nature of British imperialism in the hills, and May’s book refrains from addressing these larger questions, even though he succeeds in complicating the relationship between the colonial government, metropolitan missionaries, and those located in regions understood as peripheral. He also, significantly, points to the role of missionaries as imperial agents in the non-British territories. However, instead of examining the relevance of such an imperial strategy—of missionaries being deployed in places that were outside the formal control of the British—he takes another route. By emphasizing the role of missionaries in destabilizing the imperial project and embodying the resistance of the local inhabitants, May strips the political agency of the inhabitants and of the landscape itself. The political subjectivity of inhabitants in the Khasi hills is eclipsed, once again in this work, by the implication that she relied on imperial agents to voice her dissent, or to embody any threat to Empire. This dissertation in contrast emphasises the role of the inhabitants and the hills in challenging imperialism.

It has been established in existing historiography that colonial territorialisation and changes in the politico-economic and legal structures brought about severe disruptions in the social and political landscape. Drawing from critical approaches to decipher available sources, I have focused on the subjects that are readily eclipsed by histories of more visible historical actors, such as the idealized revenue-yielding cultivator subjects of the imperial state, or radical missionaries. I have relied heavily on colonial records, from the late nineteenth to early twentieth centuries, in which these non-subjects remain eclipsed but are also always present—resisting, accommodating, helping, guiding, and interrupting any stability the Imperial agents sought at the imperial frontiers. Additionally, colonial narratives, cartography, and scientific projects demonstrate the relationship between the constitution of the subject and landscapes. I do not argue that this relationship is a product of the time period under study. Instead, with changes being instituted over the course of the nineteenth century, the relationship between people and
their surroundings was renegotiated and reconceptualised. These renegotiations remain part of the living memory of the inhabitants of the hills, and form an integral part of their present. In this dissertation, I am mindful of a past that inheres in the present lives of inhabitants of the hills. Juxtaposing linear and non-linear conceptions of the past can provide a radical departure from the western teleological and textual historical narratives of the region. In the next few pages I discuss themes in historical scholarship on South Asia that have informed this dissertation.

1.2 Sovereignty, Landscape and Law

This dissertation begins in the late eighteenth century, when the territorial aims of the East India Company began to coincide with western formulations of sovereignty. The decades preceding the establishment of contractual and diplomatic relations with heads of sovereign polities in the hills adjoining Sylhet in the 1820s, show that treaties between local rulers and the Company emerged out of commercial and military interests. These interests were foregrounded by the Company’s attempt to extend its agrarian frontier in Bengal, and later Assam. Imperial interests in Bengal and its surroundings from the nineteenth century became increasingly territorial in nature. Surveys and boundary making initiatives that were central to the heightened territorial drive of the Company reveal imperial anxieties about the disjuncture between sovereignty and territorial control. Complex negotiations between the old and new spatial realities demonstrate that the extended space of the Bengal frontier exemplified the variegated and uneven nature of colonial rule, and locally differentiated strategies and outcomes of colonialism.

Lauren Benton has demonstrated that the nature of imperial sovereignty of the different empires was patchy and uneven.16 Benton examines the period between 1400-1900 C.E. and challenges the ready overlap between territorial control and colonial sovereignty. She demonstrates that through the application of a global legal regime, imperial jurisdiction

penetrated into extra-European space. Benton’s proposition is useful in understanding the nature of colonial sovereignty in the Khasi and Jaintiah hills which continued to be under the administrative and legal control of the local authorities. However, jurisdiction over these hills became a mainstay of the colonial state from mid-nineteenth century onwards. I examine interface between colonial jurisdiction and autonomy of the hills and its subjects.

Recurring boundary disputes between British subjects and inhabitants of the hills emerged as the entry point for colonial administrators to argue that colonial jurisdiction superseded the political power of local authorities. The conflicts between European private interests, which exposed the severe flouting of all principles of law, further encouraged colonial officials to establish their legal authority in the name of the British Crown. Undergirding these debates and the judicial reforms being mooted in mid-nineteenth century were changes in the conception of hills and its resources as property. The simultaneity of these transformations with the reconstitution of Khasi Chiefs or Syiems as customary authority that effectively stripped them of political authority by emphasizing their non-proprietary rights, complicate the notions of indirect rule. The colonial interest and interference in succession disputes to Syiemships demonstrate arbitrary application of rule of law, which were readily suspended as need arose.

Laws governing property and succession were subjected to debates and legal analysis by political theorists through the nineteenth century. The universal parameters of jurisdiction

17 Ibid., 6

18 Historians of the Khasi hills like David Syiemlieh have often used “indirect rule” as a descriptive category to define the nature of colonialism in the Khasi hills, particularly in the first half of the nineteenth century, followed by more “direct” forms of rule. I find these categories insufficient in explaining the varied strategies employed to colonise non-British spaces. See David Syiemlieh, British Administration in Meghalaya: Policy and Pattern (New Delhi: Heritage Publishers); Also, for a discussion of “indirect rule” as a colonial political strategy to control princely states in British India see Barbara Ramusack, The Indian Princes and their States (Cambridge: Cambridge University Press 2004)

formulated by colonial intellectuals were important in shaping legal pluralism, in places as far from the imperial centre as the Khasi Jaintiah hills. For instance, Henry Maine’s ideas about customary laws and indirect rule had a profound influence on the attitude of the colonial administration towards semi-independent and princely states.20

In the Khasi hills, debates on aspects of law led to the reconfiguration of custom, to suit the politico-economic concerns of the colonial state across the theatre of Empire. Sandra den Otter notes that this process highlighted the “pervasive equation of custom with a pre-capitalist primitiveness and law with a capitalist modernity.”21 The reconfiguration of custom was noticeable in the codification debates in Punjab, which also reflected the overriding of utilitarian principles of law. Colonial administrators showed concern for collective rights in land and property and not only recognized but emphasised that among agricultural communities in Punjab customs were embodied in practices, not ancient texts. While this may have in some respect recognized existing practices, it also played up on the differences between scriptural codes of caste communities and customary practices of ethnologised tribes and clans.22 Custom emerged as a new rhetoric of power and legitimation through a steady influence of administrators who emphasised cultural pluralism.

A similar process, under a different guise and much less coherent, was visible in the reconstitution of Syiems as customary heads. An evolutionary framework was also at work in the Khasi hills which “reinvented” and fossilized customs as they were implicated within textual

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20 Henry Maine (1822-1888) jurist, legal theorist, and colonial administrator between 1863-69 was highly influential in the implementation of changes in colonial legal and administrative policies in British India in the second half of the nineteenth century. For an analysis of Maine’s formulation of indirect rule in the colony, see Karuna Mantena, *Alibis of Empire: Henry Maine and the Ends of Liberalism* (New Jersey:Princeton University Press, 2010)


processes and legitimated by male elders of villages. As in Punjab, where the implications of codification were seen in the affirmation of the voice of patriarchal property-owning elites, colonial intervention in the Khasi hills reconstituted political authority by marginalizing the politico-religious functions of women who were eventually debarred from all political participation.

Questions of property and jurisdiction, law and custom were integral to the ideological underpinnings of ‘indirect rule’. Karuna Mantena notes that Henry Maine’s fears of the inevitability of the “radical undoing of customary basis of village community under imperial rule” resulting in atomized private property, led to his formulation of an alternative strategy, a solution in the form of indirect rule. The historical evolution of property from communal to private ownership was accepted as a universal phenomenon corresponding with the increase in authority of the tribal Chief. Maine’s account of “…the tendency for a tribal chiefdom to aggrandize power in the form of land allowed Maine to propose a theory of feudalization as an autochthonous development of the ancient village-community.”23 In the late nineteenth and early twentieth centuries, in the north east frontier hills of the British empire, the non-territorial nature of chiefly sovereignty augmented colonial political power, and the exercise of it. Although transfer in the administrative reins from Company to Crown rule created a hardening of state structures, and racialised discourses throughout the colony, the changes in the hills in the late nineteenth century reflect not so much a distancing from indigenous institutions, but a more thorough and intrusive presence of the colonial state in civic affairs of the Khasi polities.

1.3 Placing the Khasi hills

Colonized subjects were categorized as tribal primarily based on their geographic location. In spite of variations in colonial constructions of tribals, certain pervasive characteristics

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23 Karuna Mantena, *Alibis*, 135
continued to dominate the identities and identification of peoples labeled as such. The category tribal in the Khasi Jaintiah hills did not assume the same meaning as in other places like Punjab, Santal Parganas, or the Nilgiri hills. Historians of science and environmental historians have noted that the tribal subject was identified as resources concomitant to land. In territories defined as non-British and non-revenue yielding the tribal subject was not equitable to land in the same way. The Company was uninterested in directly administering the hills since it had gained unrestricted usage of mineral resources like lime, coal, and timber in most Khasi polities through treaties signed in the 1820-30s. Then why did the colonial state formulate new strategies to entrench itself as the dominant sovereign over the course of the nineteenth century? Primary among the said strategies was the formulation of knowledge around the elusive non-subjects, in order to assuage imperial anxieties, and correspondingly “domesticate” the inhabitants of Khasi polities.

Multiple discourses informed the construction of a Khasi tribal subject. I have drawn on a range of conceptual frameworks to examine the nature of the tribal subject formation in the Khasi Jaintiah hills. These include liberal racialism, ideas of “wildness”, and the oppositional categories of historicity and anthropology. Ideologues of liberalism depended on universal frameworks to comprehend the colonized subject who was then formulated in multiple racialised discourses or through liberal racialism. Liberal racialism, Ishita Pande notes, was “premised on a disavowal of essential biological difference and the manufacturing of cultural difference as biological essence.”

24 For a discussion of colonial anthropology and the construction of tribal as in resources analogous to land see Kavita Philip, Civilising Natures: Race, Resources and Modernity in South Asia (New Delhi: Orient Longman, 2003) Also for a further discussion on the reconstitution of the relationship between tribals and ecology see K Sivaramakrishnan, Modern Forests: Statemaking and Environmental Change in Colonial Eastern India (New Delhi: Oxford University Press, 1999)

25 See K Sivaramakrishnan, Modern; also see Kavita Philip, Civilising.

26 Ishita Pande, Medicine, Race and Liberalism in British Bengal: Symptoms of Empire (London and New York: Routledge, 2010), 22-23
scientific projects like geography, botany, geology, ethnography, ethnology, and anthropology. All of these scientific disciplines characterized inhabitants in relation to landscape. In these always-already transitional frontier hills, imperial liberal formulations construed social practices, landscape, people, nature, religion, custom, and race as interchangeable elements. The lack of nuance in colonial knowledge was not simply proof of the inability of colonial administrators, travelling scientists, and missionaries to comprehend existent systems. Instead, as Pande’s work demonstrates, such slippages and ambiguity in colonial liberal formulations was also a political strategy used to deploy “race and culture as overlapping domains.”

Literature on the Khasi hills with varied foci, whether botany or geology, characteristically provided information on inhabitants in rich ethnographic detail. The oft-repeated ethnographic information represented various aspects of the lives of the inhabitants as cultural norms that were invoked to identify different tribes, including attributes like laziness, honesty, aggression, autonomy, and so on.

Tribes were constructed as distinct from caste Hindu or Muslim subjects, and while tribes were placed on a lower rung of the civilizational ladder, both castes and tribes were represented as “wild.” As Ajay Skaria argues, they were distinguished in terms of “shades of wildness”, and definitions of wildness rested on a distinct politics of time and gender. Skaria postulates that colonized societies were classified using two main frameworks that were inextricably connected: orientalism, which focused on cultural essences, and anachronism, and was based on universal and comparative taxonomies. These frameworks intersected to facilitate

27 Ibid., 42


29 Ibid., 729; Orientalism is understood as a framework of intellectual, literary, artistic and cultural practices that generated essentialising assumptions about the ‘Orient’. This interpretative framework was then used to negotiate power relations between the colonizer and the colonized. Orientalism as an analytical device marked a shift in the ways of thinking about colonial encounters and colonial knowledge production,
colonial formulations such as the tribe which appeared in extensive ethnographic literature, censuses, and statistics. The discourse on “primitives” engineered a dual backwardness: temporal and spatial. As Skaria explains, “…while the primitive was on the one hand separated by time and placed in another past, that past was then arranged hierarchically and spatially mapped in the present.” Additionally, the universal taxonomy of “aborigines” was used to link aboriginal groups in colonial India with “primitives” elsewhere in the world. The universal taxonomy of “primitive” located the colonized subject in a spatio-temporal representational field. This meant that both time as a scale of progress, and space as a concomitant unit for ordering civilizational hierarchies, informed the process of representation.

The primitive was also invoked in the constitution of the modern national subject. Bengali elites responding to colonial claims about their own backwardness defined the primitive as the other-within, thus representing themselves as modern national subjects poised to assume the mantle of progress. In short, the tribal subject was needed to cement the alliance between an English educated Bengali man and colonial modernity. These modern national subjectivities were articulated in two distinct ways: the historical, marked by discipline and imagination and the anthropological, which created various groups into tribes, defined in body-centric terms (sometimes as hardworking, at other times lazy). In other words, Banerjee argues, an understanding of practice as the primitive “other” of thought made the claim to a nation’s history

30 Ibid., 728
31 Also see Prathama Bannerjee, The Politics of Time: Primitives and History-Writing in a Colonial Society (New Delhi: Oxford University Press, 2006), Banerjee invokes Hegel’s concept of spatialised temporality to define the founding moment of modernity which facilitated understanding ‘an-other land as an-other time.’
32 Ibid., 6
33 Jayeeta Sharma has located the construction of and primitivity in the colonial tea plantations in Assam where the “…the quest for a more amenable worker led to a new awareness of the ‘primitive virtues’ of diligence and docility associated with some tribes.” See Jayeeta Sharma, “‘Lazy’ Natives, Coolie Labour, and the Assam Tea Industry” Modern Asia Studies 43, no. 6 (November 2009): 1287-1324
possible for the modern Bengali elite. History became the mode of analyzing people located in
the plains, cities, and towns – which were also the domain of classified archives. Anthropology as
a discipline, on the other hand, has dominated the study of tribal communities located in forests,
hills, etc. with an emphasis on their cultural subjectivity, physical appearance and relationship to
their surroundings.

Historical scholarship on proto-literate and non-textual societies, Skaria argues, generally
tend to subsume these histories into a metanarrative of modernity. He finds in the “naturalisation
of an association between history and western modernity” a severe limitation to understanding
and analysing the histories of colonized societies. These limitations extend to the use of oral
sources, because such sources depend on legitimation from literary standards. Skaria points out
that this dependence leads to the reading of oral sources as an equivalent of literary archival
sources. Skaria recommends a turn to memory –ascribed as the “other” of history, suggesting that
oral traditions of subaltern groups are sources from which memories can be extracted. Memories
are understood by Skaria as sites which continue to challenge cooption into any metanarrative of
history. Oral traditions are thus marked by a hybridity that offers a radical segue to tell stories
about adivasis or, the working-classes, women, frontier-tribes, and of the “others” produced as
marginal in modernity.  

Building on Skaria’s work, this dissertation examines folktales, legends, oral traditions,
and social practices to decipher Khasi conceptions of the past. The temporal divide between pre-

34 I have drawn from the approaches of several scholars who use to memory and oral tradition as sources in
reconstruction the colonial past. See Shahid Amin, Event, Memory Metaphor, 1922-22 (Delhi: Oxford
University Press, 1996); Ajay Skaria, Hybrid Histories: Forests, Frontiers and Wildness in Western India
(Delhi: Oxford University Press, 2001); Gyan Prakash, Bonded Histories: Genealogies of Labour and
Servitude in Colonial India (Cambridge: Cambridge University Press, 1990); Nandini Sundar, Subalterns
and Sovereigns: An Anthropological History of Bastar (India, Oxford University Press, 2008); Meena
Radhakrishnan, Dishonoured by History: Criminal Tribes and British colonial Policy (New Delhi: Orient
Longman, 2001); Saurabh Dube, “A Contested Past” in Historical Anthropology, ed. Saurabh Dube (New
Delhi: Oxford University Press, 2007)
colonial and colonial pasts, and the post-colonial present, is not absolute in the Khasi Jaintiah hills. This is most evident in the active agency invested in landscape features that serve as mediums of communication between deceased ancestors and the living. Besides inhabiting non-linear time, Khasis also inhabit spaces like the ramia – a dream like stupor - which is protected and defended against “outsiders” by shamans, who have the ability to transform into tigers. Additionally, the performance of various oral traditions at regular intervals recreates significant events from the past. The past is actively deployed through these means to formulate the present. Such a belief system breaks down any strict separation between imagination and memory, reality and dreams, pre-colonial pasts, and the postcolonial present. Although the influence of colonial knowledge -- particularly ideas introduced through proselytization – can be identified in several folk tales and myths, the colonial period does not overwhelm the conception of the past, and remains understood as a fraction of it.

To enter this alternative mode of comprehending the past, I conducted interviews with elders in the Khasi hills. My interviewees included those who had resisted the onslaught of Christian conversion and continue to practice Niam Khasi, as well as Christian converts.  

35 The main interviewees whose inflections have been used in chapter four include: 1. Sweetimon Rynjah, Khasi intellectual, authority on oral tradition, and matrilineal kinship system in practice in the hills. I had the longest and most extensive interviews with Mrs. Rynjah, who even in her old age remains enthusiastic, erudite, and articulate. 2. Mr. Terence Cajee, a retired civil servant and a scholar of Khasi shamanistic practices, guided me through literature on tiger men, and offered several stimulating conversations about anthropology, contemporary Khasi social and political systems, and provided encouraging anecdotes to continue this research. 3. Mr. Tambor Lyngdoh, who is currently in charge of the sacred grove at Mawphlang, is a member of several NGOs working on forest conservation and the environment. He belongs to the priest clan signified by his surname. Mr. Lyngdoh not only gave me access to information about the present day understanding, uses, and meanings of sacred forests but also told me interesting stories about his father who was a traditional healer and his uncle who was a shaman. He chose not to inherit either of those roles offered to descendants before the death of an acting healer or shaman, because as he put it, “it took too much discipline.” 4. Conversations with Dr. Desmond Khatmawphlang (folklorist, poet, and professor at NEHU) yielded several interesting stories about his close association and friendship with the last known shaman and tigerman from the Bhoi district who passed away before my planned trip to interview him. 5. Jairmon Diengdoh, President of the Seng Khasi Kynthei (womens’ wing of the Seng Khasi). The Seng Khasi is an organisation based on a movement of the same name in the late nineteenth century that challenged missionary education and the westernisation of Khasi culture. The sixteen men who founded this movement started schools, a printing press, a newspaper, and organized cultural programs to preserve, nurture, and ‘revive’ Khasi religion and culture. In its present form, the Seng Khasi advocates
narration of oral history, legends and stories unequivocally corroborated the notion of a past alive and active in the present. These interviews conducted in English, would often slip into narratives infused with colonial knowledge forms. Yet, they provided glimpses of impassioned challenges to how societies in the north east are viewed, studied and known. The interviews contained present day histories, but not in the terms described at the start of the introduction; these histories were not dwelling solely on the validity provided by literary-historical standards. The conception of Niam Khasi that transpired in the interviews transcended purely religious understanding and included social, political, and religious dimensions. Although always in a dialogue with other religious philosophies, the understanding of Niam provided a perspective on the experiential and continuous ways of resistances to colonial dominance.

One of recurring themes in both colonial narratives, and local conceptions of the past, is the close relationship between people and their surroundings. As I read and reread the folktales and interview transcriptions, the stories and oral traditions spelled out the necessity of recognizing both categories of colonial and indigenous as insufficient, when understood in isolation. Resistances were embodied within complex forms of thought and in social practices, both centering on landscape and physical location. The beliefs and practices together constitute what I have called narratives of continuity, discussed in greater detail in the last chapter of the dissertation. Narratives of continuity point towards the usefulness of differentiating between space and place in studying the Khasi hills. The north east as a space is defined by physical location, a geographical matrix, a temporal construction, and colonial ordering. Place as a conceptual category offers a more nuanced understanding of how the past is inhered in the present, and provides insights into a post-colonial Khasi identity articulated as continuous with a pre-colonial past.

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*Niam* Khasi- the indigenous religion of the Khasis, and its members include non-converts to Christianity. They also run schools and organise Khasi cultural programs.
In this dissertation, I work with J. E. Malpas’s idea that subjectivities and identities are essentially place bound. Place, he explains, cannot be understood as a physical location, and thus is not interchangeable with space. While spatiality is a product of human intentions, political processes, and social practices, the notion of place describes ways of relating to landscape and environment. This includes human affectivity as much as the ability to effect.\(^\text{36}\) In his words,

> In as much as a place is not to be reduced simply to a region of space, so the identity of any particular place is determined, not in terms of any simple set of parameters, but rather by means of a complex set of factors deriving from the elements encompassed by that place: places are established in relation to a complex of subjective, inter-subjective and objective structures that are inseparably conjoined together within the overarching structure of place as such….natural landscape, pattern of weather and sky, the human ordering of spaces and resources, and also those individual and communal narratives with which the place is imbued.\(^\text{37}\)

This statement demonstrates that a place is itself a product of interaction between human and non-human agents. Additionally, a place produces the possibility to comprehend the self and one’s surroundings. Self conceptions that emerge from being in a place, according to Malpas, are articulated through “embodied, spatialised activity, in terms of the personal and cultural narratives...”\(^\text{38}\) For instance, narratives of continuity that mark Khasi resistance to colonial knowledge systems have emerged out of an experience of place. This experience includes a continuous interaction between inhabitants and the landscape- both natural and spatially ordered. Memories that are sites of resistance to meta-narratives are also a product of the ways of inhabiting a place. Places offer the encounter between the past, present and future, nearness and distance, temporality and spatiality. In this way place embodies time; it can reach back into the years, touching simultaneous epochs and countless days widely separated from one another in time. This is explicated in the relationship between persons, places, and memory.

\(^{36}\) J E Malpas, *Place and Experience: A Philosophical Topography* (New York: Cambridge University Press, 1999), 1

\(^{37}\) Ibid., 185

\(^{38}\) Ibid., 184
Keith Basso, in *Wisdom Sits in Places*, explores places as sites of memory in his study of the Western Apache living in present day east and central Arizona. Their intimate and self-reflexive relationship to the surrounding environment, he suggests, demonstrates how features of natural landscape are wedded to their language through place-names that tell stories, teach moral lessons, and confer wisdom. Place-names for the Apache reference particular events that are remembered via oral traditions to have occurred on physical sites where the Apache lived, thus provide a link – at once historical and alive in the present – between the land, the community, and the shared identities of its members.39 The Western Apache, Basso argues, construct a sense of self and community through contemplation of the narratives that fill the places of their lived experience. The ephemeral nature of contemplation that places evoke as sites of memory, are not socially isolated experiences. The relationship to places are understood and articulated in relation to other people.40

In this dissertation, I build on these reflections of place, memory and identity to ask: how do experiences of place complicate the understandings of imperial spaces, and the location of colonised subjects within the political-economic, civilizational, and racialised frameworks of colonial structures? How is the concept of place as a framework of self-conception, or as a ground for lived experiences and articulating the past, complicated by the hierarchical ordering of people and spaces? How does the gendering of spaces complicate the experience of place? How does an imagined “hyperreal Europe” engage, conflict or get reconciled in the experience of colonized places?

In the following chapters, I read colonial records, imperial geographical narratives, scientific projects, ethnographic studies, and oral sources, to examine imperialism outside its


40 Basso, “Wisdom”, 57
formal boundaries. In examining these local sources, I analyze how lofty historical notions of sovereignty, subjecthood, law, and custom played out in non-British territories that are now part of the India nation state. I have examined colonial records – revenue and topographical surveys; administrative, revenue and judicial reports; and correspondence between British officials at the district and central officials from the legislative and revenue departments. These sources have provided insights on the formulation of colonial sovereignty in the non-British territories, the production of a geographic frontier, and strategies and contingencies of imperialism at the frontier. Additionally, I have looked at a large number of petitions from local authorities and inhabitants of Khasi villages in the offices of the local and district magistrates, or those that made their way into the office of the Viceroy and the House of Commons. These traces demonstrate processes of resistance and accommodation, rejection and adoption of colonial legal discourses. Many of these records fixate on the category of custom, which slowly emerges as a marker of tribal polities. The historical method in the fourth chapter includes separately analysed documentary sources and oral sources. The juxtaposition of the two varied kinds of sources, through the theoretical tools described above provides a hitherto unexplored insight into histories of these hills. Khasi conceptions of the past are embedded in landscape, in social practices, in oral traditions, and in folk tales. I have examined the meanings invested in clusters of stones erected across the hills to demonstrate how the past is physically embodied in the present. I have emphasised that Niam encompassed political, social, and religious meanings. Oral traditions and folk tales are explained in terms prevalent in the hills, to show the mutually imbricated nature of colonial and indigenous knowledge. Embodied in “narratives of continuity” such articulations are explicable using the concept of place.

The following chapter examines the political negotiations between the EIC officials and Khasi Syiem between late eighteenth century and the first half of the nineteenth century. I analyse the different strategies to confine subjects of Khasi polities as “hill tribals”. This chapter
also documents the political resistance against colonial intrusion through spatial strategies and diplomatic connivance. The third chapter analyses colonial spatial reordering of the region as a frontier, and the ways in which these autonomous polities were superseded by a colonial geography. This chapter discusses the tensions that arose due to the persistent failure of colonial boundary making initiatives. The conflict between new and old geographies raised the concern of colonial administrators on jurisdiction in these hills. In the fourth chapter I examine judicial disputes that were arbitrated by the colonial courts in Cherrapoonjee, Sylhet, and Dhaka. Analysing the ideas of law reform and jurisdiction within a plural legal system, I examine colonial formulations of sovereignty in the region. Additionally, this chapter examines succession disputes in Khasi polities. This chapter highlights the reconstitution of custom that occurs with the imposition of new ideas of property and land rights. In the fifth chapter, I return to the question of colonial knowledge by discussing mid-nineteenth century scientific literature including botany, geology, and non-scientific works on grammar, and an overlapping ethnographic discussion in all of these works. Juxtaposing such works with conceptions of the past derived from a complex belief system existent in the hills, I demonstrate the continued resistances to colonial systems of knowledge.

Imperialism operated in the Khasi Jaintia hills by domesticating inhabitants of non-British territories, through processes of knowledge production.41 This knowledge ordered the hills, and incorporated them within the ambit of a colonial frontier space. There was, from the outset, an uneasy coexistence between colonial and local / indigenous knowledge. An analysis of local knowledge in the hills provides insightful critique of colonial oppressive knowledge systems that produced the Khasi “hill tribal”. Building on the idea that the conception of the self and past are constitutive of place, I have viewed the landscape, rivers, forests, rocks, hillocks, as well as roads, military posts, court houses, and churches as active historical agents informing and

constituting subjects in these hills. The relationship between the hills as a place and its inhabitants are found in narratives of continuity. Such narratives do not give centrality to the colonial period, and yet identify it as a moment of rupture. The marginality of the colonial in such conceptions of the past suggests that a colonial state space was unable to annihilate the hills as a place.
Chapter 2

Interrupted Sovereignties in the Colonial Frontiers:

The Khasi-Jaintiah Hills c.1778 – 1874

The north east frontier of the British Empire in South Asia has figured in historiography as a space where the colonial government’s interest was largely economic and occasioned by military suppression. The histories of this region have been marginalized much like the space itself. Imperialism in the north east frontier of the British Empire produced new spatial imaginations and reconstituted the political, social, and cultural landscape. The nature of colonialism in the north east has often been neatly divided into categories of “directly” and “indirectly” ruled territories. This chapter demonstrates that these categories conceal more than they can reveal about the colonial state’s re-constitutive role, its shifting strategies and imperatives. I draw attention to the interconnections between the spatial and political transformation of this region, by examining processes of accommodation and resistance. I examine colonial processes which were both diplomatic and coercive, as well as indigenous responses which included accommodation and resistance. Underlying spatio-political transformations were attempts by the colonial administrators to formulate British sovereignty outside the scope of its territorial control.

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42 See Sanghamitra Mishra, *Becoming*.

43 This includes most historical and non-historical literature on the Khasi Jaintiah hills. Historiography on the Khasi Jaintiah hills often clubs it with Princely States of British India, which does not explain the variegated nature and multiplicity of sovereignties that characterised the colonial frontier.
The changes in the political landscape, most visible in treaties signed from the 1820s onwards, were preceded by decades of colonial correspondence, surveys and accumulation of information that produced the Khasi hills as a frontier territory. In spite of the incorporation of the hills in varying degrees into the imaginative landscape of the British Empire, its inhabitants were characterized as non-British subjects. To understand the complex nature of ruler-subject relations in polities that remained outside the territorial control of the British, the frontier hills are located as sites of contending sovereignties. In the following section I will examine the colonial motives and policies that foregrounded the signing of treaties with rulers of the Khasi polities.

2.1 Interrupted Sovereignties

There were between twenty five and thirty Khasi polities with independently structured judicial and political systems, integrated through similar customs and norms that mutually governed kinship systems and origin myths. The East India Company government signed diplomatic treaties with several of these polities between the 1820s and 30s. There was no singular response to colonialism—trade, alliance, and armed resistance were all aspects of the interaction between the East India Company (EIC) and local authorities. An analysis of these treaties reveals the nature of colonialism in the hills. Additionally, the treaties reveal the early attempts to navigate contesting sovereignties, by the EIC. Congealed within the treaties signed between the EIC and the Khasi chiefs were the terms of colonial subjection of the inhabitants of the several polities located along north and north east of Sylhet, stretching into the hills that connected Bengal with Assam. The treaties were not signed immediately after contact with these polities. The Diwani of Bengal was acquired in 1765 and a little over a decade
later, Sylhet was made into a separate collectorate. In 1778, Robert Lindsay was appointed the first resident collector of Sylhet. Lindsay made a fortune trading in limestone, and regularly engaged with heads of the polities around Sylhet who controlled the mineral and forest resources. By the second decade of the nineteenth century sharply defined concerns to extend and define the agrarian frontier of the Company encouraged drawing formal and contractual diplomatic treaties with Khasi sovereign authorities.

The low ranges of the Himalayas blended into the plains of Sylhet, often making the hills and plains indistinguishable. In this landscape, the practice of shifting cultivation slowly gave way to settled agriculture, with waves of territorialisation from the seventeenth century onwards. The EIC was one of many trading interests in Sylhet in the eighteenth century. The foothills were marked by dynamic market centers like Pandua, where trade was carried out between Khasis, Bengalis, Armenians, English, and Afghan traders. Increasing colonial interest in the hills was further motivated by many factors, such as commercial profitability from the extraction of rich mineral resources, extension of the agrarian frontier in the Sylhet plains, and securing alliances for defensive purposes. Pandua was one among many vibrant market centers in the ambiguous boundary zone that was created to divide the Khasi hills from Sylhet. The EICs first political claim in the region (outside the scope of the Mughal territories that it inherited)

44 Board of Revenue Papers 1782, File no. 11. Serial no 6, Guwahati State Archives (GSA); Also see David Ludden, “The First Boundary of Bangladesh on Sylhet’s Northern Frontiers,” Journal of the Asiatic Society of Bangladesh, 48, 1, (June 2003): 9


was made in a war with Khasi Chiefs and other trading interests in this region in 1788–89. Most European and other traders like Armenians and Afghans sided with the Khasis. Christopher Bayly has alluded to the complex nature of alliances between traders in the north east frontier. He describes the Armenians’ support of British forces in Burma because of religious solidarity with the British, in spite of their economic rivalry in Sylhet. Evidently, solidarities and alliances between trading interests in the region were more complex than driven by motives of commercial profitability alone. The motives outside of colonial economic incentives have been explored later.

Diplomatic alliances with the Khasi-Jaintiah Chiefs were motivated in the first instance because the latter’s monopoly over rich and extensive lime, coal, and timber resources. Early correspondence between the officers of the EIC in Sylhet reveal that in spite of styling the local authorities of the said polities as “petty”, by 1787 the Company’s territorial aims necessitated securing stable relations with them. Robert Lyndsay in his letter to the Board of Revenue in 1787 stated that, “…every chief of a village styles himself Rajah, and has an independent Government within his boundaries….” This letter contained a “particular description of the Cosseahs, the nature of the country they inhabit and their peculiar habits of life.” The report was a response to demands by the Company government on officers appointed in the district to produce information that

47 Gunnel Cederlof, “Fixed”, 518


49 Board of Revenue Papers, 29 December 1787, Nos. 4,6,7,10, GSA

50 Board of Revenue Papers, 29 December 1787, No.10, GSA

51 Board of Revenue Papers, 7 December 1787, No.6, GSA
would help deal with the problem of raids. Crude descriptions of the socio-political
structure and facetious representations of the local authorities in the report demonstrates
that in the late eighteenth century, the Company officials had little knowledge of the
socio-political structure of the numerous polities in territories beyond their immediate
control. Yet, Lyndsay’s correspondence, which contains information on the groups in the
northern frontier of Bengal, is significant as it provides insight into the first colonial
policies in relation to independent tribal states, and the information based upon which the
Company constructed its policies in relation to them. Lindsay wrote,

They are perfectly independent in their ideas—I have often met the Rajahs and
Principle People by appointment, but if it is not upon a footing of perfect equality
they decline the visit. They allowed me no superiority in rank, and are highly
tenacious of their own consequence—During my eleven years in Sylhet, they
never entered the district but twice, in arms, both times it was occasioned by a
supposed indignity to one of their Tribe—men women and children being
indiscriminately put to death. They shewn themselves a barbarous enemy, and for
a short time were formidable most of the Rajas having united in one general
confederacy. Upon the whole they are a good set of people, with Principles far
superior to the inhabitants upon the lowlands.52

This statement demonstrates that commercial, as well as, defensive interests necessitated
the eliminating disruptions caused by what came to be constructed as ‘raids’ into the
Company’s newly acquired and settled agrarian territory. Thus, in addition to accessing
resources from these polities, the Company’s negotiation with the Chiefs and Rajahs in
the region in the last few decades of the eighteenth century was to develop a secure
foundation for their revenue at this agrarian frontier.53 Such motives encouraged officials

52 Board of Revenue Papers, 29 December 1787, No.10, GSA
53 Board of Revenue Papers, 29 December 1789, No.8, GSA

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to harness and emphasise distinctions between “hill tribes” and the “plains people”. Lyndsay had divided the ‘troublesome’ groups at this frontier into three categories—the people in the mountains, the inhabitants of the low country, and a “mixed race between them [Bengalis] and Casseahs”, inhabiting “a tract of the country eight miles broad, extending from the Surma river back to the mountains…a most degenerate people with the vices of both united.” Interestingly, in colonial records over the following decades the Bengali–Khasi ‘mixed race’ people no longer appear, neither are they found in colonial histories of the region, nor in anthropological accounts of Khasis. This was a corresponding result of spatially dividing Khasis as belonging to the hills (non-revenue yielding non-British subjects) and Bengalis to the plains (agricultural, revenue yielding British subjects). These categories are significant because they reveal the complex nature of colonizer–colonized and ruler–subject relations in the frontier.

Along with such categories of differentiation, the delineation of boundaries to mark physical divisions were also deemed significant. The extension of the EIC’s agrarian frontier can be gauged by their efforts to draw a boundary between Pandua and Sunamganj (a town on the Southern banks of river Surma). This was part of the creation of a false and impractical boundary between the hills which were deemed as belonging to the Khasis, and the plains which were identified as Bengali settlement.


55 Board of Revenue Papers, 29 December 1787, No.10, GSA

56 Chapter 2 examines the colonial process of boundary making and geographical knowledge in greater detail.

57 Gunnel Cederlof, Fixed Boundaries…’: 518
has argued against David Ludden’s proposition that the first boundary between the hills and plains can be understood as a modern boundary, in its racial and civilizational logic of distinguishing geographic separation between Khasis and Bengalis. She states that classifications like tribal were not associated with particular landscapes or with racial overtones until later in the nineteenth century. Cederlof insists that terms such as tribe or race were used by colonial officials in late eighteenth and early nineteenth century “in a broad sense to mean community or people.”

Instead, Cederlof claims that these conflicts are more comparable with those in the Brahmaputra valley and the foothills of the Garo hills, where boundary-making operations revealed that the racial division between Garos and Bengalis was subordinate to other priorities of the company. This argument is undergirded by an understanding that classificatory terms, and the construction of racialised social differences was a product of a late nineteenth century “ethnographic state”. As noted in Robert Lyndsay’s early descriptions of the Khasis, and discussed in greater detail below, the association between landscapes and races accompanied the social differentiation between British subjects and non-British subjects as early as late eighteenth century. Additionally, colonial discourse on tribes and the hierarchies between hills and plains people was also a product of locally accumulated knowledge and pre-existing social hierarchies.

Changes in the political landscape in the hills were not a corollary to colonial conquest. Controlling market centers like Pandua was part of the East India Company’s

58 Gunnel Cederlof ‘Fixed Boundaries..’ :518-519
59 Nick Dirks Castes, 125-228
terrestrial aims and required the spatial limits of Khasi sovereignty to be defined. This would ensure the political dominance of the EIC in the Sylhet plains. Robert Lindsay’s efforts to mark the limits of Khasi territory emerged out of the concern of the Company government to check the Khasi incursions into Sylhet. However, Lyndsay’s personal trading interests were also at stake since he was involved in privately trading limestone from the Khasi hills. In order to contain these raids, Robert Lindsay “thought it necessary to detach Lieutenant James Davidson with a 100 men in addition to those already sent in order to reduce them to obedience”. The cause for such anxiety, as it appears from this correspondence, were not only the raids into British territory, but the alliance between villagers in the lowlands (which were part of British territory) and the “hill people”. British efforts at establishing sovereignty in Bengal confronted them with polities where territorial control would not be extended. In order to stabilise their position in the frontier, treaties were signed with the Khasi Chiefs and distinctions were constructed between the inhabitants of the Sylhet plains and Khasi hills. Such distinctions between hills and plains failed in the event of “raids” when old socio-political alliances were apparent.

Lieutenant Davidson’s report on the condition of the raided villages, presented to the Board an account of the deplorable condition of famine-struck lowland villagers. The famine, he wrote, was the cause of raids, but also pointed out that he held Khasis from the hills responsible. He wrote, “...The Cassies are retired to the mountains with the plunder they carried off; in order to retaliate in some measure I burned two of their villages and

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60 Board of revenue papers 1782, File no. 8 Serial No. 3; Board of Revenue Papers 1783 file no 12 Serial No. 2; Board of Revenue Papers, 9th November 1787, No.13, GSA

61 Board of Revenue Papers, 27th November 1787, No. 33, GSA

62 Board of Revenue Papers, 9th November 1787, No.13, GSA
drove off a few head of cattle.”

The Board of Revenue requested Lyndsay to provide “…a particular description of the Cosseahs the nature of the country they inhabit and their peculiar habits of life, …whether they might not be induced by lenient measures to conform, in an orderly manner, to regular Government…” Lindsay’s report described the Khasis as “hills people” distinct in race, religion, and social conduct from the Hindu landholding caste communities and Muslim peasant subjects of British territories. Once again, this demonstrates that such distinctions were imbued with stereotypes informed by locally acquired ideas and garnered to ease the spatial reorganization of British and non-British territory and subjects. Interestingly, one of the suggestions made by the Board of Revenue to mitigate the animosity as a result of famine had also affected the Khasis—the primary suggestion that was made, was to introduce diplomatic intercourse for “the introduction of an influence that may prevent the disorders which now subside there…”.

Another example from the late eighteenth century shows colonial interests generating spatial divisions was around the river Surma. In the April of 1789, the Board of Revenue passed resolutions that clearly defined their aims and anxieties in relation to the Khasi hills and Sylhet frontier. The new Collector of Sylhet, John Willis, was instructed “to proceed in the Hustabood of his district and finally to settle the boundaries between Sylhet and the Cosseah country… That he take every measure to convince the Cosseahs of the Justness of Government’s title … and to bring the several points in

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63 Board of Revenue Papers, 27th November 1787, No.36, GSA
64 Board of Revenue Papers, January 1787, no.6, GSA
65 Board of Revenue Papers, January 1788, No.4 GSA
dispute to an amicable adjustment and to be careful not to make use of force except in cases of absolute necessity”. 66 This resolution shows the strategic use of diplomatic negotiations with the Chiefs as a way to overcome the interruptions to sovereignty in the frontier of Bengal.

The job of the Collector was to clarify the nature of land in Sylhet, particularly closer to the Khasi territories. This arose due to a dispute between landholders in Sylhet and a Khasi chief who also held lands in Sylhet. It was found upon enquiry that the said Khasi, Syiem Gunga Sing, had possession of the land in Sylhet before the Company acquired Diwani, and this prevented the company from directly annexing that land. The Company seemed willing to forsake the revenue from those lands, especially since “revenue to be expected therefrom would not be equal to the expense of military force which it might be necessary to keep up on that frontier in order to defend it from occasional inroads which Gunga Sing and his adherents might make in view to plunder the country and distress the inhabitants”. 67 What it was unable to contend with was the regular “attacks” on merchants and trading boats that traversed the river Surma by Gunga Sing’s men. Hence, the Company resolved to support Aboo Sing in his quest to acquire the territory under the control of Gunga Sing. An agreement was signed with the former which essentially laid down that the Company will “not interfere to prevent his taking possession of the country of Gunga Sing”, provided he agreed to certain conditions. 68

Most importantly, the Company sought to eliminate the challenge to their authority in the

66 Board of Revenue Papers, April 1789, no.8, GSA

67 Board of Revenue Papers, April 1789, no.8, GSA

68 Board of Revenue Papers, April 1789, no.8, GSA
region, as represented by Gunga Sing. Aboo Sing, by signing an agreement with the Company, agreed to “apprehend Gunga Sing and to deliver him over to the collector of Sylhet…” for murder charges. Moreover, he was given responsibility to look over the safe passage of merchants and traders navigating the river Surma and just like Gunga Sing, if anyone challenged the rights of the company by extracting money or taxes in the region, Aboo Sing would hand them over to the collector of Sylhet.  

It has been recently argued by scholars like Gunnel Cederlof that the East India Company’s role as a State was compromised by its primary role as a commercial enterprise and shaped the type of polity that was established in the conquered territories of the north eastern frontier. She states:

Using the Mughal fiscal institution as a means by which to access revenue and to control, the fiscal relationship based primarily on land ownership became the link of communication between ruler and subject. However, this took place in a situation where the EIC was first and foremost accountable to shareholders in Europe and not to the population of Bengal. Thus the emerging polity was partly founded on a form of fiscal subjecthood, later turning into what may be termed a fiscal citizenship.

However, the nature of relations between the Khasi Chiefs and the East India Company demonstrates different colonial incentives, not purely based on an extractive revenue economy. Ruler–subject relations in these polities did not directly correspond with Company interests in land revenue. Towards the close of the eighteenth century, securing and stabilizing the agrarian settlements of Bengal and delineating its agrarian frontier became significant concerns. This, in effect, produced further concerns to

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69 Board of Revenue Papers, April 1789, no.8, GSA

70 Gunnel Cederlof, “Fixed Boundaries”, 515

71 Chapter Four demonstrates that from the mid-nineteenth century, notions around property became significant in articulating British sovereignty.
formulate formal relations with Khasi and Jaintiah authorities as the political climate changed in the early decades of the nineteenth century.

The Company claimed a measured distance from Khasi political, social, customary, and religious aspects. This was unlike its role vis-à-vis territories it sought to administer directly. The company was not an extension of the British government but in reality acted the part. It waged wars, laid down boundaries, and asserted itself as a sovereign power which was based on a dual source, as Sudipta Sen has argued. The first source was the charter from the British Crown and Parliament and the second included collective charters that the Mughal Emperor had bestowed on the Company.\(^\text{72}\) The political intentions of the Company transpired in the treaties signed with the Bengal Nabobs and with the acquisition of Diwani, an administrative role that further validated the sovereign status of the company. Although shaky and premature in the first half of the eighteenth century, by the end of the second half and more clearly by the first few decades of the nineteenth century, the EIC had assumed the appearance of a substantive body politic.\(^\text{73}\) In the political environment that was generated in the north east frontier in the early decades of the nineteenth century using contingent political measures and efforts to stabilize its presence in the unknown and unfamiliar territories that lay beyond previous Mughal acquisitions of Bengal, the EIC worked with a framework aimed at solidifying, extending, and exerting its role as a governing body and territorial sovereign


\(^{73}\) Ibid., xx
“through their own idioms of royalty and subject hood”, and at the same time attempting “to make the foundations of British political supremacy legible” to its subjects.  

The colonial presence in the Khasi hills presents several paradoxical aspects of colonial discourse and policy. The hills were deemed outside of the civilizational bounds of plains societies, or regions that had been under the Mughal Empire or its titular rulers. Yet, nestled in the hills were British sanatoriums, headquarters, and cantonments, for its salubrious climate and the political disposition of certain Chiefs. For instance, a sanatorium in the polity of Nongkhlaw for European officers was one of the earliest colonial establishments. This made the hills at once a part of the colony, while its inhabitants were split into British and non-British subjects. The hills were never conquered, yet the lands belonging to Khasi polities in the plains were annexed, such as important centers like Bulagunj Theriaghat, Jaintiahpore, and other territories north of the Surma River. Among pockets in the hills, Nongkhlaw, through which one of the few lines of communication between Assam and Sylhet passed, was chosen as the site for a colonial official Bungalow. Roads connecting the Sylhet plains to the frontier further east were being transformed from rudimentary forms to enable the passage of troops. This was done by political arrangements made with of Chiefs of polities through which the road would pass. Nongkhlaw was considered a major polity and one of the earliest treaties was signed with the Syiem of Nongkhlaw, Tirot Singh.

74 ibid, xxiv
75 Foreign Department Political Branch , 18 April 1829, no.56, National Archives India (NAI)
76 Foreign Political, 18 April 1829, no.54, NAI
77 Foreign Political, 24 January 1829, no.36, NAI
Forging secure relationships with the Chiefs and local rulers was a significant strategy that framed the EIC Government’s policies in the North East Frontier. Interactions between EIC and local Chiefs, especially those of polities that extended into the plains, were recorded from the time of the establishment of Sylhet, as noted earlier. Starting in the 1820s, however, the interactions and agreements were formalized and legalized. The Anglo-Burmese War (1824-26) created the larger political context during which several changes were effected in the region. Assam had to be secured by the British in order to keep the frontier and its possessions around it safe. Succession disputes and bankruptcy of the Ahom Dynasty invited Burmese intervention. The Burmese military had advanced far into Manipur and the Brahmaputra Valley by the early 1820s.78 The EIC Government of Bengal was anxious about defending their frontier, but remained cautious by supporting a certain dynastic faction of the Ahom ruling elite to gather strength and arms against the Burmese. By the end of 1823, British anxieties over Burmese intentions in the region peaked and they were convinced that Burma would attack British territories. David Scott, then the Magistrate of Rangpur, was one of the most important advocates who pressurized the Bengal government to discontinue their policy of ‘non-intervention’ in this frontier. Cachar and the Kingdom of Jaintiah were brought under the Company’s direct administration. After limiting the powers of the Jaintiah Rajah and having secured his allegiance, it became imminent that Assam be completely secured.

The British declared war on the Kingdom of Ava in March 1924, although offensives against Burmese incursions into Cachar had begun earlier in the year. The war

was fought on three fronts: Assam, Arrakan, and Rangoon. Within a year of the formal declaration of war by the British, the Burmese capitulated in Assam. The treaty of Yandabo was signed with Burma in 1826, which consolidated British dominance in the north eastern front of the empire. Assam was integrated into the British Empire, but the threat of Burmese interests in Assam and their alliance with the Chiefs and native rulers remained a cause of anxiety for the Company. Two more confrontations with the Kingdom of Ava partly dictated British motives and policies in the region. The significance of the acquisition of Assam is reflected in the following statement by Francis Jenkins, Agent to the Governor General in the North East Frontier from 1834. He wrote:

> It will be universally allowed by everyone who has had a tolerable acquaintance with Assam that in natural advantage of soil, climate, means of communication and position it is in no way inferior to the finest provinces of British India and it is evident from history tradition and the remnants of the works of the former dynasties that it has supported a very dense population, a fact which affords a presumption that the people were on the whole happily governed…Since the full occupation of it by us, upwards of eight years have elapsed in uninterrupted peace and there seems to be but too good reason to suppose that the numbers of the people have at least not increased nor their condition been improved. Some of the circumstances which have unfortunately produced this result of administration are it is believed mentioned in the accompanying documents and it is to be hoped that they also afford suggestions which will enable Government to adopt some measures towards the gradual restoration of the prosperity of Assam.  

After being appointed first Agent of the Governor General in the North East Frontier, David Scott initiated a careful and limited intervention in the frontier territories, which had been independent of Bengal’s administration. On succeeding Scott, Francis Jenkins introduced a new approach in colonial policies with regard to the hill polities. Individual agreements of a commercial nature evolved into treaties that recognized the authority of the colonial government to establish colonial pockets, build further circuits of

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79 Foreign Political, 11th February 1835, no.90, NAI
communication, construct buildings, and so on. The process of colonialism in the hills, therefore, cannot be understood as annexation by a foreign power, domination by an invading authority, or as historiographically noted semi-independence or indirect rule.80

The hills were integrated into a colonial geography that served imperial interests. This was done through cartography, construction of roads, deployment of military contingents, and integrating more and more of the region under the colonial revenue framework—whether through direct revenue collections or through tribute from local authorities. The East India Company’s bureaucratic and military expansion was a simultaneous process, such that defying the bounds of the term ‘encounter’, a significantly layered face of colonialism emerges that counted among its merits an uncanny simultaneity in its governmental and imperialist approach in the Khasi hills. The Khasi hills were never wholly integrated into a revenue collection network, although they were absorbed into the imperial political economy. The first step to this integration was the signing of treaties, dubbed as diplomatic and non-coercive, which made colonialism in the hills appear, in colonial discourse and history mild and “indirect”.

The treaties were signed on unequal terms and often under coercive conditions. After the first treaty was signed with Tirot Singh, events unfolded that changed the Company’s outlook and approach towards the hill polities. The severity of changes in the hills was resisted through armed rebellion, which in turn exacerbated the violence of colonialism. The following section elaborates the nature of the treaties signed and conditions they were signed under.

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80 This is an idea found in colonial historical accounts and later adopted by most historians as a useful category to understand the nature of colonialism in the hills.
2.2 Containing Territory, Repressing Resistance

2.2.1 Khasi Hills

I have already noted that a regulatory boundary between the Khasi states and the company territories was put in place after a conflict over a market town at the foothills north west of Sylhet in late eighteenth century. This boundary dotted the landscape with forts that prevented the free movement of Khasi inhabitants and was aimed at creating a physical obstruction to raids. The Company sought to keep in check the free trade that drew European interest, by introducing a system of leases on the rich deposits of limestone and coal. These were signed between the Syiems of the Khasi polities and the Company, as well as with private trading interests. Following the first treaty signed with the Jaintia Rajah in 1824, Khasi polities of Cherrapoonjee (Sorah) and Nongkhlaw signed treaties with the Company. David Scott, the Agent of the Governor General in the North East Frontier, was at the forefront of these initial treaties. Correspondence through the 1820s between David Scott and the Chief Secretary show that, in addition to commercial interests, the need to defend old and new possessions of the Company necessitated developing an infrastructure of roads through the landscape to enable easy passage of troops and more defensive posts along strategic points. Pemberton’s statement demonstrates the motives and concerns underlying anxieties of the Company government towards improving communication networks. He wrote:

When the fate of the war had transferred Assam to British rule, the expediency of endeavouring to open a direct communication between it and the more Southern provinces of Sylhet and Cachar, was not likely to escape the penetration of Mr. Scott; and his march through Jynteeah territory in 1824, to which allusion has
been already made, afforded a striking practical proof of the value of such lines of intercourse between the remote districts of our eastern frontier. 81

The 1820s were an important decade in the history of the north east frontier polities of Bengal. Treaties between and Company and the Chiefs of the polities produced of a new spatial order that further facilitated the reconstitution of notions of sovereignty and authority. The new roads being built by the Company performed the dual function of facilitating the movement of troops necessary for both containing non British territories and defending the acquired territories. The manifestation of such overlapping processes can be first evinced in David Scott’s enforcement of Regulation X of 1822, which aimed at controlling and regulating ‘Garrow eruptions’ in the Garo Hills further west of the Khasi hills, alongside extending the Company controlled agricultural frontier.82

Similarly, multiple motives underlay Scott’s plans to build roads across the non-British territories of the Khasi and Jaintiah hills. He toured the hills in the early years of the 1820s, making formal and informal negotiations that would in a few years turn sour with most of the Syiems. One among many roads was to be constructed connecting Pandua in the foothills and Barduar in Assam that would pass through the Khasi polities of Nongkhlaw and Cherrapoonjee. The building of this road through several Khasi polities and diplomatic negotiations gone awry led to a decade of multiple rebellions in the hills against the EIC. The Company’s responses to the rebellions and its reproduction in colonial narratives as an ‘event’ demonstrate the simultaneity of colonial articulations of


sovereignty and territorialism on the one hand and a production of knowledge on non-revenue yielding non-British ‘hill tribals’ on the other.

Following an agreement with the Syiem of Nongkhlaw Tirot Sing, the construction of a road connecting Bengal and Assam was started in 1826. Company officials Lieutenant Bedingfield and Captain Burlton who had been part of geographical surveys and explorations were stationed at Nongkhlaw to supervise the construction of this road. In April 1829 they were attacked and killed by inhabitants of Nongkhlaw led by Syiem Tirot Singh. Lieutenant Bedingfield was killed in Nongkhlaw at his residence and Lieutenant Burlton along with the soldiers that accompanied him was killed as they were escaping en-route to Guwahati. David Scott, who was at the helm of colonial decision-making in the region and responsible for negotiations with Chiefs, escaped the attack. With the news of the attack the Company Government sent a detachment of the Rangpur Light infantry under Captain A. White from Guwahati in Assam, and the Sylhet Light Infantry from Bengal. This was among the first steps towards politically subjugating the Khasi polities, thinly veiled as retaliation against armed rebellion.

The Nongkhlaw Massacre is the descriptive term in colonial accounts for what has been described above. In the following pages, I have examined the resistance to colonial intrusion in the hills and in particular the rebellions that started in 1829 as a ‘non-event’. Such an analysis provides tools for deconstructing the motives of the

83 References to the two men are found in geographical accounts of surveys and explorations in the 1820s discussed in the next chapter.

84 Notwithstanding small variations, this narrative is found in colonial reports, gazetteers, official histories and later secondary sources that account this incident. These include reports by Pemberton, AJM Mills, W J Allen referred to earlier, as well as books published by colonial officials E A Gait and Alexander Mackenzie, and present day historians like David Syiemlieh among others.

85 Pemberton, Report, 233
Company in areas outside its political control. Also, contextualizing the signing of treaties amidst resistances and military oppression demonstrates that the so called diplomatic relations were not so straight forward.

Tirot Singh (Syiem of Nongkhlaw), Bor Manik (Syiem of Myliem and formerly Syiem of Shillong), and Zubbar Singh (Syiem of Rambrai) led armed resistances against the Company. The violence with which resistance in the hills was suppressed contributed significantly to the reconstitution of the political landscape. David Scott’s initial response was to offer indemnity to the Chiefs in exchange of submission. The response he received from different Chiefs marked differentiated policies and defined the long term relations with the respective Khasi polities from the 1830s onwards. In the treaties that were signed and revised following this event, through intimidation and manipulation the Khasi Chiefs surrendered most of their rights in mineral resources, while their political authority was limited in engagement with new jurisdiction imposed in the hills.

What has escaped historical analysis is that a treaty had been signed between Tirot Sing and David Scott in 1826. In this agreement, the Syiem agreed to comply with Scott’s request for unrestricted passage for troops to pass between Assam and Sylhet. He had also agreed to furnish materials required for the construction of the road on payment, and to keep the road in repair after its completion. He agreed to “serve with his followers”, “to rule his subjects according to the rules of his country”, and carry out

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86 In the 1930s the polity of Hima Shyllong under Bor Manik who had surrendered to the Company after its offensive against Tirot Singh and his allies, was split into two. Myliem and Khyrim were the two new polities that were formed and forged diplomatic relations with the Company government with the signing of treaties that imposed similar clauses as in the case of Nongkhlaw. As it emerged in the search for Tirot Singh and his capture, Khyrim assumed a favourable position whereas in the latter part of the decade, Myliem, after the death of Bor Manik, became a closer ally of the colonial government.
public business “according to ancient customs, without the interference of the British Government”. What prompted Tirot Singh to lead an armed revolt against a stronger military opponent, and diplomatic ally? The analysis of the insurgency and consciousness of this rebellion and the many more that occurred in spurts throughout the decade is beyond the scope of this chapter. The section continues its focus on a rereading and analysis of the rebellions and demonstrates two things. First, it argues that the nature of the East India Company’s role in the frontier hills by the 1820s had developed into far more than a mercantile body with administrative functions. The attention of the colonial office in Bengal, as well as, the Colonial headquarters in London was drawn to these hills, where ‘bow and arrow’ rebellion was followed by profound changes in political relationship with the Khasi polities. As well, the importance of the representations of this event and its hero Tirot Singh gives important insights into the relationship between history, memory, and identity.

Bor Manik was captured and imprisoned in 1830, and thereafter released and coerced into an agreement with the EIC. As per the agreement he ceded a stretch of land south of the Umiam river, rescinded his claim over Desh Dumaria in the foothills, and paid rupees 5000 as a fine for his “recalcitrance”. He had to agree to help the company authorities in capturing Tirot Singh. Similar coercive agreements were signed

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88 For an analysis reading the colonial archives against the grain for access to the consciousness of the subaltern subject see Ranajit Guha, *Elementary Aspects of Peasant Insurgency*, (USA: Duke University Press, 1999)

89 Aitchison, *Treaties*, 131
with other Syiems including rebel leaders Lar Singh of Myriaw and Zubbar Singh. The terms of complete subjection and humiliation are captured in an agreement signed between the Company and the Syiem of Mowsunram Poonjee. The agreement noted:

My village having been burnt down on the part of the British Government, and now being a waste, I hereby acknowledge my submission to the government, and furnish this agreement, with the object of again settling on the spot, to the effect that I and my people will rebuild and reoccupy the village as subjects of the Government, and will obey such orders as you may, from time to time, issue on us.

In about a year from the first attack on the colonial officials and their soldiers in Nongkhlaw, several Khasi polities were brought under colonial dominance through new and revised treaties, such as Nongkhlaw, Mylliem, Rambrai, Mawmluh, Mawsmai, Suparpunji, and Byrong on the Southern fringe of the hills. Tirot Singh and his followers remained hidden in the forested hills and planned and conducted attacks on Company sepoys or European travelers passing through the roads. In the meanwhile, the formerly rebellious Syiems were reinstated to their Chieftaincies with a new imposition by the EIC government in the form of Sanads. Sanads undercut the sovereignty of the Khasi polities by giving the EIC the right to sanction its rulers and giving them the upper hand in elaborating the rights of the ruling Chiefs by placing limitations to authority. The restored Syiems became liable for treason if they showed any form of opposition to the Company government, and their juridical powers were limited to exclude administration.

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90 C U Aitchison, Treaties, 127-132
91 C U Aitchison, Treaties, 133
92 David Syiemlieh, British Administration in Meghalaya: Policy and Pattern, (New Delhi: Heritage Publishers), 48
of justice for criminal offences, assumed by the Political Agent who was made
Magistrate.

Tirot Singh and his followers eluded the Company’s forces until January 1833,
when following failed negotiations for the reinstatement of his Syiemship; he surrendered
ceremoniously in the company of his followers. The second treaty signed with
Nongkhlaw on 29 March 1834 placed it formally under Company control while nine year
old Rujjum Singh acceded as Syiem. Captain Francis Jenkins succeeded David Scott as
Agent of the Governor General and the new agreement was signed between the two new
successors. This agreement stated in plain language that the new Syiem had been
appointed by the Company Government and for all practical purposes Nongkhlaw was
converted into a Company possession, although it was classified as a dependent territory.
According to the agreement, the new Syiem placed “no objection to land being taken up
by the Honorable Company for the purpose of making a road in any direction chosen
between Zillah Sylhet and the plains or low lands of Assam…” or “…to bridges,
bungalows of sorts, store rooms, fortifications, and stockades for sepoys being built
…wherever it may be deemed expedient to select sites for them.” 93 He agreed to furnish
laborers, and any material for the construction of roads and buildings. The Syiem also
assumed responsibility not only for providing shelter and pasturage for the Company’s
cattle but also for any losses of these animals. Criminals or convicts from the Company’s
territories that sought refuge in Nongkhlaw were to be surrendered to the Company
police. The Syiem attested to the payment of fines if he or his Muntris did anything in
contravention to the articles in the agreement. The British would pay the Syiem a

93 C U Aitchinson, Treaties,137-138
monthly stipend of rupees 30 for a year to “enable the people of the country to settle
down again in it comfortably without being pressed for any demand”.94 Francis Jenkins
felt that the most effective means of punishing the formerly rebellious Khasi chiefs was
to impose fines.95 The imposition of fines would, however, be limited to certain chiefs to
ensure that such an act did not “injuriously affect the reputation of the British
Government…”96 The payment of fine would also ensure that at least some of the Khasi
policies assumed the dominant political authority of the Company.

Correspondence between colonial officials at the local and central level of
administration was the platform where decisions were made, and treaties only formalized
the subjection of Chiefs to colonial rule on terms dictated by the Company officers. In a
letter from David Scott to General Swinton, the territories that had rebelled alongside
Nongkhlaw were to be “held under Sunads granted by the Government…the Chiefs
would be amenable for treason for resistance to our authority and… liable for removal in
the case of continued oppression…”, and a new successor would be elected “subject to
the approval of the Governor General”.97 The political landscape of the hills was
reconstituted on the ground as the British assumed direct control of some villages in
Mylliem and control over the station of Cherra was intensified. Bor Manik’s authority
was restricted to Mylliem and to the “tract situated to the East and South of the Omiyoug
river”, “the place was occupied by our troops”, and a “stipulation [was] made with the

94 C U Aitchinson, Treaties, 137-138
95 Foreign Political, 27 May 1834, no.78, NAI
96 Foreign Political, 22 May 1834, no.83, NAI
97 Foreign Political, 9th April 1830, No.49-50, NAI
inhabitants [of conquered villages]…they should not be placed under the mercy of their former Chiefs but remain subject to the government”.

These letters also reflect the ways in which the Company sought to use the newly acquired territories— for setting up cantonment, and introducing cash crop agriculture and for cattle pastures.

In Nongkhlaw Rujjum Singh, a young heir of the former Syiem was restored as Chief. Once again land and villages previously under the authority of the Syiem of Nongkhlaw was redistributed. Spearheading the reorganising of political landscape David Scott wrote,

> From the territory to be restored to Rujjum Sing I would except certain villages lying to the westward of a line drawn north from a remarkable hill called the Okhillong and I would recommended that the tract should be granted to the Khala Rajah who has been of considerable service thorough out the hostilities in the hills and whose communication with his low land possessions would be much facilitated cession in question.

Troops continued to police Nongkhlaw, because as Scott’s letter attested the resistance was not completely subdued. Small military units continued to be attacked along the roads connecting Assam. David Scott’s efforts to put an end to continued “eruptions” in the hills that were eventually translated in policy is clearly stated in a letter to General Swinton, Chief Secretary to Government. He states that “… there is but one way of putting a stop to these outrages … that of holding responsible for the discovery and arrest of the offenders the Cossyas through whose lands they may have descended to commit

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98 Foreign Political, 9th April 1830, No.49-50,NAI

99 Ibid.

100 Ibid.

101 Ibid.
the trespass…” 102 In the same letter he wrote that Khasi Chiefs had been warned by him of terrible consequences of “permitting the outlaws who commit these depredations to pass through their territories.” 103 He also requested the sanction of the government at the central level of “adopting in concurrence with the Magistrate a plan heretofore successfully pursued in such cases in Sylhet, viz., that of stopping the Markets at which the mountaineers are supplied…” 104 This became a recurrent strategy used by the colonial government in containing and repressing the inhabitants of the mountains in cases of rebellions and resistances in decades to follow.

Descriptions of insurgents also describe the brutally coercive ways in which the resistance to colonialism was subjugated. For instance Tirot Sing’s close ally U Mon Bot identified as “Meen Bhut or Jhum Bhat or Mun Bhut”, although found to not have been involved in the murder of the two Company officials received a severe punishment. Scott wrote about him, “… [his] village was burned and he of course joined the insurgents. He has been concerned in the various plundering excursions into the plains attended with bloodshed and murder but he has never been guilty of the cold blooded murder of individuals who have fallen… like Mookhim sing the Chief of Moosmya... Mun Bhut only puts the sepoys to death as he considers them as those who seek to destroy him.” 105

The identification of the many rebels and rebel leaders with nuanced motives and as historical and political actors has been overshadowed by colonial narratives that

102 Ibid.
103 Ibid.
104 Ibid.
105 Ibid.
represented the rebellions as a localized and eventually contained problem. This is most
evident in colonial representation of Nongkhlaw massacre as the defining moment of
Khasi resistance and the corresponding ‘lone hero’ narrative that focuses on Tirot Sing as
the hero of the resistance.

The foreign department records from the early decades of the nineteenth century
provide sufficient evidence that the Nongkhlaw Massacre was not an isolated “event”. At
the same time sustained efforts at resisting colonial advances, especially those starting
with the Nongkhlaw Massacre, were constitutive to the nature of colonialism in the hills.
As early as 1831 David Scott had understood that “…there is little reason to expect that
the greater body of Cossayas will make their submission…” 106 Pemberton’s account, the
first colonial report documenting the rebellions also indicates the dispersed and persistent
nature of the rebellions. He wrote, “Captain Lister, commanding the Sylhet light
infantry, with a mere handful of men, drove the Khasis from post to post, stormed their
entrenchments, penetrated into their caves and by the rapidity of his movements, and the
boldness of his assaults, so completely destroyed the confidence in their own prowess
with which they had commenced the contest, that they latterly confined themselves to
attacks upon small parties of five or six individuals for whom they lay in ambush, and
rarely ventured to contend openly with any detachment, however inferior to them in
numbers.” 107

The new notions of sovereignty that underscored the treaties, diplomatic
negotiations and spatial ordering imposed on the region produced resistances that cannot

106 Foreign Political, 20 May 1831, no.35, NAI

107 Pemberton, Report, 225
be contained in the narrative of the Nongkhlaw Massacre. In 1834 Lal Chand the abdicated Rajah of Pandua currently controlling the area known as Ramrye led an offensive against the British. The investigative record referred to in the correspondence between the Magistrate of Sylhet and David Scott also held him responsible for the murder of Zubbar Singh who had taken part in the insurrection along with Tirot Singh. Lal Chand and his followers attacked Company controlled territory in the plains in which “22 British subjects were killed” and “44 were carried away in captivity.” The letter from the Magistrate in Sylhet stated that British authorities were been unable to identify the insurgents but based on “the description given of their arrows and two handed swords it is obvious to infer that the Cossayahs of the higher hills were amongst them…” led by Lal Chand. They were referred to as an “invading force” that destroyed the police station and revenue papers and went back into the hills. The investigative record indicated that a lot of the information was based on conjecture. For instance the Magistrate wrote that, “The amount of the invading force has been estimated variously from 150-200 men. Other reports make it amount to 2000 but I should think the first number to be nearer the truth.” 108 This correspondence between local officers and the Secretary to the Governor General reiterates the need to “reoccupy the districts”. The immediate response was to redirect forces stationed at Nongkhlaw and on its way to Goalpara, to secure Lal Chand from one direction while another detachment was instructed to attack from the plains. 109 This was one among many instances of disputes between the Company authorities and the local authorities in the frontier. The burning of the police station and revenue papers

108 Foreign Political 11th Feb 1831 No. 26-32, NAI

109 Ibid.
clearly indicated the motives of the ‘invading force’. At the same time, of it were true that Lal Chand as responsible for Syiem Zubbar Sing, it is clear that unlike his predecessor the new Syiem of Ramrye (Rambrai) was not keen on oppressive terms of the treaty. The last of the Syiems to give up his fight against the Company was Sngap Singh of Maharam who signed a treaty in 1839 both offensive and unjust, like the many other Syiems across the hills.\textsuperscript{110}

The Nongkhlaw Massacre as an event was assimilated into colonial narratives including reports starting from Pemberton in the 1830s, W.J. Allen and A.J.M. Mills in the 1850s, up to E. A. Gait’s historical account of Assam in 1905. Prathama Banerjee in her study of the Santhal Hul in the mid-nineteenth century studies the multiple ways the unfamiliar was made sense of: by creating an event, giving it a cause and a structure, and therefore by containing it first with might, and then in more nuanced ways.\textsuperscript{111}

Historiography on the Khasi hills drawing uncritically from the colonial history of ‘events’ has recounted “the experience of insurgency merely as a history of events without a subject.”\textsuperscript{112} The recovery of the ‘insurgent’ as political subjects needs to be complicated further by examining what functions and of what symbolic value several historical figures have occupied in historiography and in people’s historical imagination.

Edward Gait, an ICS officer and celebrated historian of Assam in his book \textit{A History of Assam} (1906) drew from colonial reports and historical narratives and wrote about the Nongkhlaw Massacre as an event -the descriptive moment of Khasi rebellion.

\textsuperscript{110} C U Aitchison, \textit{Treaties},144-145

\textsuperscript{111} Prathama Bannerjee, \textit{The Politics of Time: Primitives and history-writing in a colonial society}, (New Delhi: Oxford University Press, 2006)

\textsuperscript{112}Ranajit Guha, \textit{Elementary}, 11
He found causality in “the foolish boast of a Bengali peon, who in a quarrel taunted them [the Khasis] with the prospect of subjugation and taxation as soon as the road should be completed…” The retaliation to company’s military domination was described as “counter raids” and the problem was contained when the Chiefs and their followers “…were eventually overborne; and after, suffering frequent defeats, one chief after another made his submission…” He contributed to the narrative of indirect rule by maintaining that “…the Chiefs were allowed to retain a large measure of independence; but they had to submit to the general control of a Political Agent who was thenceforth stationed in the hills and dealt with all serious cases of a criminal nature. They also had to agree to the construction of roads, bridges and roadside bungalows as might be necessary.”

Gait’s account is exemplary of the colonial narrative processes that accompanied material containment of the hills and its inhabitants. The over-a-century-old trope of raids persisted in colonial histories written in the twentieth century. However, unlike reports from the late eighteenth century which acknowledged the political and sovereign status of the Chiefs of the Khasi polities, by the turn of the twentieth century the nature of the relationship between the Colonial State and the Khasi polities had transformed completely.

Unlike Gait’s view of the resistance as a naïve response to a “foolish” provocation, a much more recent interpretation of the event documented by a Khasi historian Helen Giri in her book The Khasis Under British Rule: 1824-1947 published in 1998 invokes a nascent Khasi nationalism or patriotism. According to Helen Giri, “[t]he

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114 This is examined in detail in Chapter 3
interference of English in the territories of Tirot Singh in the plains, the treachery of David Scott in helping the Rajah of Rani against Tirot Singh, the misbehaviour of the English soldiers towards the women and children, all these were insurmountable abuses which were well-nigh intolerable to the people. To restore the honour of the people was to drive the English bag and baggage, just as they had come, they should also go. This meant war.”

This representation resonates with colonial interpretation in obvious ways. Giri and other historians who have documented this moment in Khasi history have made use of the Nongkhlaw Massacre as the definitive event, and Tirot Singh as a lone hero, of anti-colonial resistance in the hills. Such historical interpretations serve a nationalist agenda that seek to incorporate the history of the Khasi Jaintiah hills as part of the history of the nation. Most of these political histories offer a narrow perspective of the differentiated nature of colonialism in the hills and resistance to colonialism.

The history of Khasi resistance has its significance in the oral traditions of a people for whom and of whom most history has been reconstructed using colonial records and literature. Struggles against the British did not relent even in memory in spite of the oppressive efforts at effacement of a history of subjugation by constructing the narrative of indirect rule. In this respect, the Nongkhlaw Massacre and the following resistance has occupied an importance in the historical memory of Khasis to the present day. It has been represented and accounted as a moment of pride and nostalgia, of memory and identification. A folk song captures perspective of Mon Bot’s wife and is popularly recounted to this day:

O the anguish I have suffered
Because of Mon’s obsession

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No more does he care for the family,  
And the world to me is sad and dreary.  
The thatch is a shambles,  
Our clothes are in tatters,  
For the master is away from here  
Cold the wind that moans  
Around the hut of Mon,  
Furious its moan, rageful its moan  
Through these cracked walls.  
The children cry in fear,  
The women moan in tears  
Where is there not woe?  
Where is there not wailing.  

This folksong reduces the militaristic appeal of the rebellion, and draws attention to the changes in the everyday and the domestic brought about by the rebellion and counter-insurgency attack by the colonial state. This folk song shifts the scene of the resistance much deeper into the village, inside the homes of the insurgent and demonstrates the violent colonial reconstitution of the everyday of the hills inhabitants. This use of this folk song presents a critique of the usual interpretative models and opens up the analysis to include varied socio-historical actors including those inhabitants who were not “insurgents”. The use of an oral source also transcends restrictions of teleological perspectives of history. This point is will be elaborated later in the thesis. This song also emphasises the violence with which the Company made their presence felt, an aspect erased in histories that understand this period as one of indirect rule.

The repression of rebellions through capturing insurgents, burning villages, closing down market centres, and imposing coercive treaties demonstrated the superior military strength and political authority of the colonial state in the hills. Each wave of

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116 The poem has most recently been published in English translation in Nigel Jenkins, *Through the Green Door: Travel Among the Khasis*, (New Delhi: Penguin, 2001):161-162
Company soldiers, each treaty, every new building and roads overpowered the authority of the Syiems and established a duplicate dominant authority. The presence of this authority moulded the hills into a colonial space with corresponding responses on the part of their inhabitants and their conception of place. The relationship between the political and physical landscape and ruler-subject relations was an important implication of transformations in this period. Such changes were also occurring in the corresponding hills termed as the Jaintiah hills, albeit with certain changes.

2.2.2 Jaintiah Hills

The territories under the political authority of the Jaintiah Rajah were part of the same range of hills that formed the bridge and barrier between colonialism and the frontier and extended into the Sylhet plains. The Jaintiah polity was similar in structure to the Khasi polities and had grown in size and influence in the pre-colonial period. Its inhabitants were called Pnar or Synteng and spoke a variant of the “Khasi” dialect. Origin myths, kinship norms and the structural framework of the socio-political system integrated this polity to the rest of the Khasi polities. EIC’s concerns over the control of the river Surma where Jaintiah Rajah Raja Chatra Singh levied tolls on boats of European merchants brought this polity in confrontation. David Syiemlieh has pointed out that Richard Barwell, Chief of the Dacca Council pointed out to the Rajah in clear terms that the Company was the dominant authority in the area. A military contingent was sent to the Sylhet frontier in 1774 and it only took a “one small skirmish on the route and a sharp

117 The particular concerns of the EIC in relation to the Jaintiah Kingdom can be found in E A, Gait, A History, 319; Also, see Board of Revenue Papers, April 1789, no.8, GSA
engagement at Jaintiahpore before the Raja fled to the hills.\textsuperscript{118} The Company was interested in appropriating the lands under the authority of the Jaintia Rajah in the plains. An agreement was signed in June 1774 to settle the dispute between the two authorities. The Rajah was to pay compensation for the losses in revenue to the Company due to the conflict between the forces of the two, and the cost of the expedition, and allow free navigation of the Surma.\textsuperscript{119}

A treaty concluded almost fifty years later set in motion the containment of the Jaintiah polity to the hills while the land in the plains was annexed by the EIC.\textsuperscript{120} The political subordination of the Jaintiah Rajah in the years preceding the war with Burma was also a product of the Company’s anxieties about its own sovereign status. The treaty signed between David Scott and the Ram Singh the Jaintiah Rajah was only a precursor to formal annexation on pretexts of British moral concerns and unethical practices by Jaintia subjects.\textsuperscript{121} Allegiance of Ram Singh, and his military assistance in the event of war with Burma was the focal point of the treaty. This treaty used the pretext of protecting the polity “from external enemies, and to arbitrate any differences that may arise between the Rajah and other States.”\textsuperscript{122}

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\textsuperscript{118} Syiemlieh, \textit{British}, 17
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\textsuperscript{119} Ibid. 17-18
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\textsuperscript{120} Aitchison, \textit{Treaties}: 118-119
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\textsuperscript{121} Examples of alleged kidnapping of British subjects from the Sylhet plains for the purpose of human sacrifice can be found not in official correspondence and in officially produced historical accounts. See R B Pemberton, \textit{Report}: 210-221; also, see Alexander Mackenzie, \textit{History of the Relations of the Government with the Hill Tribes of North East Bengal}, 1884 Reprint. \textit{The North East Frontier of India} (New Delhi: Mittal Publications, 1879): 217-244
\end{flushleft}

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\textsuperscript{122} Aitchison, \textit{Treaties}, 118
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Once the Burmese were successfully defeated and Assam was secured, intentions of imposing taxation on the Jaintiah Rajah’s territory was articulated.\textsuperscript{123} Francis Jenkins suggested that the territory under the Jaintiah Rajah be spilt into two which would undercut his authority and sovereignty of this “petty kingdom”. Under this arrangement the territory in the plains, including the capital, would be annexed by the Company, and inhabitants of the hills would elect a Chief to govern them. This was revised under the orders of the Court of Directors. The Rajah retained control of the hills while the plains were acquiesced to the Company authorities in 1835, with the sanction of the Act XXI of 1836.\textsuperscript{124} The hills placed under the administrative authority of the Political Agent of the Company stationed at Cherrapoonjee in the Khasi Hills and divided into twenty three districts under the authority of headmen called Dolois. The only revenue to be exacted from the hills was the “… annual offering of a male goat from each village, which had been exacted by the Jaintiah Rajah.”\textsuperscript{125}

After the territories in the plains were separated from the hills administratively, surveys classified the lands to account for the revenue it would generate. In a detailed report submitted to the Commissioner of Dacca in 1837, the plains territory was described to have been considered “the property of the State” except for lands categorised under grants made to Brahmins.\textsuperscript{126} Three fourth of the country was recorded as under cultivation while the rest was categorised as “Jungle and Jheel”. One fourth of

\begin{itemize}
\item \textsuperscript{123} Foreign Political, 25 September 1835, No.44, NAI
\item \textsuperscript{124} A J M Mills, \textit{Report on the Khasi and Jaintiah Hills, 1853} (Assam: Secretariat Printing Office 1901): 9
\item \textsuperscript{125} Aitchison, \textit{Treaties}, 83
\item \textsuperscript{126} “Report on the Revenue, villages, population in Jaintiah after British Conquest” prepared by the Revenue Department Government of Bengal, 4\textsuperscript{th} October 1837; Bengal Government Files (BG) 334, GSA
\end{itemize}
the former was given as salary to servants of the state and the remainder paid revenue to the Rajah in kind and “with various other burdens”. Various other revenue recourses of the Rajah’s were described. Reference is made to a system of free labour that every ryot was obliged to provide the Rajah for a period of two or three months in a year. Additionally the report presented a detailed description and calculation of total revenue and the total amount of revenue as reported or calculated from different sources, most depositions by inhabitants, ryots and subjects of the former undivided Jaintiah kingdom calculated at 29027 rupees, was deemed to be an underestimation of the actual amount. The report suggested that only half of the lands were under cultivation and that there was “room for population more than twice the number stated … who might under good management in a few years afford to pay a yearly revenue of nearly one lakh rupees and that on a very light assessment.”

The motivations underlying the breakup of the Jaintiah kingdom into hills and plains territories were largely economic. Yet economic considerations were supplemented by the need to control the hill territories that eluded colonial knowledge systems. Thus, imperial sovereignty was formulated in these frontier hills by extending control in territories that remained outside colonial control. There was also a significant correlation made between colonial imagination of natural divisions of landscape and administrative formulations. In a letter from the commissioner of Sylhet to the Sudder Board of Revenue it was stated that Shat Bank or Seven Reaches, part of the Jaintiah Rajah’s “naturally” belonged to Sylhet. A question of jurisdiction was tied to the division of district administration as well, even when the matter concerned a “small patch of land”. The

127 Ibid.
Jurisdiction of Jaintiah territory in the plains was “annexed to Cachar” the letter expressed that such a jurisdictional unit would not be feasible “looking only at the geographical position of the Country”.\textsuperscript{128} The correspondence between the Board of Revenue and the local officials suggest that the transfer of the lands into proper jurisdictional units was thought to ultimately facilitate administrative ease after formation of settlements in the Jaintiah territory. The letters indicate that there was a general opinion that once Shat Bank was amalgamated into Sylhet and all the laws and regulations of settlement imposed upon it, the same could be extended to the rest of the Jaintiah territory. The Government of Bengal sanctioned the former under Act XXI of 1836.\textsuperscript{129}

The changes instituted in the decades following the annexation of part of the Jaintiah polity involved a profound overhaul in the structures governing the lives of inhabitants of the plains. It is outside the scope of this paper to go into the details of the politico-economic and social over haul of the British occupied and settled parts of the Jaintiah kingdom. However, for the purpose of the argument here, it is suffice to say that records from that period clearly indicate the nature of changes in the political landscape of Bengal’s northern and eastern regions including those polities that were outside the formal and informal reach of Mughal administration. The administrative separation of the hills and plains is indicative of the process of separating British revenue yielding subjects in the plains and non-British non-revenue yielding subjects and categorising the latter as

\textsuperscript{128} From I Lewis, Commissioner of Revenue, Sylhet to the Secretary to the Sudder Board of Revenue, Fort William, 23\textsuperscript{rd} June 1836, in Bengal Government Papers 1837, No. 353, GSA

\textsuperscript{129} From Secretary to the Government of India to the Revenue Department, Government of Bengal, BG Papers 1837, No.353, GSA
'hill tribals’. In the case of the Jaintiah territory that distinction between British and non-British subjects was complicated by the fact that taxes which included non-agricultural revenue collected from the Jaintiah hills was appropriated into the treasury of the Company government. Yet, the pre-existing structures of governance continued to exist in the hills and as it will be evident in the following pages, the inhabitants considered the Rajah as their political, social and religious leader. The agricultural frontier of Bengal divided the hills and the plains and created categories of subjects based on who paid revenue and those that did not. The latter were thus legally categorised as non-British subjects. The category tribal in the case of the north east frontier emerged out of a reconstituted autonomy. Yet, the inhabitants of the hills were not outside of colonial frameworks.

The Company also extended its interference in aspects of governance in the hills which was nominally continued to be under the Rajah’s control. In 1835 Captain Lister the commandant of the Sylhet Light Infantry was given the office of Political Agent and acted as Magistrate in charge of trying cases involving British subjects and those considered “heinous crimes”.130 Jurisdiction, briefly discussed towards the end of the chapter and in greater detail in chapter three showed the differentiated nature of colonial sovereignty in these hills. The Dolois or headmen in the Jaintiah hills were reformulated as agents of the Company, especially after 1841 when Captain Lister truncated their judicial role by only allowing them to try civil suits and criminal cases involving non-British subjects. Between the 1820s and the mid nineteenth century, the Jaintiah kingdom

130 Foreign Political, 7 February 1835, no.101, NAI
was colonized and a differentiated sovereign status divided British occupied territories of the plains and the semi-autonomous hills.

Following the rebellions that spread across the British Empire in India in 1857, the Company conceded to the Crown. Although there were no recorded rebellions in the Khasi-Jaintiah hills in 1857, the colonial state’s responses to the rebellions were felt in these frontier hills. Judicial and revenue delegations were sent to the Khasi-Jaintiah Hills under AJM Mills before the turn over from Company to Crown and W J Allen respectively. These two reports were significant in informing policy in the hills in the second half of the nineteenth century and will be discussed in detail in the subsequent chapter. W J Allen made recommendations that the administration of the hills should be placed under a colonial officer who would slowly assume the powers of the Dolois and Sirdars. He also suggested setting up of a court similar to the Santhal Parganas in Bengal. Allen also recommended the imposition of a house tax, and in March 1859, the Agent to the Governor General, was ordered to make arrangements for carrying the measure into effect. The confidence of colonial officers that the house tax would be “least distastefully collected” did not last very long.

In most scholarship on the resistances to new and increased taxes imposed on the hills, the Jaintiah Rebellion has been constructed as an armed insurrection. This narrative also emphasises the military suppression on the part of the colonial state. In a letter from

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132 B C Allen, *Gazetteer of the Khasi and Jaintia Hills, Garo Hills and Lushai Hills*, (Mittal Publications: Delhi, 1906)

133 Home Public A, 19th May 1860, no. 676, NAI
Political Agent B Shadwell to Francis Jenkins the Commissioner of Assam in February 1860 it was stated that “…The people of Ilaka Nurteng and Muskoat readily paid up their revenue, but on the Tusildar proceeding to Nongjongee the inhabitants of that place en-masse opposed his making a new census of their village and refused to pay any rents. The rest of the villages in Jynteah Hills then followed their example.”¹³⁴ This letter indicates that armed protests were a later occurrence and the inhabitants of the villages sent in petitions “asking that they might be allowed to pay in their rents only through the ex-Rajah of Jynteahpore”. This caused the colonial authorities to implicate the Rajah in instigating the rebellions; the accusation was rescinded only once the Rajah provided information against the protestors and rebels. The Dolois were also called upon to provide information on the feelings of discontent brewing among the people.¹³⁵

The officiating Commissioner of Assam in accordance with the suggestions in the previous letter agreed that revenue collections should be stopped until orders from higher authorities indicated the response to forcible non-payment of revenue. Soon after this set of correspondence the Political Agent sent another letter stating that from “a letter from the joint Magistrate of Sylhet, and an urzee from the Police Mohim of Jowai” intelligence had been conveyed of “an intended rising among the Cossiahs of Jynteah Hills with the view that apparently of resisting the assessment of the house tax ordered to be realised from them.”¹³⁶ B Shadwell’s subsequent report gives access to the nature of

¹³⁴ Letter from B Shadwell to Francis Jenkins, dated 25th February 1860, Cherrapoonjee, in Assam Commissioner’s Papers (AC), 399, GSA

¹³⁵ Letter from B Shadwell to Francis Jenkins, dated 25th February 1860, Cherrapoonjee, in Assam Commissioner’s Papers (AC), 399, GSA

¹³⁶ Ibid.
“disturbances”. A critical reading of the report demonstrates that the rebellion was real, but its armed nature was highly exaggerated. Some of the Dolois when interviewed by Shadwell denied their role in instigating the people. Shadwell was quick to implicate them in what he was also quick to term as a rebellion because they had “taken no steps to realise the revenue of their respective villages”.137 This was enough reason to put them under confinement of the military guard. This act of intimidation led some Dolois to agree to collecting taxes for the Colonial government while others including the Dolois of Nartiang and Nongpoonjee maintained ambiguity in their response. Based on information received about the latter ilaka stockade-ing to prevent the entry of colonial revenue officials, a military detachment was sent to Nongpoonjee. Villages along the way were also intimidated in order to convince the authorities that they would not resist collections further. Shadwell wrote, “…I deemed it necessary to coerce them to submission if they still meditated resisting us, before I proceeded to Nongpungee, so that I might not leave my enemies in the rear.”138

There were several ways in which the forcible collection of revenue by military intimidation was resisted, one common method being deserting villages. Armed resistance was also resorted first in the foot hills Nongpoongee where the colonial state’s military managed to largely defeat them. In Nartiang the new Dolois led a large number of inhabitants into rebellion, and found strategic refuge in the forests. The detachment along with colonial officers remained prone to successive attacks by rebels who hid in the forested hills and made sudden and unexpected attacks as the former ascended the hills.

137 Ibid.
138 Ibid.
When Shadwell arrived at a deserted village and his frustrations at being unable to resolve or suppress the rebellion led him to express that “the people were very inimical to us, and the principal actors in this rebellion, and I therefore deemed it proper to punish them severely.”\textsuperscript{139} The very next village they approached was described as peaceful and submissive due to the advice of their \textit{Dolois}, who evidently did not challenge colonial authority. Shadwell in return, rewarded the \textit{Dolois} with the right to hold this elected position for life instead of the stipulated tenure. Further, the report made recommendations to increase the strength of the detachment in the hills to at least 500 men and even after the suppression of all armed resistance 300 men should continue to be present there.\textsuperscript{140}

In a memorandum from the former Rajah of Jaintiah he stated that he had no cause to incite the rebellions and was aware that he had neither the means nor sufficient power to resist the colonial state.\textsuperscript{141} Yet, the colonial authorities in Bengal were assured that even if the people had used the name of the Rajah as their symbolic leader the only way to completely intimidate the people and prevent further resistances, the Rajah ought to be removed from the hills and brought to Dhaka along with his brother in law and niece’s husband who were also believed to be instigators.\textsuperscript{142}

\textsuperscript{139} Ibid.
\textsuperscript{140} Ibid.
\textsuperscript{141} Rajah Indro Sing’s Memorandum Translated by Captain Rowlatt, Principal Assistant to the Commissioner, Khasi Jaintiah Hills, in AC 399, GSA
\textsuperscript{142} From A R Young, Secretary to the Government of Bengal to the Agent to the Governor General in the North East Frontier, 11\textsuperscript{th} June 1860, no. 247, in AC 399, GSA
Historiography on the rebellions of 1860-63 in the Jaintiah hills used similar tropes and narratives as the 1829-39 rebellions in the Khasi hills. The focus has remained on the confrontations between inhabitants and the Company forces with the former being represented as armed insurgents by the colonial narrative and brave and fearless warriors by nationalist histories.\textsuperscript{143} I have demonstrated in the previous pages that this was not the case. Although there were attacks and armed protests those were not of the nature described in colonial histories and nationalist histories. Confrontations were localised and dispersed and Jaintiah rebels usually used their knowledge of the hills and forests to ambush company sepoys and men.\textsuperscript{144} As well the local authorities received intelligence that on the 4\textsuperscript{th} of January 1862 it was reported that the people of Jowai, Ialong, Latuber and Shyrmang were consulting with other Dolois to burn the police station and military guard.\textsuperscript{145}

U Kiang Nongbah emerged in historiography as a hero of the rebels.\textsuperscript{146} The leadership of Kiang Nongbah is significant since he was neither a Syiem, nor a Dolois. However, by recognising the varied methods employed by the inhabitants of the Jaintiah hills resisted taxation, it needs to be emphasised that the rebellion was not homogenous, neither singular nor centralised. Entire villages were actors in these mass acts of

\begin{footnotesize}
\begin{enumerate}
\item Helen Giri, \textit{Khasis} : 92
\item Home Department, Public A, 16\textsuperscript{th} July 1862, No.56,NAI
\item Home Department, Public A, 16\textsuperscript{th} July 1862, no. 157,NAI
\item Home Department, Public-b, 16\textsuperscript{th} July 1862, no.57,NAI
\item Giri, \textit{Khasis}, 92
\end{enumerate}
\end{footnotesize}
resistance. At the same time, not all villages were led by their *Dolois* and therefore the idea of a single leader or hero needs to be problematised.

In 1863 a second wave of protests broke out against the newly declared property tax. Pre-emptive measures of employing the military guards and calling for more troops for intimidating and coercing the villages into paying also did not yield the desired results. Next, the colonial state resorted to its favored method of closing markets in the Jaintiah hills, along the border with Khasi polity of Khyrim, Nowgong and Sylhet.\(^{147}\) These were key market centers located at different points around the perimeter of the hills. Old allies of the British, the Syiem of Khyrim extended his support in capturing the rebels and it was communicated to the Government that the Jaintiah Rebellion had ended late in 1863.\(^{148}\) Recommendations to the Government for the future administration of the Jaintiah territories pointed out that “this uncivilized race” could not be ruled like the most other parts of the empire.\(^{149}\) Under new terms of administering the Jaintiah hills, judicial, police and revenue authority of a sub-division was placed under a Magistrate and who would report to the district Deputy Commissioner. Spatial, administrative and judicial reordering complemented one other. Spatially containing the Jaintiah territory to the hills and producing new systems of organizing the political landscape give access to the differentiated and interrupted nature of state’s sovereign status in frontier regions. The sovereign territory of Jaintiah was first truncated and its agricultural plains appropriated as Company territory. By the second decade of the nineteenth century the Colonial State

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\(^{147}\) Home Public A, 10 September 1862, no.51,NAI

\(^{148}\) Syiemlieh, *British*:93-94

\(^{149}\) Home Public , 25 September 1862,no.59,NAI
had developed anxieties about rebellions that could be assuaged by keeping a closer control over Jaintiah hills. It was thus included as a directly administered hill kingdom with a reconfigured boundary which separated it from other Khasi polities as well as from the plains.

2.3 Colonial Pockets in the hills

Through treaties and military intimidation the Khasi and Jaintiah hills were integrated into a colonial state space. However, the nature of British sovereignty remained severely contested in these spaces. A detailed analysis of geographical incorporation of the Khasi Jaintiah into the colonial frontier is to follow. Before moving on to the discussions on colonial geography, I will examine colonial pockets in the Khasi hills which were significant centres for the spatio-political reconstitution of the hills. These stations served as nodes of colonial power and affected the inhabitants in those sites as well as ones living in surrounding villages and polities.

The practices that facilitated the consolidation of colonial power in the non-British territories of the Khasi hills included the designation of a Political Agent to be stationed in the Khasi hills (with him acting in the capacity of a Magistrate apart from maintaining diplomatic relations with the Khasi chiefs), building communication networks, setting up infrastructure for missionaries, introducing an educational policy and most significantly, a sustained process of knowledge-production. Although the process

150 Manu Goswami has skillfully demonstrated that the constitution of colonial state space did not only mean appropriation and monopolizing the organization of that space, but infusing it with new social meanings by reconstituting everyday practices and categories of understanding. See Manu Goswami *Producing India: From Colonial Economy to National Space*, (Chicago and London: University of Chicago Press 2004) :20

151 These aspects are individually analysed in the subsequent chapters
of colonial reconstitution of the north east frontier did not follow the same trajectory as directly administered territories India, Manu Goswami’s analysis is helpful in understanding the transformation of the frontier as a colonial state space and its eventual integration into the state of India. Goswami uses Henri Lefebvre’s articulation of social space to argue that, conceptual categories such as colonial and national, social and political, material and imagined were mutually constituted through the complex “superimposition and interpenetration” of socioeconomic structures, state practices, cultural forms, and collective agency on multiple spatiotemporal scales. Practices of territorial consolidation (which Goswami shows began intensively following the 1857-59 rebellions) overlapped within the context of a political economy of empire building and global capitalism, complicated in turn, by local and regional specificities. The logic and processes of territorial consolidation in the frontier ran a parallel yet distinct course. The contradictory yet simultaneous processes of homogenisation and differentiation are in the frontier provide insight into the conflicts between a homogeneous Indian identity and multiple ethnic, social and political identities of inhabitants of the region.

The colonial state operated in the non-British territories and in the frontier at large through nodes of power located in the Khasi hills. Cherrapoonjee in the first half of the nineteenth century followed by Shillong in the later half became sites of imperial power in territories classified as outside the formal ambit of the colonial state. These two spots were built following the model of hill stations that sprung up throughout the subcontinent for various purposes like summer capitals, sanitariums, cantonments and enclaves for European living. Judith Kenny has shown that the first hill stations were set up in 1819
for summer migrations “away from the heat, dust and ‘natives’ and their role changed
from 1860s onwards when they began serve as administrative capitals.152 The making of
such sites as European enclaves was embedded in a discourse of Imperialism that injected
multiple meanings into these spaces and on the inhabitants. Kenny states that “…[t]his
settlement form and landscape model was embedded, of course, in a larger system of
colonial control and a general discourse of imperialism...Intertwined within imperialism
is a second discourse rooted in European classical theories of climate and race which
defined difference by the temperate and torrid zones.”153 Colonial literature on the Khasi
hills demonstrates that the relationship between environment and ethnicity, inhabitants
and their surrounding landscape was fundamental to knowledge developed.154 Colonial
stations like Cherrapoonjee and Shillong were nodes of imperial power where various
social, racial and sovereign distinctions played out. Dane Kennedy has pointed out that
the discursive construction of the hills and its peoples which were a result of inter-related
imperial anxieties surrounding race, health, culture and administration.155 These
institutional sites of imperial power were spaces carved out to serve political functions
that were far beyond administrative. Kennedy shows that they created an ontological
separation by spatially segregating Europeans and natives within those sites. In addition
in the north east frontier these sites further facilitated the discursive formulation of hills’

152 Judith Kenny “Climate, race , and Imperial Authority: The Symbolic Landscape of the British Hill
Station in India”, Annals of the Association of American geographers, 85,4,(1995):694-714

153 Kenny, “Climate”,695

154 See chapters 2 and 4

155 Dane Kennedy, Magic Mountains: Hill Stations and the British Raj, (Berkley University of California
Press 1996)
people and plains’ people. The relationship between changes in the physical landscape—through the building of courts, Bungalows for colonial officers, schools, churches, cantonments and influx of non-local “natives” for employment in colonial structures—and discursive processes of racialization produced the colonial condition in the hills. Colonial stations and their representation in colonial literature demonstrate that relationship. 156

These sites also functioned as Europeans enclaves where both climate and landscape helped in building homes away from home. However, imaginative geography of enclaves as distinct from the neighbouring colonial territory was unrealistic and unreal. These spaces were racialised in discourse and differences between the European populations and the local inhabitants were sharply defined in the nineteenth century. Moreover the landscape on which these sites were carved out, were active with social, political and religious meanings for the inhabitants and could not be readily transformed through colonial imagination.

Cherrapoonjee was one of the first colonial enclaves carved into the Khasi hills surrounded by other “independent” and “semi-independent” Khasi polities. Two treaties were signed with the Syiem of Cherrapoonjee or Sohra in 1829. The first was like most of the treaties signed between the British Government and other Chiefs in the Khasi Hills. The Syiem had to acknowledge the subjection of his polity to the Company Government, swearing allegiance and support in the face of hostilities in the hills and allowing the Company’s interference in disputes between himself and any other Syiem. By the second

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A portion of Cherrapoonjee was converted to British territory with the provision to absorb more land if necessary. In exchange, the Syiem was provided land in the Sylhet plains. A road connecting Sylhet and Cherrapoonjee was already under construction earlier in the decade - the same road that sparked off armed opposition to colonial intrusion into the hills early in 1829. The Syiem of Sohra had supported the Company in the early decades of the nineteenth century by supplying troops and information against rebels and resisting Syiems. This made the construction of a colonial enclave in this particular Khasi polity feasible than other options that were under consideration. Apart from its location at a suitable distance from Sylhet and the climatic considerations site within the hills to monitor dissent and stabilise colonial rule. David Scott was instrumental in converting Cherrapoonjee into a colonial station. He concluded his search for a residence in the Khasi hills finally settling down in Cherra. He argued that this station was a “suitable distance” from the Sylhet plains and to easily accessible markets. At the same time Cherrapoonjee did not lack in resources of lime, timber and sandstone and coal which the British needed in abundant supply in order to construct a colonial infrastructure of buildings, roads, etc. and make it attractive for traders. After considering Nongkhlaw, Mawsmai and Mawmluh, it was felt that Cherrapoonjee would suit the many requirements of the Company Government and Europeans in general.

British troops marched into Cherrapoonjee in 1830 for the purpose of subduing the rebellions in surrounding polities. The salubrious climate was considered as advantageous to the soldiers’ health. Scott’s suggestions to the Government for a cantonment for the soldiers that could grow from 200-300 soldiers to 10,000 were

157 Aitchinson Treaties, 125-126
considered impracticable by William Bentinck but he suggested the possibility for the settlement of European officers in the hills as an option provided the detachment that had just moved to Cherra showed considerable improvement in health. Scott’s ambitions for Cherrapoonjee did not unfold like he would have liked. Just as his plan to enhance the economic importance of Cherrapoonjee by breeding cattle transported from Hissar was disapproved by the Government, the Sanatorium at Cherrapoonjee was dismissed. Soon after David Scott’s death in 1831 the restorative station for soldiers was removed from Cherrapoonjee. The official reasons for this change were stated the extremely damp and wet climate of the region and crowded living condition of recovering Europeans.\footnote{Foreign Political, 17 October 1836, NO. 24, NAI} The search for a better site for a cantonment continued and many other places like the Chillangdeo hill, close to the polity of Nongkrem were under consideration. During his search, David Scott had suggested Mylliem which he felt would be more suitable for a permanent station. The rebellions across the hills through the 1830s delayed the decision to shift to a new site. Darjeeling was one of the sites being considered as well. After Sikkim was abandoned following a decision of non-interference, Cherrapoonjee sprung back into consideration after the subjection of the rebellions but did not develop as quickly as Shimla and Mussourie.

Administrative reshuffling, transfer and reallocation of officers were quite frequent in the hills in the first half of the century. David Scott’s successor T C Robertson was given the additional responsibility of judicial supervision of the Hills. William Bentinck wanted to ensure that the Agent to the Governor General in the North East did not narrow their attention the Khasi Hills only. He suggested that the Agent’s
administrative and juridical functions should focus on Assam and North East Rangpur, while separate administrative arrangements should be made for the Khasi Hills, Cachar and Manipur. Captain Robertson was soon replaced by Captain Francis Jenkins of the 4 Regiment native infantry in 1834, who continued supervision of Cachar and the Khasi Hills but was appointed an assistant to take care of more local responsibilities. One of his first actions as Agent was the abolishment of Cherrapoonjee as a civil station and it’s installation as the headquarters of the Sylhet Light Infantry. 159

The tone of official correspondence after Scott’s death during Francis Jenkins’ office had changed from diplomatic overtures with the Chiefs of the Khasi Hills to one which emphasised the Company’s judicial role in the hills. It was not until the 1850s that a systematic judicial policy was formulated. Cherrapoonjee remained the seat and centre of such deliberations until mid-nineteenth century by which time it had lost its earlier dynamism as a commercial centre as well.160 Cherrapoonjee remained a seat of colonial power, home to the Governor General’s Agent to in the north east frontier until it was abandoned in favour of Shillong in the second half of the century. It remained an important missionary centre, educational hub, a sanatorium for Europeans, and housed a military cantonment. The Siyem of Sorah retained his role as head of the polity and inhabitants continued to be classified as non-British subjects. The jurisdictions of the Company first informally and later formally extended across the polity and locals living in the station itself or employed in colonial service were variedly classified as British subjects.

159 Foreign Political, 23 January 1834, no.73, NAI
160 Syiemlieh: British:98
The Political Agent exercised sole jurisdiction over the station of Cherrapoonjee while the terms of the treaty signed in 1829 gave the Syiem of Sorah jurisdiction in the rest of the Syiemship in cases involving Khasi subjects. In cases involving a Bengali (British subject) and a Khasi (non-British subject) the Syiem would share authority with the Political Agent in deciding cases. The Syiem of Cherra by treaty and the Chiefs of Khyrim, Langrin, Nongstoin and Nongspun –with whom no treaty had been signed- had sole criminal and civil jurisdiction over their respective polities. In the twenty two Khasi polities apart from the five mentioned above, the Political Agent at Cherrapoonjee was to act as Magistrate. Importance was placed on “all cases of a heinous nature” where the Chiefs were bound by treaty to make over the parties concerned for trial. Petty cases were tried according to the prevailing customs. The Cherrapoonjee station which was an enclave for European settlers was the only place over which the Political Agent exercised sole jurisdiction.

The parameters of the Political Agent’s authority had penetrated local customary functions. As Political Agent Captain Lister was also given the duties of a Magistrate to try cases and inflict punishment up to a fine of rupees 500 and a term in prison not exceeding 2 years. In graver cases the Political Agent was to be aided by a Panchayat consisting of not less than three persons and imprisonment up to five years. In cases that deserved a higher degree of punishment, the case proceedings were to be recorded in English and forwarded to the Nizamat Adalat in Sylhet for its judgment. The political Agent’s duties extended to those Khasi villages that had become British territories by

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161 Aitchison, *Treaties*: 126-127

162 See chapter Four for an elaborate analysis of the plural legal order.
conquest. However, Captain Lister was instructed to extend his supervision and interference, if he felt it was necessary, even to those villages that had retained their independence or which were restored by the British to former chiefs were not to come under his jurisdiction.

The Government admitted that the political agent’s duties were not clear but it did not resolve or clarify his functions, which gave him greater autonomy and the office was prone to abuse and corruption. Another level of juridical authority was added when an assistant was appointed to Captain Lister who was empowered to punish to the extent of one year of imprisonment and rupees two hundred in fines. His proceedings were subject to revision by the political agent which was not in practice. Henry Inglis, by then a prominent trader in the region was recommended for this post on the condition that he gave up his former occupation. The political agent and his assistant acted as the dual authority in the hills. In civil and criminal cases they were under the control and superintendence of the Diwani Adalat and Nizamat Adalat respectively under Act VI of 1835.163 This arrangement undercut the authority the Agent of the Governor General Captain Jenkins. In this way the higher echelons of the colonial office tried to ensure that no one office assumed over riding powers. This system of checks and balances was not as effective in reality as most colonial officers in the frontier were guided by their personal investments in trade.164

The frequent changes of the office on Political agent and his functions betrayed a failure of colonial sovereignty in the hills. Even if the pockets of imperial power

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163 Calcutta Gazette, 28 March 1835

164 See chapter Four
remained under strict control, there was a persistent failure to set up boundaries and articulate colonial sovereignty in any definite terms. Chapter Three explores in detail the nature of dual political and legal authority in the hills, and the measures being adopted to resolve the tensions, apparent in these colonial stations. Several reports from mid nineteenth century including A J M Mills’ report on judicial reforms demonstrate the attempts by the colonial state to come to terms with the fraught nature of its sovereign status in the hills. W J Allen’s extensive report on revenue and administration of the hills boiled down to a single conclusion. He wrote, that “…[t]hese wild mountaineers, respect and stand in awe of the visible emblems of military power, but they have yet to learn the ready obedience which more civilized races cheerfully yield to purely Civil authority.”

The characterisation of the inhabitants had not shifted greatly from the late eighteenth century report by Robert Lyndsay discussed earlier in the chapter. However, the relationship between the colonial government and the inhabitants was increasingly defined in legal terms. The trope of noble savage and their ready obeisance used in representation of hills stations across India was only noticeable in some colonial narratives but not others. The shift of the colonial station in the second half of the nineteenth century corresponded with a shift in the definition of inhabitants of the hills vis-à-vis the colonial state.

Shillong, which formed part of the Mylliem polity, was chosen by an enquiry committee set up to find an alternative imperial site in the frontier. It was suggested that

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165 W J Allen, Report, 34
166 Judith Kenny, “Climate”, 706
the “vicinity of Shillong” was a suitable site for many reasons.\textsuperscript{167} The office in Bengal reporting to the Home Office argued that the shift from Cherrapoonjee to Shillong would not cost any more to the government than constructing new buildings for the larger numbers of Europeans in the region. “…[T]he condition of the old station of Cherra…” the Commissioner of Cossyah and Jyn-teah Hills in 1862 Brigadier General Showers stated, “was from the other Hill Stations in India and the only site in the Cossyah Hills which combined all the advantages required for the formation of a flourishing station was Shillong and the adjoining locality of yeodo.”\textsuperscript{168} Shillong was considered “far more centrally situated than the former, and would, therefore be more accessible to the majority of the people of the district; and that, in the event of its being taken up as a sanatorium, it was certain to become, within a short time, the most important place in the hills.”\textsuperscript{169} This involved the appropriation of non-British land which is described in the following terms,

To carry out the measure it became necessary to take steps for acquiring the lands upon which the new Station was to be established, and it was accordingly reported by Major Rowlatt, in May last, that the site in question consists of a gently undulating plateau, containing about two and a half square miles of land, of which a portion consists of lands appertaining to the sacred hill of Shillong, which could not be purchased because no proprietary rights exist; and that the rest of the lands belong to private individuals who were willing and had already signed an Agreement to surrender their rights to Government in payment of an aggregate amount of Rs.4565; and that the territory in which the whole lands are situated belongs to Mellori Singh, Rajah of Mollem who had also executed a formal Deed by which he cedes to the British Government his rights as Rajah, provided an equal quantity of British territory be given out of that lying to the south of the Oomean or Bogapanee River.\textsuperscript{170}

\textsuperscript{167} Foreign Political, September 1863, no 25-36, NAI
\textsuperscript{168} Foreign Political, September 1863, no 26, NAI
\textsuperscript{169} Ibid.
\textsuperscript{170} Ibid.
In an elaborate report prepared by a committee consisting of military officers, one police officer, one engineer and the District Commissioner of the Khasi Jaintiah hills aspects including sanitation, administration, military presence, soil and minerals, climate, water, fuel, supplies, building material and labour were discussed. This report made no mention of the ways in which the land, water and forests were already being used by the inhabitants and instead emphasised how they would be used by the colonial government. For instance, although the quotation above refers to the ‘‘sacred hill of Shillong’’ no considerations were made of its ritual and social uses by the inhabitants of the polity and in due course the hill was stripped of the sacred forest cover.\textsuperscript{171}

Shillong was also seen as more suitable because it was closer to Guwahati the capital of Assam which the hill districts were appended to for jurisdictional purposes in 1875. The District Commissioner Major Rowlatt wanted to transfer the headquarters of his office to Shillong to be able to supervise the construction of more roads connecting Assam and the hills and to make surveys and maps of the station. He deliberated ‘‘whether any measures should be taken with a view to enable Europeans to settle in the hills and cultivate the waste lands in case any should show a desire to invest their capital there in the cultivation of tea or in other agricultural operations’’.\textsuperscript{172} The Lieutenant Governor of Bengal sanctioned the transfer of headquarter of the Deputy Commissioner’s

\textsuperscript{171} There are several folk tales about this hill and the fate that befell the Syiem who without the consent of the people sold the lands to the British. See Bengt Carlsson, \textit{Unruly Hills : A political Ecology of India’s North East} (New York and Oxford Berghahn Books 2011):1-2

\textsuperscript{172} Foreign Political, September 1863, no.27, NAI
establishment from Cherrapoonjee to Shillong on 29th October 1861.\textsuperscript{173} 1626 acres of land was ceded under an agreement and money in payment was made for the purchase of an additional 759 acres from individual proprietors.\textsuperscript{174} The Government felt that the receipt of the land from the Syiem of Mylliem without any remuneration would be “misunderstood by the neighbouring hill chiefs, and would expose Government to the imputation of taking advantage of a weak and powerless dependent state for the purpose of obtaining a coveted land.”\textsuperscript{175} Hence a second agreement was drawn up with Syiem on December 1863 revising the transfer of land on acceptance of rupees two hundred as “token compensation”.\textsuperscript{176} Shillong became the headquarters of the hill district in 1864.\textsuperscript{177} The polity of Mylliem occupied the dual political and judicial nature that Sorah had occupied.

Colonial stations such as Shillong and Cherrapoonjee were significant not only as imperial sites in the hills, but as significant nodes of colonial power along the frontier. The making of Cherrapoonjee and later Shillong as hubs of English education, and missionary activity complemented the incremental colonial power vis-à-vis the former sovereign polities. The notion of indirect rule as applied to Princely States of the subcontinent is not useful in these frontier polities.\textsuperscript{178} More useful is a long term

\textsuperscript{173} Ibid.
\textsuperscript{174} Foreign Political, September 1863, no.31, NAI
\textsuperscript{175} Foreign Political, September 1863, no. 54, NAI
\textsuperscript{176} C U Aitchison, Treaties, 170-171
\textsuperscript{177} BC Allen, Gazeteers, 94
\textsuperscript{178} For a broad overview of colonial policy of indirect rule in the princely states see Barbara Ramusack, The Indian Princes and their States, (Cambridge: Cambridge, University Press, 2004)
perspective of indirect rule as a mode of organizing power, fragmenting resistance and conserving and subordinating tribal political institutions. This is particularly evident in the second half of the nineteenth century when Henry Maine’s formulation of indirect rule was employed colonial administrators as a methodological foundation to accumulate ethnographic information and as an explanatory tool for customary bases of indigenous institutional frameworks is also useful in this context. In the specific case of the hills identified as non-British territory, however, the methods and tools were slightly altered. The nature of colonial rule in the Khasi and Jaintiah hills district, complicate the notion of indirect rule of the kind in operation in the Princely States. The Khasi and Jaintiah polities were incorporated into the colonial state space; defined in cartographic representations and maps with variedly coloured spots indicating the interrupted nature of sovereignty in these hills.

Over the course of almost a century starting with the EIC’s acquisition of Diwani rights in 1765 up to the creation of the Assam as a separate province in 1874, the Khasi Jaintiah polities were transformed from being independent, sovereign frontier polities to districts incorporated in the colonial province of Assam. Treaties signed with the different chiefs of the polities created conditions for the political domination of these autonomous sovereigns. At the same time, these polities represented interruptions in imperial sovereignty. Such interruptions were evident in persistent resistances, and in the vague operation of colonial power. What emerged in the hills were reconstituted notions

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of sovereignty both Khasi and British, one informing, limiting and interrupting the other in various ways. The next chapter explores such interaction between colonial and local ideas of sovereignty by focussing on geographical knowledge-production. Dual processes of incorporating the hills into a colonial frontier space, and the unresolved nature of such discursive constructions demonstrate the contending nature of sovereignty in the imperial frontier.
Chapter 3

Contested Boundaries in Colonial Frontiers: Narrating space and
Settling Jurisdiction

The north east frontier of the British Empire constituting “independent” and “semi-independent” polities inhabited by non-British subjects were sites where British sovereignty was differently framed, augmented and contested. The contingent nature of colonial policies and differentiated formulations of sovereignty outside visibly central, directly-ruled and revenue-yielding territories is examined in this chapter with a focus on geographical knowledge production. In the first section I examine geographical narratives and cartographic reproductions of the frontier spaces. Colonial officers and early geographic explorers were imbued with notions of a distant sovereignty, and legal ideas that shaped their geographical imagination. The second half of the chapter examines the persistent undoing of imperial boundaries and the challenges to colonial jurisdiction and sovereignty. It demonstrates the flaws in colonial geographic formulations, and the immediate implications of imposing new boundaries.

Boundary making was a complementary process of cartography and the accumulation of geographic knowledge that dominated early imperial concerns. Formulating imperial sovereignty in regions outside the scope of direct Company governance produced anxieties that were reflected in processes of drawing revenue and jurisdictional boundaries in and around the Khasi-Jaintiah hills. Colonial frontiers and regions were classified as margins and peripheries, thus obfuscating significant economic and political networks of pre-colonial times that had been gradually

181 Lauren Benton, A Search.
superseded by colonial political-economy. Building on recent historical literature that critically locates spatial units as historically-produced territories, this chapter identifies the “frontier hills” of the Khasi and Jaintiah hills as sites of contestation, negotiation and accommodation.

3.1 Colonising geographies

In 1778, Sylhet, the easternmost district of Bengal was carved out into a separate collectorate. This marked a significant moment in the making of an imperial frontier. The appointment of Robert Lindsay as resident collector was followed with the transformation of swamps, jungles and hills that constituted Sylhet into potential revenue-yielding land. This transformation accompanied the formulation of a distinction between revenue-yielding and non-revenue yielding subjects. The potential for increased revenue and the establishment of new settlement patterns created new notions of proprietary rights. This, in turn, marginalised non-sedentary inhabitants, mobile agriculturists, traders, and labourers. The Company's territorial concerns, and its interest in extending its agricultural frontier, were supported by intellectual quests commissioned by the imperial government from the late eighteenth century onwards. Sponsored or institutional backed travel in the late eighteenth and nineteenth centuries, including

182 William van Schendel, *The Bengal Borderland: Beyond State and Nation in South Asia*, (London: Anthem Press 2005). In this book Schendel has pointed out that the Bengal borderland or part of what is north east India today has been the ‘periphery of the periphery’. This is facilitated by ‘geographies of ignorance’ itself a product of the modern State’s attempt to keep spatial and other knowledge on borderlands restricted to State agents and out of reach from the general public. He argues that historicizing borderlands and enhancing the understanding of these regions will help social scientists to move beyond the perspectives limited by nation state boundaries. Also see important works by See Sanghamitra Mishra, *Becoming*, David Vumlallian Zou and M Satish Kumar ‘Mapping’; In addition to such new research on the north east frontier, histories of other colonized spaces are also being rescued using such historiographical approaches. See Chitralekha Zutshi ‘Rethinking Kashmir’s History from a Borderland Perspective’, *History Compass*, Volume 8, Issue 7 (2010):594-608

183 The term jungles appeared in the nineteenth century to describe a variety of landscape features and was used along with prefixes such as wet, dry, low, tree etc. and eventually became synonymous with woodlands or forest or wilderness.

184 David Ludden, “Investing”, 64-94
expeditions for scientific research or geographical explorations, had an underlying political impetus.  

Numerous geographical surveys were conducted in the early years of the nineteenth century and a large number of cartographic representations incorporated the regions northeast of the Bengal territory into imperial maps as the “north eastern frontier”. Two geographical accounts that I have discussed below exemplify the discursive construction of a seamless frontier region being incorporated into the expanding scope of the empire. The first, R Wilcox’s “Memoir of a Survey of Asam and the Neighbouring Countries, executed in 1825-6-7-8” (1833) provides examples of both the methods and the different elements of geographic studies and survey narratives. The second account, H Walter’s “A Journey Across Pandua Hills, near Sylhet, in Bengal” (1832) narrows the focus to demonstrate the representation of the Khasi hills within the larger frontier space. Narratives of geographical explorations doubled up as surveys of unchartered territories in this period, and were thereby of much significance. Additionally, cadastral surveys and cartographic representations were important components of spatial reordering and imperial sovereignty. Edney has shown that the incorporation of multiple cartographic representations and multiple sources of geographic information to produce single maps constructed a “communal view” that subsumed and superseded individual views. This is evident in the narratives examined here. Personal journals kept during survey operations were collated along with the commissioned geographic surveys to form singular treatises published for the consumption of both colonial officials, and administrators and enthusiasts in Britain.

185 See David Arnold The Tropics. Also see Mary Louise Pratt, Imperial Eyes: Travel Writing and Transculturation(London Routledge, 2003)


187 Mathew Edney has described a gaze as a concerted observation. These singular observations are all understood in relation to other observations along the geographer’s route or other relative observations producing a larger conceptual framework or an absolute space. See Matthew Edney, Mapping, 64
Published in *Asiatic Researches* in the early decades of the nineteenth century, the following two geographic narratives were produced amidst resurgence in travel literature and geographic explorations. The “Memoir of a Survey of Asam and the Neighbouring Countries, executed in 1825-6-7-8” by Lieutenant R. Wilcox presented a “detailed account of the progress of our geographical discoveries on the N. E. Frontier from the time when our armies advancing in that direction opened to us countries of which we had till then a very imperfect knowledge.”

This publication is particularly interesting because it is not a narrative of a single person’s travels or results of any one survey or study. This narrative was specifically commissioned to be written for the purpose of subsuming multiple observations and geographical studies to present a single spatial imagination. Wilcox provided details of a series of geographical surveys into Assam and regions to the north east of Bengal, which informed and directed the political advance in the north east frontier. This account collated multiple observations by different surveyors at different times from the mid eighteenth century on, integrating multiple views into a singular vision. Wilcox collected narratives of journeys published in scattered newspapers or periodicals, and also included new information gathered including, but not limited to, statistical enquiries. Wilcox’s description of state commissioned surveys and the appointment of particular officers to one survey operation or another gives an insight into the fierce competitiveness and ambitions of the colonial officials in the frontier. Specific expeditions were believed to yield promotions and this lead to internal rivalries and conflicts between travelling officers. Competition and contest amongst colonial officials employed to collect information was one of the many aspects of knowledge-production.

The descriptions of the survey operations included both the actual experiences of the travelling officers as well as their representation of what they encountered in “alien surroundings”. Every expedition is described as a combination of the most difficult, unpleasant,

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harsh and challenging experiences for the colonial officers. The description of sinking boats, inhospitable and aggressive inhabitants, leeches among other dangerous insects, and “impenetrable forests”, attested to the resolve of the imperial officers. Their willingness to overcome challenges and difficulties affirmed the masculine superiority over dangerous landscapes. The physical experience of officers in these landscapes were emphasised in these accounts. In his discussion of Lieutenant Jones’s journal Wilcox wrote, “…The journal was noticed in the Government Gazette of 23rd June, and its contents though interesting, scarcely require repetition, as they chiefly describe the embarrassments of a party moving on bad roads, through a jungly and swampy tract intersected by swollen rivers…”\(^{189}\) Two things were very clearly pointed out in Wilcox’s observations on the journals he discussed. First, that the colonial officers intellectually and conceptually appropriated the places they encountered, thereby domesticating this landscape. Second, in their visual representations, the frontier landscapes were produced in contrast to, or analogous to other landscapes.\(^{190}\)

Colonial knowledge formation in these spaces was crucial for providing a sense of relief to administrators in Bengal who had neither the resources, nor the ability to physically or politically coerce its inhabitants into subjection. The acquisition of knowledge both visual and descriptive, therefore, was the only mechanism of assuming control.

However, the knowledge collected was fundamentally incomplete. This was due to the incompatibility of local conceptions, and the ideas and frameworks employed by colonial officials. Additionally, there was a tension between the “objective” representation of the space and the active landscapes encountered. Eric Hirsch has emphasised the distinction between

\(^{189}\) R Wilcox, “Memoir",323-324

\(^{190}\) David Arnold’s formulation of the concept of ‘tropicality’ shows that Indian tropics were as much encountered as created. A significant element of such creation was the use of tropes, comparisons and associations with temperate Europe or other tropics. In doing so the colonial Indian tropics were conceived of as the bad tropics. See Arnold Tropics,110-146
“foreground actuality and background potentiality” by arguing that landscape was either treated from an “objective standpoint” by European landscape artists and anthropologists, or referred to in relation to the cultural significance attached to it by its inhabitants. Colonial geographical discourse on the north east demonstrates that landscapes were active and unpredictable agents, determining the health, movement and advance of explorers, survey parties etc. and as affording disease, illness and debilitation. Moreover, the very possibility of advancing through non-imperial spaces was created by locally employed inhabitants’ knowledge, the reception provided by villages and their heads, directions, clarifications and ideas provided by local inhabitants. The objective representations that emerged out of geographical explorations were undercut by an active landscape and locally imbricated knowledge.

Rivers such as the Ganga and Brahmaputra, and their distributaries in the Bengal delta, were used to frame an outline of the region in cartographic representations in the works of James Rennell. Rivers were used to visually and physically navigate the frontier space and the project of surveying the Brahmaputra became part of a larger project of acquiring knowledge of the rivers between Assam and China. The Brahmaputra River, according to Wilcox, became of utmost interest in Europe and this often motivated many to write about their experiences of travelling along the Brahmaputra during survey operations. The Brahmaputra and its distributaries were not only a means of transport for the survey parties- they were part of an essential route which connected the territories already under the colonial gaze and lands that were not. In a survey conducted in 1824, Lieutenant Wilcox, under the supervision of Captain Bedford, was appointed to the province of Assam to determine the source and trajectory of the river Brahmaputra. He stated that their goal was “to endeavour to unravel the mystery in which was


enveloped each notice or tradition respecting its fountain head by proceeding up its streams as far as the influence of the neighbouring force, or the safeguard of a detached escort might permit.”

Earlier expeditions on the Brahmaputra such as Colonel Wood’s survey had only gone as far as Rangpur, and were considered insufficient. The specific reason for Wood’s expedition not advancing further was stated to be difficulties in negotiations with “natives”. This problem had dealt with to some extent from 1822 onwards when David Scott employed military force and diplomatic negotiations to subdue local authorities in and around Rangpur.

The survey parties were invariably facilitated in their explorations by inhabitants of this region. They were employed as informants, guides, porters and translators. Information about unexplored parts was gathered from inhabitants of villages they encountered along the way. However, these accounts do not acknowledge the large reliance on local knowledge and people. Gaps in previously acquired information about the course and origins of rivers and their tributaries was also filled with anecdotes and pointers picked up along the way. The local heads of the independent polities were appeased through diplomatic overtures... Gifts were often used as a source of securing their trust and establishing future diplomatic relations. Articles regarded as politically and otherwise valuable were used as gifts, including, salt, cloth and beads. Describing one of surveys up the Brahmaputra in which Wilcox assisted David Scott, Wilcox reiterated both the help provided by Chiefs along the routes as well as the strategic importance of securing stable relations with local authorities.

Diplomatic overtures thinly veiled the purpose of survey operations. David Arnold has dismissed notions of dialogic interaction, mutual respect and reciprocal borrowing as an element of knowledge-production in colonial contexts. Arnold argues that colonial knowledge was almost entirely self-serving, and represented not just physical coercion that enforced social, economic, and political change, but also a high degree of epistemological violence directed against
indigenous forms and systems of knowledge. Colonial knowledge was, however, constitutive of indigenous knowledge. Chapter four will further elaborate that, although, indigenous knowledge was profoundly affected by new frameworks and ideas imposed by western systems of thought, resistances to it was a continuous and unrelenting aspect of such encounters. Unpacking the methods of accumulating geographical knowledge, and identifying the various intellectual tools employed in geographical studies, makes it clear that the incorporation of local knowledge was an integral part of colonial knowledge-production. The production of “scientific” knowledge marginalised and superseded pre-existing knowledge forms, and at the same time, it heavily depended upon and drew from such sources.

That colonial knowledge on the frontier itself was not a product of western disciplines and methods of inquiry alone is visible in the two publications analysed in this section. Often, these reports recounted local conceptions of the course and origin of the rivers. These were expressed in terms of scientific accuracy vis-à-vis to local notions laden with superstition. A central inquiry about the origin of the Brahmaputra was corroborated with knowledge from the Khamtis, who passed on the information on two separate occasions to Lieutenant Neufville and earlier to Lieutenant Burlton. In another instance, Lieutenant Bedingfield’s survey towards Burma in 1826, after the first Anglo-Burmese War, was informed by a map produced with information notions from local inhabitants. It was noted that from “… several compared accounts he [Lieutenant Bedingfield] compiled a map of the Kenduen River, from the latitude of Amarapura to its sources, which is no doubt very nearly correct in its general features and also in the many particulars. Subsequent accounts derived from the Singfos [sic], have enabled us to improve on the central part and add more topographical detail respecting the time of route of the

193 David Arnold, The Tropic,9


195 Wilcox, “Memoir”,324-325
These maps and expeditions contributed to opening up more routes, particularly after the annexation of Assam following the treaty of Yandabo signed in 1826.

Accumulation of geographical knowledge did not adhere to strictly geographical enquiry. Included were detailed descriptions of inhabitants, the socio-political institutions, customs and trade relations between these communities and their networks of trade were described. The all-encompassing nature of very specific studies was a pervasive feature of colonial studies and accounts from the nineteenth century. These geographic accounts reiterated the importance of forging non-hostile and diplomatic relationships with local authorities in the frontier region. It was believed that the advance of both economic interests and knowledge-production was contingent on stable relationships. Chapter four discusses in detail the overlap between geographical, botanical, geological, anthropological and even language treatises. Cross-referencing in addition to accumulation of as much information possible in specific study based projects corroborates the argument that colonial knowledge was the tool considered most effective in assuming control over extra-imperial spaces. The intricate mechanisms of such control are discussed in chapter three, followed by a discussion of implications in chapter four.

Wilcox presented an integrated account of the many surveys that produced a colonial frontier in the north east. These expeditions facilitated the advance of the East India Company, and shaped its policies and directed diplomatic relations with local authorities. However, this process of frontier making through intellectual processes, diplomatic overtures and spatial strategies was not as unhindered as it may appear. This is evident in the incorporation of the Khasi Jaintiah hills as the previous chapter demonstrated. It is interesting to note that many of the officers in the surveys discussed above were instrumental in conducting diplomatic relations with the Khasi Chiefs. David Scott, the first Agent of the Governor General to the North East Frontier was at the forefront of signing treaties with the Syiems. Actively participants in the colonial
endeavour of domesticating the frontier landscape, Captain Burlton and Lieutenant Bedingfield, were murdered in the Khasi hills in the infamous incident termed as “Nongkhlaw Massacre”.

The following account by H Walters on his travels through the Khasi hills was written in 1828 but received attention from colonial authorities and published after “Nongkhlaw Massacre” in 1829. This “event” drew interest of the highest Company authorities on the non-British territories of the Khasi and Jaintiah hills. In addition to political reasons, this incident stirred British imagination of the frontier hills and “hill tribals”, and fanned publications on this region. H Walters’s “Journey across the Pandua Hills near Sylhet”, which appeared in Asiatic Researches in 1832 was one such publication. This work can be classified as both a travel account and a geographical narrative. Mathew Edney has pointed out that Walters was not a surveyor, geographer or an explorer, but a judge presiding over the sessions court in Sylhet. Interestingly, his narrative style and travel combined personal observations with technologies of a geographer to convey a superior or scientific handle on local knowledge.

Walter’s account of his travels in the Khasi hills, like many being published at the time, employed the style of a personal travel narrative reflecting the increasing popularity of the genre. At the same time, it is hard to miss that Walter’s personal account shared many similarities with Wilcox’s official geographical narrative. Edney states that geographical and travel narratives often overlap and the difference lies in the use of self-reference. While, travel accounts in general abound in self-references by the author, geographical accounts do not. Such significant overlaps in scientific writing can be seen not only in the narratives under review but many others such as A Descriptive Account of Asam: with a Sketch of the Local Geography and a concise history of The Tea Plant of Asam: to which is added A Short Account of the Neighbouring Tribes, exhibiting their History, Manners, and Customs, (1841) by William Robinson, and also in Thomas

196 H Walters, “A Journey Across Pandua Hills, Near Silhet, in Bengal”, Asiatic Researches XVII (Calcutta Bengal Military Press 1832)
Fischer’s revenue survey of Sylhet, both of which will be discussed later in the chapter. 197 Both Walter and Wilcox’s narratives, however, performed one significant geographical function, that of producing seamlessness in the perspective of this ‘frontier’ as distinct from the agricultural and revenue-yielding lands of Assam and of Sylhet.

At the very outset, Walter informed the reader of an important colonial policy that had been taking shape in the preceding decades, prompted by the rebellions in the hills. Walter asserted that the hill people had to be kept ‘in check’ and contained in the hills, that their presence in the plains was a menace, that their territory was restricted to the hills, and that all the Khasis living in the Sylhet plains were subjects of the Company. These distinctions were consistent with the categories of revenue-yielding British subjects and non-revenue yielding non-British subjects discussed in the previous chapter. This differentiation, I have argued, produced the Khasis as “hill tribals”. Pandua, identified as a frontier village, was a physical marker of such a separation. It is important to note that ideas developed in the late eighteenth century, visible Robert Lindsay’s report on the Khasis, made their way into colonial discourse in the nineteenth century. Walter wrote, “From hence [Pandua] the Cassias obtain their rice, cloth, salt, and in fact all the necessaries of life, in exchange for honey, way, oranges, cinnamon, betelnut, &c., the produce of their hills.” 198 That Khasi polities of Nongstoin, Cheyla and Rambrai among others extended into the plains was erased in such accounts. Walter’s emphasis of the hill-plain distinction and corresponding separation between British and non-British subjects was not simply a product of his reliance on early colonial records. As a Judge in Sudder court of Sylhet, Walter was well acquainted with the political landscape of the vicinity, as well as the many judicial disputes on boundaries. Such insights that were absent in his journal was part of the strategic efforts to create

197 William Robinson, A Descriptive Account of Asam: with a Sketch of the Local Geography and a concise history of The Tea Plant of Asam: to which is added A Short Account of the Neighbouring Tribes, exhibiting their History. (Delhi Sansakaran Prakashakreprint 1975)

198 H Walters, “A Journey”, 500
categories of distinction, while ground realities, as the two later section demonstrate, were quite different.

Walter’s account of his travels began at Pandua. Accompanied by twenty Khasi men employed as porters, they stopped first at the house of the Khasi Chief of Nongstoin, Syiem Ram Sing. Their ready accommodation at Syiem Ram Sing’s suggests that in spite of the several disputes between inhabitants of Nongstoin and the Zamindars of Sylhet discussed later in the chapter, there diplomatic overtures were maintained colonial officers and the Syiem. Although the spatial distinctions that produced the Khasis as “hill tribals” framed this account, Walter’s description of the inhabitants was significantly different from earlier notions. For instance Walter described the ‘Cassia race’ as towering in moral character “…like their mountains, over the natives of the plains.” Such a characterisation was perhaps arrived at after a long association with Khasis in his role as a judge in the court in Sylhet. His compared the Khasis to the Garos inhabiting nearby hills, and described Khasi social structure-highlighted the prominence of women in the religious and customary spheres. Walters, like many colonial officials documenting the hills, chose to ignore the variations in language, dialects, customs of the people inhabiting hills clubbed Khasi. The distinction between people was seen as spatial, and more nuances would complicate the existing categories.

Walter’s account was divided into two parts and described two different occasions where he visited the hills. On the first occasion he had spent a fortnight- 27th October to 9th November of 1828 travelling across the Khasi hills. In this time spent in the hills he collected information on geographical aspects including the measurement of the heights of different stops or stations above sea level and the latitudes and longitude of Nongkhlaw in particular. To this first part of his

199 H Walters, “Journey”,501

200 Comparisons between different tribes and their physical attributes becomes even more significant in the latter half of the century with the flourishing of disciplines of anthropology and ethnography. This has been discussed in greater detail in chapter four.
narrative he attached sketches of the landscape, both scaled and un-scaled. The scientific nature of his account may in part be due to the company he had during parts of the journey of Captain John Jones, survey officer in the region. Edney reckons Jones provided him with a barometer and thermometer since the only station for which he has quantitative data is Nongkhlaw, where Jones accompanied him.

The second part of his journal narrates a second journey into the hills in which the purpose of the travel was to visit the “Cave of Bhuvan”. Just as for many foreign tourists today, caves in these hills were often an object of fascination for adventurous colonial officials and travellers in the nineteenth century. The second occasion of his journey was more in line with purposes of travel. On his first trip, the major stops were Mawsmai, Cherra and Nongkhlaw- all these were considered significant polities. A few villages along the way were described as unfriendly. Although the text does not explicitly state that the purpose of his travels was related to any official function, the content of Walter’s account suggests his touring was not purely for pleasure. Although Walter’s account received attention after 1829, the political motives behind his travels were important even before the rebellions. Additionally, the account demonstrates the way autonomous hills were coopted into the empire through representation.

The accounts were interspersed with romantic descriptions of the scenic beauty, and often there were comparisons with English landscapes. In this account, as in the previous one, the narrative had romantic undertones. A number of sketches, in particular of stone monuments or memorial stones, supported his description of Khasi landscapes. A large part of his account was devoted to comparisons between these hills and landscapes in Britain; for instance, he compared the memorial stones with the Stonehenge, or other pre-historical megalithic structures in Cornwall and Wales. This awe and pleasure in the comparable features with his home is not only a sense of nostalgia that travellers in colonial India often expressed. Walters finds an answer to

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201 Wilcox, “Memoir”, 439-440
the use of such structures in England at the time they were created thereby situating Khasi society at an early stage of civilization, one that Britain has long surpassed. He wrote, “…doubtless these ancient monuments were appropriated to the same purpose….If this was the case, how singular it is that customs of nations, in the same stage of society indeed, but situated at such immeasurable distance from each other, should be found so exactly to coincide! If any doubt exists as to the purpose for which the monuments in Britain were erected, is it not dissipated by observation, as to the actual use of similar monuments in this country at the present day?” These descriptions readily transformed dangerous landscapes into consumable, relatable and domestic spaces.

Such comparisons with England, scattered throughout his account, also supported colonial initiatives of carving out colonial pockets in the hills. Supporting the proposed sanatorium to be built at Cherra with comparing its hills with the English hills in Bathford, he wrote, “…The elevation is about five thousand feet above the level of the sea. The air is cool, light, and refreshing; and although the sun is hot, it is not innoxious. The hill is free from jungle, covered with fine pasture and flowers, but rocky- and the ravines filled with trees and shrubs- I can almost fancy myself on the top of Bannerdown!” 202 He was further elated when on the way to Nongkhlaw he found, “… with one steep descent and little streams here and there, the valleys stiff and white with hour frost! The first I have seen since leaving England fifteen years ago.” 203 Colonial pockets in the hills, as shown in chapter one, were crucial as imperial nodes of power in the frontier, as well as for European recuperation, as missionary centres and educational hubs, and for commercial exploitation in extra-imperial spaces.

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202 Walters, Journey: 505

203 Walter, Journey:506
Figure 2 “View in the Kasya Hills” by Henry Walters

Figure 3 Set of images from Walter’s Journal. Including, tree stumps as seats, monumental stones, and iron kiln
The geographical narratives and corresponding images reflect two contrasting approaches in which the particularities of place that arose from subjective perspectives and objective scientific methods produced colonial knowledge of the north east frontier. Walter’s accompanying sketches provide a sense of the double perspective at work here. The first image of the Khasi hills (Figure 1) provides a picturesque landscape view of the hills. The tension between the picturesque and the descriptive observations of specific physical features are not addressed. He also presents images of “seats at a Kasya village”, “Kasya monumental stones”, “bellows used in smelting iron” (Figure 2). For purposes of colonial economic exploitation the most significant of the images in this account is a geological cross-section of the hills (Figure 3). It identified the plains of Assam and Sylhet, and the more important chieftaincies like Cherrapoonjee, Nongkhlaw, Mawphlang, along with their distance from sea-level. Different stones such as granite, limestone, sandstone and coal as well as firs, apple trees and the less forested parts were
also marked. Matthew Edney has suggested that this image was added to Walter’s account at a later stage, because the account made no reference to it. If that was indeed the case, the enhanced importance of the hills to the colonial administrators is clear. The extension of colonial sovereignty in the hills, and increasing economic control were intersection developments through the nineteenth century.

In addition to geographic narratives, cartographic images contributed significantly in producing the region as the north east of the British Indian colony. The incorporation of places like the Khasi hills in these maps showed interesting visual variations between British and non-British territories. James Rennell was at the forefront of initial cartographic operations that produced the first, detailed and integrated visual image of the British Empire in India. Cartographic representations were not only meant to create a unified vision of the Empire but also used as a visual aid for the European travellers, explorers and colonial administrators for official references. This helped in the advance of colonialism. Maps of the British Empire were drawn with clearly determined centers and peripheries attributing spaces with new meanings and orientations. Most of the maps of the Khasi-Jaintiah demonstrate the importance placed on communication networks and transport routes passing through the hills. The interruption to imperial sovereignty that these hills represented was overcome in cartographic representations by emphasising their use as a bridge between the British territories of Sylhet and Assam.

204 For an analysis of cartographic productions that created the sense of a unified empire see Mathew Edney, *Mapping.*

205 The maps used in this chapter are only those selected few that the National Archives of India authorities permitted to be copied and used. The policy of the Indian Government to restrict cartographic information of its frontier region thus restricts the ability of researches in many respects to thoroughly examine parts of the subcontinent which have become international boundaries and continue to remain the destabilising, contentious spaces where state oppression is heightened in many ways in the cause for establishing nation sovereignty.
Figure 5 A two part reproduction of a map, titled, “Roads in the Khassia Hills District”, 1883, signed Major R E, Executive Engineer, Khasi Jaintiah Hills Division.
Apart from the emphasis on roads, guest houses and a few important stops along the designated routes the maps did not contain much detail. The distance between Sylhet and colonial stations and those in the hills are marked in some maps, while others note the heights of different points in the hills. For example the map titled ‘Roads in the Khassia Hills District’(Fig. IV), shows the routes of communications between Assam and Sylhet through the Khasi hills, obliterating landscape features and place names across the hills. Roads on these maps seem to cut across large empty spaces. This map was published in 1883 when the colonial state had made political inroads into the Khasi hills.

In such maps and geographical narratives that brought the Khasi Jaintiah hills into the colonial imagination of the north east frontier, a colonial geography superseded pre-colonial geographies. This process of subsuming was not quite absolute. The contingent realities of political relations and imperfect boundaries eroded the discursive frontier that these maps and narratives created. The objectivity of this knowledge, or the power of scientific methods of inquiry, was subverted by the active landscape the explorers and surveyors encountered. The incorporation of local knowledge filtered through western disciplinary concepts became the dominant knowledge on the region. The very physical possibility of explorations and surveys depended on the labour and guidance of local inhabitants, accommodations and receptions provided by local authorities. The tensions between a discursive construction of colonial space and the inter-subjective conceptualisation of place by local inhabitants, between the hills as a laboratory of science and as a landscape imbued with memory, myth and history, between new and old meanings persisted throughout the colonial period, and after. Such tensions, contentions and entanglements undercut the dominance of colonial knowledge. In the next section some of the significant offshoots of the geographical processes of surveying and mapping are examined.

206 For a detailed discussion of science as culture see Kavita Philip “English Mud Towards a critical Cultural study of Colonial Science”, *Cultural Studies, Vol.12, Issue3,(1998): 300-331*
These processes of boundary making between British territories and the Khasi-Jaintiah hills produced significant colonial documentation, mainly in the form of surveys, reports and judicial cases on recurring boundary disputes. The following section examines these colonial records to argue that knowledge acquired for colonial administrative purposes failed to achieve consistency or perfection, and ultimately failed to subsume the hills into a colonial geography.

3.2 Imperfect boundaries

Early on in the nineteenth century the Company began to identify landscape features like mountains, hills and rivers as natural boundaries. Indrani Chatterjee has pointed out that there was also an attack on mountains and hills that provided sanctuary to monastic subjects including the Khasi hills. The 1820s visibly marked stringent efforts by the Company to define British and non-British territory. Land was classified largely in terms of taxed and non-taxed. The means for transforming non-agricultural or non-taxed agricultural land into revenue yielding resources was found in legislations. For instance according to the Regulation II of 1828-29 non-assessed lands, including those held as grants by religious orders or beneficiaries of the erstwhile state could be appropriated for “public revenue”. An emphasis was placed on contracts identifying proprietor or grantees, which were not the norm in pre-colonial Bengal. Such “ceremonial contracts” changed the tenor of ruler-subject relations, along with chewing away at existing politico-economic and socio-religious structures.207

Boundaries were used to mark the difference between British territory and non-British territory as well as between British subjects and non-British subjects. The emerging association between topography and political and cultural forms, always already imperfect, was visible in the

207 See Indrani Chatterjee, Forgotten.81-126; for a detailed analysis of boundary making initiatives of the 1820s see Gunnel Cederlof, “Fixed”.
reproduction of survey information in judicial discourse on boundary disputes. Geographical surveys that doubled up as revenue surveys were instrumental in producing the sense of territorial rights. The surveys discussed in the following pages were tools with which new notions of sovereignty and jurisdiction were formulated.

Sanghamitra Mishra has usefully employed the concept of borderlands in historically locating the north east frontier of the British Empire. The nature of colonial interaction in the north eastern frontier where contestation and accommodation were part of a single framework of colonial encounter is characteristic of borderlands. One of the key similarities with regions historiographically conceived as borderlands is that the conditions that favoured local rulers to state, shape and negotiate terms of exchange with European traders and even with agents of the East India Company in its early years, changed significantly with the establishment of territorial sovereignty of the British in Bengal. Natural boundaries like rivers were used to define frontiers in pre-colonial Bengal between the Mughal Empire and other dynastic powers and smaller autonomous polities. This practice was replicated by the early colonial survey operations and in nineteenth century efforts to strictly define borders. However, colonial officials failed to comprehend that political and territorial definitions in the pre-colonial period were not precise but overlapping thereby producing fluid boundaries between different sovereign powers.

The imprecision of political frontiers was a result of overlapping sovereignties of corresponding or neighbouring political powers. The powers of one ruler or dynasty merged into

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208 Jeremy Adelman and Stephen Aron, “From Borderlands to Borderlands: Empires, Nation-States and the people in between in North American History”, in *The American Historical Review*, Vol.104, No. 3, (1999):814-841; However, unlike borderlands of North America multiple Imperial powers were not contesting for supremacy in this region. The East India Company did encounter dynastic powers, and faced challenges posed by local rulers and the most serious military encounter was with the Burmese Kingdom which had its stakes in this region as well. It wasn’t too long into the nineteenth century before the British defeated the Burmese, and took control of Assam and converted Assam, Cachar and other smaller states into subservient tributary states of the Empire.

209 For a substantiation of this premise with respect to the Tibet, Goalpara, Cachar regions see Sanghamitra Mishra, *Making*, 19-41
the territories of another and were gradually overshadowed by the power of another. Moreover, such arrangements shifted with changes in alliances and loyalties.  

210 Mishra shows Goalpara in northern Bengal, Assam, Bhutan, Tibet and what is now Bangladesh were part of an ascending and descending framework of sovereignty. Between the Mughal frontier of Goalpara and Garo hills on the west and the small Kingdoms of Jaintiah, Tripura, the Arrakans and other the “turbulent chiefs of the East”, were the Khasi Chieftaincies. These political units shared origin myths, and a socio-political structure based on matrilineal kinship. Several of these polities united in times of rebellions against the British government. Colonial notions of sovereignty and territoriality could not be translated here without severely distorting local conceptions of the same.

The Khasi-Jaintiah hills were spatially and politically produced as a distinct unit over the course of the nineteenth century mainly by creating a distinction between the plains and the hills. Even after Sylhet became a separate administrative and revenue unit and collector Robert Lyndsay converted Pandua as a frontier outpost, signalling the extent of Company authority in the plains, the river Surma was understood as a natural boundary. Robert Lindsay’s efforts to mark the limits of Khasi territory is largely understood as concern of the Company government to check the raids as discussed in the last chapter.  

211 The hill-plain distinctions were formulated starting with efforts to counter raids into British territories. Robert Lindsay’s correspondence with the Government of Bengal at Calcutta demonstrate that “raids” by Khasis into the plains were sought to be stopped by establishing political boundaries at the foot of the hills. These boundaries would also enable the British to extend their revenue yielding land by introducing new proprietors in hitherto non-assessed lands.

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211 Board of Revenue Papers, 9th November 1787, No.13, GSA
The territorial demarcation of Khasi territory as mountainous carefully excluding inhabitants of Khasi polities at the foothills and low lands of Sylhet was a step towards creating an artificial distinction between the political and social continuities between the hills and the plains. Lyndsay wrote, “…the Cosseahs inhabit that tract of mountainous country, extending from Laour, the North West extremity of Sylhet, to the Eastern boundaries of Cutchar (present day Cachar). The mountains according to Rennell’s calculations are 1200 yards high and inaccessible to a foreign enemy and every part of them are beyond the company’s provinces [emphasis added]”

The relationship between topography and people is evident in Lyndsay’s statement above. The Khasi subjects in the foothills, plains and the mixed race of Khasis and Bengalis were excluded from the identity accorded to inhabitants of the hills. This produced the dominant idea that Khasis were non-revenue yielding ‘‘hill tribals’’. The report by Robert Lyndsay pointed to two things. First, that Khasi territory was understood as outside the bounds of Company authority in the late eighteenth century. Correspondingly, since the territorial ambitions of the company extended into cultivable and revenue-yielding land that were part of Khasi chieftaincies, the Khasis had to be contained as mountaineers or hills tribals. This formulation gave the Company access to non-British lands north and east of the Sylhet plains. In spite of the distinctions being made between Khasis as hills people and Bengalis as British subjects inhabiting the plains, the report provides information about communities who could not be classified as a “mixed race” of Bengali and Khasi. This group inhabiting a tract of land in Sylhet was one example that demonstrates the artificiality of distinctions- social, political and physical- between the hills and plains.

The history of colonial territorialism is an essential component of geographical excursions and the material and imaginative reconstitution of space. The settlement of

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212 Board of Revenue Papers, 29th December 1787, No.10, GSA
213 Board of Revenue Papers, 29th December 1787, No.10, GSA
communities in the Khasi hills and the specific socio-political formations that were produced over centuries of territorialisation were, Ludden argues, a response to and informed by territorialisation in the plains. The Khasis were not always “hill tribes” as is generally assumed in colonial discourse and in many contemporary articulations of Khasi identity. They had occupied the low lands of Sylhet, as far as the Gangetic basin into Bihar practicing shifting rice cultivation. Ludden writes, “…after 1600 and again after 1800, the accelerated expansion of sedentary agriculture drove shifting cultivators out of the plains. It also increased violence between contending interests on the land; confined tribal societies to the hills, and produced new political forms in the mountains.”214 The boundaries laid down by the colonial state in the early decades of the nineteenth century sharpened the perceived differences between inhabitants of the hills and plains.

Gunnel Cederlof has demonstrated that the establishment of boundaries throughout the north eastern frontier of the Company territories such as Rungpore, Sylhet, Cachar and Tripura used natural markers and where surveyors did not find a river, or mountains, as in Tripura, a cartographic line represented the boundary through thick forests. Boundaries with the Khasi Jaintiah hills remained contentious throughout the nineteenth century. The process of demarcation of boundaries was a long drawn one, and disputes over boundaries persisted in spite of the numerous surveys. Early surveys like James Rennell’s were deemed erroneous by later surveyors accounting for the changing nature of landscape through the eighteenth century. The Company faced specific hurdles in establishing control in the north east of Bengal due to climate and ecology. Cederlof states, “… [w]hat was fields, fallows or lakes one year could have turned into shrub or dense forest in the next few years. Acting on the orders of the Company Government at Calcutta to establish correct and permanent boundaries for cultivation, ownership and neighbouring kingdoms, the officers mostly faced insurmountable problems resulting in

214 David Ludden, “Investing”,68-69
negotiation, compromise and the enforcement of regulations without recourse to social and natural realities.” However, even if the landscape in Sylhet and its frontier remained elusive to permanent characterisation, the geographical representations were made in objective and absolute terms. Active landscapes encountered by early geographers appeared in topographical and revenue surveys as canvases upon which only boundaries seemed to have an active role.

In 1835 Francis Jenkins, commented that, “... [it] seems expedient that the question of boundary should be decisively arranged early for the present want of a determined frontier keeps the borders in a very unsettled state and may lead to breaches of the peace…” These breaches continued into the following decades because the territorial boundaries marked by the British in their early surveys were inapplicable to ground realities. Disputes between the new proprietors who settled in the Sylhet and subjects of Khasi Syiem's who had been using the Sylhet lowlands for agriculture, grazing and other purposes demonstrate the contentious nature of territorial and topographical divisions. Lieutenant Fischer’s survey of 1827-8 became the focal point of many discussions and disputes- political and judicial- until the mid-nineteenth century. The survey was ordered in 1823 and the first report presented to the Collector of Sylhet in December 1827, the delay caused by the suspension of survey due to the Anglo-Burmese war in the north east frontier. The purpose of this survey in Fischer’s words was to ascertain in detail the quantity of land in each estate of Sylhet and thereby assess the land revenue. But Fischer provided sufficient detail

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215 Gunnel Cederlof, “Fixed Boundaries”, 515

216 See Figure 6. In Fischer’s rough map the two most prominent features are the natural boundary- the Surma river and the proposed boundary by Fischer between Company’s agricultural revenue territory or plains territory and the hills territory. With respect to Jaintiah territory the Company transgressed all the boundaries that had previously been acknowledged i.e. until 1835. However, certain boundaries were relevant for creating not only political territories but jurisdictional classifications.

217 Foreign Political, 11 February, 1835, No. 90, NAI
that facilitated other Imperial purposes including military excursions across non-British territories.218

Fischer’s survey was supplemented by a more specific report on the boundary between the Khasi hills and Sylhet addressed to the Magistrate at Dacca. In his words it consisted of “a map of the country contiguous to the Cossya independent hill estate together with a statement of proceedings and the information collected for the definition of the boundary and the settlement of the disputes between the landholders of this district and the Hill Chiefs.”219 The map (Fig.5) is one of the earlier drafts to which corrections were made as margin of the image shows. In this map the river Surma is represented as the natural boundary while a red line along the river in parts extending north of the river, and in others extending south show the boundary line suggested by Fischer. The map represents the proposed boundary between Sylhet and Jaintiah hills to incorporate strategic lands along the Surma within direct Company control. The sketch focusses on names of villages on the southern side of the river are marked whereas the hill territory does not show any place names. The map depicted topographical divisions superimposed with the imagined distinction between British territory and non-British territory.

218 Board of Revenue Papers 48, file no. 8-100, GSA

219 I was only able to get an earlier draft of the map which was not scaled, not the one that was published along with the report because it is one that shows present day international borders.
Figure 6 Draft Sketch of proposed boundary between Sylhet plains and Jaintiah territory
During 1827-29, Fischer surveyed the frontier west of Pandua, “Bansicoora on the boundary of Mymensing and near which the Cossya estates join the Garrows.”\textsuperscript{220} His report noted which boundaries had been in dispute in the previous decades and those acknowledged by local authorities. Fisher reproduced local understanding of the places to mark boundaries such as hillocks, rivers, streams and lakes, along with names of villages. Measurements of distance and other technical jargon of topographical surveys was absent in his report. For instance Fischer wrote,

> From Yiski Barri (at which my former report terminated) the boundary runs North east, along the Pian R. [river] to the mouth of the Dabree R. up which it is continued to the fork of the latter with the Dullai, it then bends south west along Oloo Chera from which it diverges by the course of Kaloo Cherra to Phukan Khal an insignificant stream running into the last named Cherra from whence it runs on the east side of a small Jheel to the head of the Kourei Khal along the course of which it continues to the Sonnae nulla and passes to Rangamittill teela, a hillock on the right bank of the river…..From Yiski barri to the fork of the dulaie and Dobree our frontier is bounded by the Rajahs of Jynteh and Kyram …From the fork of Dulaie the boundary runs between Pundwa and the estate of the Cherra rajah on whose part an agent attended, who in conjunction with the land holders pointed out the line above described.\textsuperscript{221} 

The report aimed at marking a boundary line between British territories and the Khasi hills by employing local pre-existing categories and by examining boundary disputes. In one such case of a boundary dispute on lands bordering the Maharam polity, Fischer referred to a case brought to the Sudder court of Sylhet in 1806 by Talukdars who claimed the “low hills covered with jungle”. According to Fischer, the Court “decided against them, awarding all the continuous chain of hills branching from the mountains to the Cosseahs and leaving the plain country including the detached hillocks to the Talukdars.”\textsuperscript{222} Such cases became precedents for judicial enquiry of boundary disputes. Contradictory notions of what constituted plains territory, and where the hills actually ended produced recurring disputes.

\textsuperscript{220} Board of Revenue Papers 48, file no. 8-100, GSA
\textsuperscript{221} Board of Revenue Papers 48, file no. 8-100, GSA
\textsuperscript{222} Board of Revenue Papers 48, file no. 8-100, GSA
Additionally Fischer’s report contained vague and unclear characterisations of the landscape. He wrote with reference to another dispute that,

…the foot of the mountain is acknowledged to be boundary both by the Chiefs of Muchungpoonjee and the inhabitants of the plains and this rule is generally admitted along the remainder of the Frontier line by the Chief of Nusteng [Nongstoin] on the side of the Cossyas and the land holders of Purgunnahs Laour and Bansicoora on ours. In this instance the observation of this rule for the determination of the boundary is attended with little difficulty as there are no minor ranges branching from the main chain of mountains but the later rise abruptly leaving in general a marked indication of their commencement.223

It was hard to characterise where the hills ended because hillocks and undulating lands did not merge into the Sylhet plains at variable distances. In the situation described above, there was a portion of undefined land between the actual mountain range and its mirror ranges. This was considered as a confirmed frontier line ending at the foot of the main chain of mountains. In reality as the quote above demonstrates, “natural boundaries” were not used as boundaries by both the Syiem of Nongstoin and landholders of Laour and Bansicoora. It was only through political negotiations with the Syiem of Nongstoin that the confirmation of a boundary was possible.224 Settlers and proprietors in the Sylhet plains were employed to police boundaries that were demarcated by this survey. Zamindars were compensated for their efforts to maintain a distinction between British and non-British territory. With reference to a grant made to the Zamindars of Sylhet to the land north of the Surma river, Fischer wrote that the grant was made “on condition of defending the frontier and confining Cossyas to their mountains…”225 In addition, physical markers of such as masonry pillars constructed along the boundary line. Fischer’s notes revealed the motive, intent and methods used to mark and maintain boundaries.

223 Board of Revenue Papers 48, file no. 8-100, GSA
224 Board of Revenue Papers 48, file no. 8-100, GSA
225 Fischer’s account does not provide a date or details of this grant but he wrote that the grant was given Board of Revenue Papers 48, file no. 8-100, GSA
Thus, processes of spatialization accompanied the categorisation of Khasis as “hill tribals”, sharpening differences with plains settlers.

As early as 1789, orders were issued by the Bengal Government to define the boundary between British and non-British territory. The collector informed political authorities in the hills that raids into Company territory would not be permitted. However Fisher notes that no actual measures were taken to define the precise limits of the Company lands “… but it was intended to include all the lowlands within the Company’s frontier leaving to the Cossyas the undisputed possession of the mountains.”226 Interestingly, Fisher acknowledged the impracticality of demarcating the precise territorial and thus the political limits of Khasi territory. He stated that it was difficult to ascertain strictly where the mountains ended and the lowlands began “…the former being often intersected by low ranges of hills branching from the latter as well as by isolated range of hillocks the connexion of which with the main chain in a wooded impervious country cannot satisfactorily be ascertained.”227 These difficulties, he concluded, resulted in Khasi possession of a lot of plain country north of the Surma River. Yet new lines were drawn with a “spirit of moderation” on the part of the company leaving a lot of the plains under the authority of the Syiems. Khasis who inhabited lands north of the Surma river were considered to be living there concession because of the kindness of the Company. Such rhetoric was a means to cloak the real lack of Company authority on lands under the Khasi Syiems that stretched into non-hilly terrain, that is, the Sylhet plains.

In the second half of the nineteenth century survey operations conducted in the frontier of Bengal demonstrated the same concerns of boundary demarcation that were present when Fischer conducted the survey. However, several other issues and motives had accrued over the decades. After the transfer of power from the company to the Crown in 1858, sustained efforts were made

226 Board of Revenue Papers 48, file no. 8-100, GSA

227 Board of Revenue Papers 48, file no. 8-100, GSA
to overcome the sovereignty of Khasi Syiem. The debates that arose on settling boundaries reflected the tensions of imperial sovereignty in these frontier hills. In January 1870 the Bengal Government issued orders for the suspension of a topographical survey of the Khasi-Jaintiah and Garo Hills. The Surveyor General of India requested that this restriction be lifted. With reference to his personal correspondence with the Lieutenant Governor of Bengal he stated that the local survey officer had been “instructed to carry out, in connection with the work of previous seasons of the Khasia hills, a good military reconnaissance of the Garrow hills, penetrating into the interior, only as far as he may do so with safety...”228 The adverted purpose of this survey according to the Surveyor General was to ensure that blank spaces on existing maps be filled out. However, the above quotation shows that the topographical survey was simultaneously a military operation to subjugate resistance in the Garo hills. The Surveyor General insisted that the survey should continue despite the purported lack of funds. He added that the survey of Naga Hills and Manipur regions, as per orders of the Government of India, would not be completed if withdrawn at this point. This letter was part of a correspondence between several tiers of colonial officials and officers in charge of the topographical survey.

The correspondence demonstrates that cartographic operations doubled up as military operations. Evidence of resistances by local inhabitants is found in a letter from Surveyor General H L Thullier to Alexander Mackenzie, Secretary to the Government of Bengal where he stated that, “so many obstacles have been found in the way of making even tolerable progress, and the expense of labour in those hills has risen to a prohibitory sum.” He added that the “maps of Khasi, Naga and Garrow Hills will be to a certain extent blank and unsatisfactory, and much remains to be done.”229 Alexander Mackenzie concurred with the Surveyor General. In a letter to

228 Letter from Surveyor General of India to the Secretary to the Government of India, Home Department Geographical Branch Part B, 27th January 1870, Nos. 9/15 NAI

229 Letter from H L Thullier, Surveyor General of India, to the Secretary to the Government of Bengal, Home Department Geographical Branch Part B, 5th January 1870, Nos. 9/15 NAI
the Government of India Mackenzie stated that economic concerns—that had driven the orders for suspension of the survey—were the very reason that ought to guide the completion of the same. The survey he believed would prevent long term fiscal loss to the government.\footnote{Letter from Alexander Mackenzie, Secretary to the Government of Bengal to the Secretary to the Government of India, Home Department Geographical Branch Part B, 31\textsuperscript{st} January 1870, Nos. 9/15 NAI} The colonial motives and processes of extending the agrarian frontier in Bengal and in Assam underscored the topographical surveys of 1870s. Just as Fischer’s survey, the military-cartographic operations of the second half of the nineteenth century facilitated identifying, and increasing land under the cultivable and revenue-yielding category. However, additional concerns are reflected in the exchange of letters.

Reasons identified as direct causes for the continuation of the survey were more political than economic. For instance, a letter from the Deputy Superintendent of Topographical Survey, a higher official of the survey party in the operation stated that the rebellions in the Jaintiah hills against a possible imposition of income tax between 1861-62 could have been averted if “the country had been better known”. This was the reason he stated for continuing the survey in “the unfinished country on the West, viz., the Garo Hills, and applies with still greater force to the Hills inhabited by the Nagas and other kindred races with whom we may at an added further, “It is impossible to underrate the knowledge of a country especially where jungle clad, intricate and mountainous, when a force has importunately to march into it.”\footnote{This letter stated several other reasons considered less grave but equally important, such as the breaking up a team of trained surveyors officials, the measuring instruments that had been bought for this purpose effecting a financial loss to the Government and so on.} In emphasising the necessity of the topographical survey in the hills these discussions give access to the politics of cartographic representations of the frontier landscape. These representations constructed the inhabitants as one
with the landscape. They were unpredictable and unknown, in need of mapping and representation.\textsuperscript{232}

The large amount of correspondence during the nineteenth century on making boundaries and ways of resolving persistent disputes between British and non-British territory point towards increased concerns about British sovereignty. There was a specific concern raised about the boundary between the Garo and Khasi hills discussed below, that reveals the tensions in establishing sovereignty in the frontier. The files I have examined contain correspondence between the different tiers and wings of the colonial government, depositions and interviews of local cultivators, landowners and tenants and Chiefs around subjects of boundaries and boundary making along the north east frontier. I have examined three different scenarios of boundary disputes that point towards different dimensions of colonial concerns, innovative measures to contain territories, and most importantly fissures in both the structural and organic nature of the British Empire.

\textbf{3.2.1 Where do the hills end?}

In 1853 the government in Bengal ordered local authorities in Sylhet to resolve a long standing boundary dispute. Captain Lister, Political Agent stationed in the Khasi hills addressing the commissioned enquiry referred to an older dispute dated 1844. In 1844 a complaint was lodged by the Syiem of Nongstoin against the encroachment of subjects under the Zamindari of Anundo Kishore and Bhagaruttee Debya of Pergunnah Bausucoorah in the border of Sylhet district. They allegedly entered lands belonging to Nongstoin with the view of dispossessing its inhabitants. Captain Lister’s letter in 1853 when this dispute resurfaced pointed to a reversal of the earlier situation, this time the petitioners being the Zamindars complaining against encroachment by inhabitants of Nongstoin into British territory. Captain Lister in his letter

\textsuperscript{232} See Chapter 4 for a detailed discussion of this idea.
ascertained that the disputed hill belonged to the Nongstoin Syiemship. Lieutenant Fischer’s survey was referred to ascertain that the disputed hill was not part of British territory. 233

The government of Bengal expressed serious concern about the ambiguity in the boundaries between Sylhet and the Khasi-Jaintiah hills and in a letter to the District magistrate in Sylhet asked for information on the “...precise political relations existing between the Cosseah chiefs and the British Government...” and whether the Syiem of Nongstoin had given the administrative reigns to the Company Government. 234 The Bengal Government wanted to ascertain that Fischer’s survey was authenticated by the local government, but the Political Agent in the Khasi hills was unable to furnish such a confirmation. The Political Agent stated that “ all boundary disputes arising between Cosseah Chiefs and Bengalee Zemindars of Sylhet have been invariably settled by my predecessors as well as myself by reference to that document.” 235 The Bengal Government conceded and allowed the use of Fischer’s survey to settle this dispute, howsoever disadvantageous it was for the colonial government to do so. In spite of the authorization by the Government of Bengal to use Fischer’s survey, in 1862 this boundary dispute resurfaced. The recurrence of boundary disputes reflects the impervious nature of both colonial boundaries and colonial knowledge.

Between 1861 and 1862, with rumours of a house tax to be imposed in the Jaintiah hills, several villages joined an armed resistance against British administration. This according to I Reynolds, Superintendent of Survey, was the due to the delay in survey operation, which had been renewed in the borders of Sylhet. 236 Fourteen villages in the frontier, according to Reynolds’ letter opposed even provisional measurement for survey operations. In a letter to the

233 Board of Revenue Papers 48, file no. 8/100, GSA
234 Board of Revenue Papers 48, file no. 8/100, GSA
235 Board of Revenue Papers 48, file no. 8/100, GSA
236 Board of Revenue Papers 48, file no. 8/100, GSA
Government of Bengal, Colonel Hopkinson, Agent to the Governor General in the North East Frontier asserted that the confusion and disputes over the boundaries had been resolved after the survey operations were completed at the end of 1862 and that he had received a map and report which showed “the true boundary and the errors made have been rectified and what they had wrongly assigned to Sylhet has been given back to the Cossyah hills”.237 Referring to a report by the Deputy Commissioner of Khasi hills Captain Clarke, the Agent confirmed that the boundary between Sylhet and several Khasi states had been determined and was shown in a map which he informed the Government, would be distributed among the Chiefs of the Khasi confederacies.238

Clarke’s report stated that the dispute between the Syiem of Nongstoin and the Zamindars was concluded with the annexation of much land from the Syiem. Masonry pillars were placed along the newly established boundary. Clarke’s report revealed that the colonial administrators and survey officials employed men identified as Khasi, perhaps inhabitants of the disputed land itself to lay down masonry pillars determining the new boundary. Clarke wrote, when “…their fraudulent claims to a long extent of plain country (where the hills at their base form a magnificent and natural boundary and which moreover is the limit laid down by Captain Fischer to their territory), were not entertained they ceased to accompany us any further, having us to place the pillars the last ten miles of the boundary as we chose.” This quote points to the fraudulent methods that were employed by the company officials to encroach into lands inhabited and used by subjects of Nongstoin. The help they were providing in the survey operations was suspended midway when the intent of colonial authorities to appropriate their land became clear.

In the thick of this correspondence it is often easy to find the purpose, process and employment of colonial territorialisation. For instance, in a letter from the District Commissioner

237 Board of Revenue Papers 48, file no. 8/100, GSA
238 Board of Revenue Papers 48, file no. 8/100, GSA
to the Agent to the North East frontier, one finds an acknowledgement of the efforts of the Company government at containing the Khasi to the hills. He wrote,

The complaints of Maharam Poonjee and other Rajas on the boundary are quite groundless… there have never been any dispute between them and the Zemindars but on the ground that their predecessors had much of the plain country in the foot hills, they have thought fit to endeavour to get it back … years gone by the Cossyas did hold lands in the plains but were eventually driven back to the hills and Captain Fisher’s boundary report distinctly states the foot of the hills to be their limits.239

The exact moment and process through which the lands in the plains were lost to the British is erased from such historical references. The inability for the colonial administrators and surveyors to validate the idea that the Khasi territory was restricted to the hills is evident in their recurring references to Fischer’s survey. I have discussed the indeterminate nature of boundaries demarcated after the surveys of 1827-8. Fischer, himself asserted that it was difficult to settle the limits of company territory based on topographical distinctions of hills and plains. Where the hills ended would continue to destabilise the empire’s sovereign status in the region. The third chapter discusses how this tension was resolved. In the next section other aspects of boundary disputes have been examined, namely the emergence of ethnic identification of place.

### 3.2.2 Dividing the Khasi hills and the Garo hill district: Ethnic Separation or Spatial strategy?

In 1870 when the government of India ordered the suspension topographical surveys of hill districts in the north east frontier, it caused great consternation in regional and local official circles. With pressure from the Government of Bengal and the Surveyor General of India, the suspension was rescinded in part and survey operations were continued in the Khasi and the Garo hills. The government of Bengal had, before the commencement of the operations, expressed caution and informed the local government to proceed with a less aggressive stance towards villages where the authority of the Syiems was undisputed. Also, the Garo Zamindars- at the boundary of the Garo hills and Bengal- were not to be involved in the “expedition”. This was

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239 Board of Revenue Papers 48, file no. 8/100, GSA
because the Government wanted to avoid any large scale resistance that may arise from a sharp
displacement of long standing customary authorities or by displeasing Zemindars who were
potential leaders of rebellions against the British government. In a letter Alexander Mackenzie,
officiating secretary to the Government of Bengal in the Judicial Department to the
Commissioner of Cooch Behar revealed the nature of survey operations. He stated that the
“primary object of the expedition” and the eventual motive to separate the Khasi and Garo hills,
would not be achieved “until the independent Garo circle in the centre of the hills [was] brought
into subjection.”

The concern to distinguish the Garos and Khasis had not been of much concern to the colonial state before this time. The two groups were understood as distinct based on the language spoken by people constituting the two groups. However, in villages at the cusp of Khasi and Garo hills the dialect included words from both languages. Additionally sovereignty was understood as shared and divisible. But the colonial government needed to determine a sharp boundary which displaced the orientation of villages.

The rearrangement of boundaries enhanced colonial administrative interference in the
hills. Dual jurisdiction was established in those villages at the border whose inhabitants owed allegiance and taxes to the Khasi Syiems, but fell within the newly defined Garo hills boundary. In such villages the Deputy Commissioner would collect the dues “paying them over to the Khasi chiefs, less 25%.”

Many new villages that were outside colonial control were annexed and “put at once on a par with villages already dependent.” The colonial government ensured that Khasis were not employed “for offensive purposes or in any other capacity than as coolies.”

Apart from militarily subjugating independent pockets in the Garo hills, other strategies were

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240 Board of Revenue Papers 48, file no. 8/100, GSA

241 Board of Revenue Papers 48, file no. 8/100, GSA

242 Board of Revenue Papers 48, file no. 8/100, GSA

243 Board of Revenue Papers 48, file no. 8/100, GSA
used to quell resistance such as the closure of market centers. The colonial state employed local officials to mediate the relationship between subjects and local rulers once again in a complex attempt to distinguish both territory and sovereignty. This included summoning the Syiems of Rambrai and Nongstoin to border village durbars where the information of new boundaries and new revenue arrangements was distributed to the subjects of these polities.

In 1873 the commissioner of Assam wrote a pressing letter to the Deputy Commissioner of the Khasi hills urging the necessity of completing the settlement of the boundary between Garo hills and the Khasi-Jaintiah hills. He stated, “…it shall not be the fault of the local authorities of Assam this time if the Government orders for the demarcation of the Garo and Khasi hills are not executed this season.” Such pressure reflected the urgency felt at the regional levels to establish boundaries, which it was believed, would ease tensions of contending sovereignties. The letter reiterated the objectives and prospective results of a settlement. His instructions included, “laying down the best line of demarcation you could find, and recording the principles on which it was laid down, and any objections made to it and any adjudication of rights involved in it….erect pillars as you go along where they are required, in the absence of natural boundaries, and the sites of the pillars would be marked on your maps and if you have no time or mortar ready, it would be sufficient that mounds of large stones were used for pillars.” Colonel H S Bivar, DC of the Khasi hills shouldered the responsibilities of the successful completion of the survey. Apart from being answerable to the Commissioner of Assam, the DC had to report to grievances expressed by the Agent to the Governor General in the North East Frontier.

244 Board of Revenue Papers 48, file no. 8/100, GSA

245 Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA

246 These objectives were later incorporated as part of a resolution passed by the Political Department of the Government of India calling for the submission of a report; Memo no.512 dated 8th November 1873; Also, a letter from the Junior Secretary to the Government of Bengal, Political Department to the Commissioner of Assam, approving his instructions to the DC. Assam Commissioner’s Papers, File 1871-1873, File No. 635, GSA

247 Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA
Describing the preparations he had undertaken for the “demarcation of the boundary”, the DC stated that he had placed military units of the native infantry at the border of the Khasi and Garo hills. He thereby asserted his intention to assist the DC of Garo hills Captain Williamson in the “subjection of the Garos.” His letter was informative in that it highlighted the different aspects of demarcation of the boundary such as opening routes of communication fit for official travel between the district headquarters in Shillong and the border areas, as well as oppressing any resistance through military force. The repeated use of phrases such as “reconnaissance of the Garo hills” in these correspondences attested to the violence that accompanied boundary making initiatives.

The boundary between the Garo and Khasi hills, which topographically were part of a single chain, was initially designed for administrative convenience. The offshoots of such administrative concerns included issues that shaped the nature of political relations at frontier of the Empire and exposed its most persisting anxieties. While large parts of Garo hills were under direct administration, the Khasi hills remained largely autonomous. The indeterminacy amongst people defined as Garo about who they considered their sovereign head, led to a lot of anxiety among the colonial government. Underscoring the settlement of boundary was the colonial government’s desire to define sovereignty in the region whether through force or in negotiation with the Syiems of Nongstoin and Rambrai. These Syiems were recognised as sovereign heads in many of the bordering villages in the Garo hills. By disrupting the existing practices of recognising both Syiems as sovereign heads and demarcating a line suggesting the limits of one or the other Syiems’ jurisdiction, in turn was meant to enhance colonial sovereign status. The Commissioner of Assam in a letter to the DC emphasised the need for “disconnecting the Garrows from the Khasis”. ²⁴⁸ The perceived difficulties in determining “whether a village was

²⁴⁸ Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA
really Garrow or Khasi” destabilised colonial control over these hills. The inability to identify certain villages as one or the other, were augmented by the fact that “the Assamese do not [sic] distinguish between Garrows and Khasis in speaking of the people of the low hills south of Nusteng but always cast them as Garrows...”

The colonial attempt at categorising people based on an ethnic identity that would enable a neat categorisation of political landscape and jurisdiction was not quite straightforward. The Syiems were also unable to give a precise definition of each village that paid allegiance to them. This was translated in colonial discussions as doubts about the legitimacy of the claims of the Syiems’ jurisdiction over villages which themselves claimed to be part of Khasi Chieftaincies. The ascending and descending nature of the political landscape was not easily understood by the colonial officials, and shared sovereignty of the Syiems was deemed unacceptable. Although the colonial officers were aware of the existence of such a system, it was no longer compatible with British notions of sovereignty. A claim made by an official in 1863 was restated by the DC in 1873. The memorandum quoted,

I suspect the real explanation of the matter is that these States [Nongstoin and Rambrai] have whenever they felt themselves strong enough, levied blackmail upon them [the Garos]...no doubt the authority of the Khasia Raja is little more than nominal, but it is highly desirable that those communities should be assigned to him who acknowledge his rule and speak the Khasia language. The great importance of having a well-defined boundary, the people living on one side of which will be subject to your [British] jurisdiction, and those on the other to the Rajas of Nongsteng and Ramrye (for I believe both claim to the north east) must be borne in mind.

This statement carried the logic with which boundary operations were carried out, as well as justification for the violent subjugation of resistance to it. Ruler-subject relations in these villages

249 Assam Commissioner’s Papers, 1871-1873, File No. 635 , GSA

250 Assam Commissioner’s Papers, 1871-1873, File No. 635 , GSA

251 Colonel Haughten, Deputy Commissioner Quoted in ‘Memorandum on Khasia and Garo Boundary carried out by Colonel Bivar, Deputy Commissioner, Garo Hills, and Captain Woodthrope, R.E, Survey officer, in March 1873’, Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA
that were characterised by irregular exaction of taxes in cash or kind, was dubbed as blackmail. The shared sovereignty of Syiems of Rambrai and Nongstoin was dismissed over British and non-British jurisdiction. Only those villages whose inhabitants spoke “the Khasia language” were to be included in the Khasi territory. Where geographic categorisations failed, language and thereby ethnic difference was employed as a means of determining jurisdiction.

In the attempt to lay down an “authoritative boundary”, principles such as language, or natural geographic features were to be relied upon. However, these features were insufficient in categorising certain villages in the border, particularly those consisting of people known as Lyngams. These villages claimed by the Syiem of Nongstoin, are described as constituting a race called Lyngams “produced by the intermarriage of the Khasis and Garos.” 252 Forty-nine villages were identified as constituting Lyngams. The memorandum contained a short description of their social and cultural attributes both seen as combining elements of Garo and Khasi societies. 253 The lyngams also challenged the efforts of the British to confine and sedentarise inhabitants of the hills, and particularly British territories in the Garo hills. These groups were described as, “…very nomadic in their habits and rarely live[d] long on the same village site.” This fact enhanced the necessity of subjugating them and identifying their precise jurisdictional location. 254

The memorandum stated that there were also villages where both Syiems of Nongstoin and Rambrai “had long exercised rights...of very trifling value...nomadic and one year may be on one side of the boundary the next year the other.” 255 According to the memorandum, the collection of dues described as “blackmail” was acceptable to the Garos because “that by doing so they

252 Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA

253 They were later included in anthropologist P R T Gordon’s monograph called The Khasis, thereby establishing that they were not Garos but Khasis. Originally published under the Orders the Assam Government 1907, See P R T Gurdon, The Khasis (Delhi: Cosmo Publications,1987)

254 Ibid.

255 Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA
enjoy[ed] comparative immunity and escape[ed] all control, and avoid[ed] the more direct and searching Government which they would be liable to under the Deputy Commissioner, Garo Hills.”

These villages ascribed to the elusive Lyngams were stripped from the jurisdiction of the Khasi Chiefs except a few hamlets. Eighteen villages were found to neither recognise the Shoshung Raja’s authority in the west nor the Chief of Nongstoin’s jurisdiction in the east. These villages were to be brought under the control of the Government, or ascribed to Nongstoin, perhaps as compensation for the villages stripped from it. Separating jurisdictions was undergirded by the same motives identifiable in the production of spatial divisions between hills and plains. The definition of sovereignty whether at the frontier of Sylhet and the Khasi hills or in the bordering villages of the Garo and Khasi hills eluded colonial officials. This created persistent anxieties in defining ruler-subject relations as well as establishing the crown as the dominant sovereign power in the region. Direct annexation of these frontier hills had been ruled out but military initiatives had incrementally included more and more frontier lands under British territory, often under the pretext of topographical surveys. Yet, indeterminate jurisdictional boundaries, the imprecise contours of the relationship between the colonial state and Khasi chiefs and his subjects and the nature of the Syiem’s sovereignty created unease among both local authorities and those in the higher echelons of the state.

The colonial government was keen on marking the western limits of the Khasi Syiems jurisdiction once the colonial jurisdiction in the Garo hills was extended to certain hitherto independent pockets. There was a desire to avoid any future conflicts on jurisdiction that may arise because of undetermined boundaries. Ascertaining jurisdictions was a way to allay colonial anxieties about sovereignty. Boundaries were also the site upon which the colonial state was at its

256 Ibid.
257 Ibid.
most vulnerable, where its legitimacy was most uncertain, where persistent contestations and military power preserved the dominance of the British.

The use of natural boundaries for “separating the Khasias from the Garos as far as possible”, was only strategically applied. There were occasions when “intricate boundaries…through heavy jungles and the densest swamps” were given a preference over natural boundaries. For instance, in the northern portion of the Garo hills suggestions were made to use the “Radiac River as the line down to its junction with the plains”. With this river as a natural boundary, a number of villages - described as “purely Garo villages that have always paid to the Government and acknowledge no connection with the Khasi Syiems” - would fall under the boundary jurisdiction of the Chief of Rambrai. At the same time, as noted earlier several villages hitherto under the sovereignty of Khasi Chiefs would be included in the boundary of British territory in the Garo hills. There were also several “purely Khasi villages” that fell on the Garo (British) side of the boundary. In such cases the government came to the conclusion that “… however the Syiems have no territorial rights over their own immediate subjects, the Khasias, it is proposed that they should only take the usual tax, that all rights of timber, minerals, elephants, fisheries, &c., in the lands held by the Garo villages shall remain vested in the Government.” The Lieutenant Governor approved this arrangement, which in clear terms was economically and politically beneficial for the British government.

The memorandum contained suggestions of categorising villages that by virtue of the new cartographic boundary were transferred to the Syiem’s jurisdiction, to be placed under the administrative responsibility of the Deputy Commissioner of the Garo Hills. A resolution dismissed the possibility of such an arrangement, emphasising the confusion in jurisdiction this

258 Ibid.

259 Resolution passed by the Political Department of the Government of Bengal, 24th October 1873, Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA
would create. The resolution emphasised, that the Syiems had to be reminded not to collect dues west of the new and invisible boundary. To demarcate the boundary several options were discussed including “cairns of stone”, masonry pillars or iron posts. The successful demarcation of the boundary was considered highly challenging in spite of the military operations, without the cooperation of the Khasi Chiefs. The Syiem of Rambrai and the Syiem of Nongstoin were an essential for the success of establishing and maintaining the boundary line.

The two Syiems were informed that “their cooperation and assistance are chiefly required for the protection of their own interests and that if the demarcation does not go in with them, it may go in farther without them.” This meant that their non-participation would entail in the loss of lands within their boundaries. They were reminded that “that the government are not likely to allow objections raised hereafter to the Boundary Commissioner’s work.” Many villages showed their deference to the Syiems and cooperated in boundary demarcation operations because of the presence of one or the other Syiem-whomever they considered their sovereign head. The depositions of villages during the operations of boundary commission demonstrate that without the Syiem, the colonial officers were not able to extract information or get inhabitants of villages to cooperate. However, the colonial government’s intentions, as is clear from the set of correspondence examined here, was to usurp more lands from under the Syiem’s authority, limit the autonomy in the hills and mark how far the colonial state’s jurisdiction extended. The boundary settlement was secured by “giving a pecuniary compensation to these Syiems for any rights, real or supposed that they may have exercised permanently or casually to the west of the boundary line now settled.” The government decided that the Chiefs were to be “liberally treated” for their cooperation. The acknowledgement of the Chiefs’ cooperation did not

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260 Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA

261 Ibid.

262 Ibid.
sufficiently describe the essential role they had in gathering information, and thereby in establishing colonial jurisdiction.

The database of knowledge on landscape, boundaries and people for the reference of this survey operation in the early years of 1870s, included older surveys and geographical narratives and significantly archived depositions of Chiefs and inhabitants of villages at the boundaries, petitions, and other locally collected information. However, the memorandum by local officials on the boundary dismissed the depositions collected in 1839 from the Chief of Nongstoin and his family members as “highly unsatisfactory.” 263 It was suggested that these depositions “threw no light whatever on the question” of boundaries and that it was “evident the witnesses were not speaking form local knowledge but from hearsay.” 264 Information collected revealed discomforting facts for the colonial officers. For instance, the continued acknowledgement of the authority of the Chief of Nongstoin in certain villages which had been annexed by the EIC in the early decades of the nineteenth century and paid taxes to the British. The memorandum described these villages as having “acknowledged in an uncertain and fluctuating manner some sort of authority of the Syiem of Nongsteng, but they show also his control over the villages was the slightest.” 265 That the nature of ruler-subject relations in these polities were not purely fiscal and relied heavily on notions of kinship, and that the Syiem’s sovereign status arose from a complex set of socio-religious and political meanings was not grasped in colonial records.

Invalidating local knowledge in favour of official knowledge through which new information on landscape was produced accompanied the physical violence with which new jurisdictions were established. In interviews of inhabitants during the demarcation process the officials found that many caves, rivers and other landscape features were known by different

263 Ibid.
264 Ibid.
265 Ibid.
names. They claimed that “no reliance whatever can be placed on the statements of these people as regards time or distance. An old man frequently tells one that he is five or six years of age, and similarity a day’s journey is described as an hour’s, and vice versa.”266 Such information was delegitimised because it did not help the officials in their calculations and in standardising the information on these places. The fourth chapter directly addresses such colonial knowledge forms that were produced and imposed upon inhabitants of the frontier during the nineteenth century.

### 3.2.3 Contending Colonial Jurisdictions

In 1873 the Deputy Commissioner of the Khasi Jaintiah hills H S Bivar in a letter to the Agent of the Governor General in the North-East Frontier emphasised the importance of colonial jurisdiction in relation to territorial boundaries. He wanted the demarcation of a boundary running east from Theriaghat in Sylhet the Khasi hills and Cachar. He wrote that the boundary was “uncertain” and “impractical”. This impracticality caused disputes between colonial officers in the hills districts and the plains.

By the second half of the century when the boundary disputes remerge, the political administration of the frontier territories was more firmly under the colonial state. The Jaintiah Hills since the treaty of 1835 had been a Company district with the Jaintiah Rajah as a nominal leader of the people. The rebellions that broke out in 1860-61 demonstrated that the inhabitants of the Jaintiah hills strongly opposed topographical survey operations and continued to uphold the Rajah as their political sovereign in spite of being incorporated as subjects of the colonial government. The political landscape in the Khasi hills was rather different. Apart from small pockets like Shillong and Cherrapoonjee which were directly administered by the colonial state, most of the Hills remained outside of the bounds of company jurisdiction. However, the Khasi Syiems had been subjected through the treaties to ensure that they did not act outside the interest

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266 Report from Captain H J Peet, D C Garo Hills to the Commissioner of the Cooch Behar Division, 31st March, 1871, Assam Commissioner’s Papers, 1871-1873, File No. 635, GSA
of the Company. By the time Crown rule replaced the Company, Shillong in the Khasi hills had been turned into headquarters of the north east frontier agency. The Khasi and Jaintia hills together had been transformed into a political district. Such spatial ordering helped British officials determine what lay inside the hill district and what belonged to Sylhet. This power that the Khasi Siyems had exercised in stating the terms of negotiation regarding land and boundary at the frontier had been gradually lost to the colonial state. In the following discussions of disputes that arise in the border of Sylhet and the Khasi-Jaintia hills, it becomes clear that the stakes had shifted. The underlying anxieties around sovereignty were redirected and resolved through innovative ways.

In a letter from the Government of Bengal to the Commissioner of Dacca in March 1874 a serious concern was expressed about the illegal encroachment of two European planters Brownlow and Hart into Jaintia hill territory. There was doubt among the colonial authorities in Sylhet and in the Khasi-Jaintia hills which side of the boundary the disputed land belonged to. The Government ordered a freeze in any proceedings of grants or leases of land in the “neighbourhood of the border” without the approval of the Deputy Commissioner of the Khasi-Jaintia hills, and demanded “an explanation of the character of leases granted by the collector of Sylhet.”

This enhanced the authority of the DC in relation to the collector of Sylhet and contributed to the conflict between the two.

Disagreements between the collector of Sylhet H C Sutherland and the officials in the Khasi hills were based on the unresolved nature of jurisdictional boundaries. The frequency of disputes through the nineteenth century reflect the difficulties of disciplining cultivators to regard the invisible boundaries on what were historically conceived of as continuous landscapes. In a report prepared by the sub-district collector of Sylhet, Sambhu Narayan Singh and J B Shadwell, the extra-assistant commissioner of the hills district, the nature and cause of the dispute was

267 Dacca Commissioners File, File no. 110, Serial no. 1-20, 11th March 1874, GSA
elaborated. A comparison between two maps, one in Bengali from 1840 (later corroborated by the Surveyor of India to be the correct map) and an English map showed that the disputed lands in question belonged to the Hills’ jurisdiction. The enquiry revealed that a Brownlow had occupied lands without a patta. The patta he provided was of lands that belonged to the hill district.

This enquiry pointed out that another set of disputed lands. These included hillocks, “connected with [the] range of main chains and some of them being connected spurs come out from them [sic] pertain to the hills and were also excluded from the Survey of Lieutenant Thuillier.” The planters had occupied and cleared the lands in anticipation of a patta to be issued from Sylhet. Durreny Choudry [sic] in his interview claimed that the lands occupied by Mr. Hart were leased to him and Jumma Choudry [sic] and a few others who had sold the rights to the planter. However, they stated that they continued to “pay rent to the Shillong treasury through the Collector of Sylhet.” The Zamindars both acknowledged that they sold lands that were part of the hill district and at the same time paid rents to the Sylhet Collector. Hart alleged that a deep water course or ravine separated the hillocks under his possession and the Main chains. Therefore he considered it to be part of the plains and not the hills. This claim was unsubstantiated as the local authorities found no trace of such a stream or separation.

In the case of the lands occupied by Mr. Brownlow, a cultivator Roop Ram was interviewed who claimed that there were eighteen settlement holders who sold parts of the disputed lands to Mr. Brownlow. He was unable to account for lands that were not owned by any of the eighteen settlers. He also stated that these eighteen settlements paid rents to the Sylhet treasury but were transferred to the Shillong district treasury a year earlier. Other cultivators like Loai Chowkidar, Jain Mahomed, Nobin Lasker, Gholam Iwa, and Batai Kazi who tilled or owned lands in the region confirmed that the lands in question belonged to the hills. Dhanai Nuah

268 Choudhury was a title associated with Bengali land holding class

269 Dacca Commissioners File, File no. 110, Serial no. 1-20, GSA
Sikdar, employed as *Jamadar* of the land was the only interviewee who claimed that he had no information about the boundaries of these districts. One of the cultivators believed to have sold land to Mr. Hart, claimed that he had not in fact sold any land to the planter.

On the surface this dispute reflected the ambiguous relationship between the contending jurisdictions of the colonial authorities in the hills and the collector of Sylhet, arising from miscommunication and disagreements between them, resulting from faulty maps. The involvement of the office of Surveyor General of India in this local dispute attested to the inability of the local authorities to ascertain the boundaries. In a letter from the Surveyor General of India, the boundary is described in the following words,

…the foot of the hills or the surveyed line of the cultivated villages in the plains alone form part of the Jynteah district attached to Sylhet according to the Survey of 1838…The hilly portion of the north of the villages specified in your letter…ought to be held as appertaining to the hill jurisdiction. The intermediate area defined by the straight lines to the peaks was fixed merely to show the extent of the survey and how the hill peaks were laid down. It is in no way connected with the total area of the district as given on the published general map…the straight line shows the triangulation area, as it is called, have given rise to the misunderstanding. But I have never had any other opinion that what I now give you- the plains belong to Sylhet, the hills to the political agency.270

The Surveyor general of India pointed out that a particular map incorrectly depicting areas that were under the Sylhet district, published without his approval, lead to the confusion. He forwarded a correct version of the map and also referred to the Atlas of India which had the correct demarcations according to him.

Complaints issued by colonial authorities in the hills stated that “the rights of the village communities in the Jaintiah hills appear to have been invaded surreptitiously under the cover of the orders of the Collector of Sylhet.” The Bengal government responded to such complaints by blaming the confusion on a faulty map. The collector of Sylhet was held responsible for issuing leases to the two planters transferring the right of using the resources of the land to them. The

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270 Letter from H L Thullier, Surveyor General of India to H C Sutherland, Commissioner of Sylhet, Dacca Commissioners File, File no. 110, Serial no. 1-20, 11th April 1874, GSA
report of the enquiries reverted to a discussion of the boundary line between Sylhet and the Khasi Jaintia Hills, and stated that “the whole of the Hill Country is absolutely outside of the Sylhet Frontier.” Notwithstanding the persistent idea of the “absolute” separation between the hills and the plains, the Khasi hills were identified as a hill district of the Colonial State separate from Sylhet. The report posited two changes that needed to be made. First, faulty maps, which were found to be the cause of the confusion in the first place, were to be replaced by correct ones. Second, all land records and pattas admitted to be within Khasi-Jaintia territorial jurisdiction were to be transferred from the Sylhet Collectors office to the office of the Deputy Commissioner of the Khasi-Jaintia hills.

In spite of identifying the “illegal encroachment” of the two European planters, nowhere in the correspondence were they directly held responsible for acquiring possession of the lands by deceit and lies as the testimonials of the cultivators showed. The Commissioner of Revenue in Dacca, wrote to the Collector of Sylhet enquiring “whether there is any precedent arising out of the local usage in Sylhet or Jyntiah in regard to waste land clearances, and at least assumed to in accordance with the old waste land rules which could be held to give the color of official authority for the action taken by Hart in proceeding to clear the land of which he had no lease or any promise either expressed of getting one.” The Collector replied saying that there were no waste lands in the Jaintia district and the plot of land in question was under regular settlement land. The transfers of patta made to Hart by local cultivators was deemed a regular occurrences and in line with the rules of land transfer. However, the Collector added, because Hart cleared the land before it was settled in his name, his actions were deemed “most irregular and illegal.”

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271 Report from the Commissioner of Revenue, Dacca Division to Secretary to the Government of Bengal, Dacca Commissioners File, File no. 110, Serial no. 1-20, 12th May, 1874, GSA

272 Dacca Commissioners File, File no. 110, Serial no. 1-20, 30th April, 1874, GSA

273 Ibid.
Two noteworthy aspects of this letter are that, the Collector’s understanding of the situation did not match the description provided by the DC Khasi hills. According to the DC the lease on the disputed land only allowed the lessee to cut grass and bamboo for fuel. In clearing the jungle Hart, the Hill authorities claimed disregarded the usage of this land. Second, the Collector conveniently overlooked the claim of one of the lease holders Jumma Choudry that he had not transferred his lease to Hart.

This set of correspondence and reports explicates the persistent confusions and disputes in these frontier lands and a shift in the discourse on landscape and jurisdiction. The Jaintiah hills were treated as a directly administered territory although influence of the DC of the Khasi-Jaintiah hills was not pervasive. Yet, encroachment into the hills, sanctioned by the Collector of Sylhet was seen as a serious transgression. This once again brought the question of where the hills ended, into focus. Underlying the debates, claims and counter claims of colonial officials in the local, regional and state levels, was an attempt to arrive at a conclusive idea of a nature of jurisdiction.

The frontier was a site where colonial jurisdiction and sovereignty was most unstable. This was not so much due to physical threats or rebellions which were readily overcome by force. The underlying cause of colonial anxieties about boundaries was the gaps in knowledge about the inhabitants of the non-British frontier hills. Together the imperfect boundaries and incomplete knowledge produced fears that could only be overcome by asserting a dominant sovereign status. This reason for frequent surveys and boundary demarcation operations across the stretch of the north eastern frontier in the nineteenth century was both economic and political.

Scholars of borderland histories have examined the dynamic interaction between “indigenous people and invading colonists” and the resultant contested cultural space defined by

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274 Ibid.
“persistent frontiers” or “persistent borders”. This scholarship complicates the understanding of colonial domination and subjugation. The significance of local authorities in stating and negotiating the terms of engagement, whether political or commercial with imperial trading companies sheds light on the complex political landscape that had to be overcome by colonial forces. At the same time, the local communities played a significant role in informing, challenging and engaging with the colonial officials in their various efforts of knowledge production. However, there are often risks in affording “non-hierarchical” interactions more merit over racialised and unequal power equations, or of glossing over the reconstitutive processes of colonial spatial strategies that gave the hills and its inhabitants specific social identities albeit building over longer historical and civilizational discourses as well as self-representations of indigenous/hills peoples which were also contextual and dynamic.

Processes that confined inhabitants of this borderland region, in particular the Khasis and Jaintiahs, as “hill tribals” was not limited to physical restrictions. Containment was also produced in terms of the access the hills people had from the nineteenth century onwards on what they could grow, which lands were accessible for agriculture, changes in forms of exchange and technological halts. Containment of hill tribals was not absolute, as I have shown earlier. The different strategies used to contain and confine hills populations within boundaries delineated as “natural” such as hills and plains or jurisdictional such as British and non-British territories were not entirely successful. Yet, inhabitants whether the shifting agriculturists of the hills and plains, or the traders from the higher hills were part of a framework defined by kinship patterns, origin

275 See Chitralekha Zutshi’s article ‘Rethinking Kashmir...’ for a succinct historiography on borderlands and its usefulness in understanding frontier regions of Southern Asia. Also see Jeremy Adelman and Stephen Aron, ‘From Borderlands :814-841;

276 In their essay Adelman and Aron emphasise that profound changes are downplayed in the emphasis of continuity by stressing cross cultural mixing, social fluidity and the creation of syncretic traditions. Jeremy Adelman and Stephen Aron, ‘From Borderlands’, 814-841.

277 Lord Lindsay, Life of the Lindseys or Memoir of the Houses of Crawford and Balcarres, (London. John Murray, Albermarle Street 1849)
myths, and socio-religious belief systems as well as political and economic alliances. Colonial processes over the course of the nineteenth century redefined several aspects of the political-social-religious frameworks. This was most evident in the reconstitution of the role of the Syiem, discussed in detail in the next chapter.

The creation of a satisfactory cartographic imagination of the frontier remained elusive, and alternative strategies were employed to enhance financial profits as well as political dominance. The active landscape was tamed through representation, and unstable local knowledge was converted into surveys, maps, and reports, produced standardised knowledge of the frontier. The imperial knowledge was profoundly local in nature, as the first section demonstrated. However, political exigencies produced a frontier imagination that wreaked havoc on the local conceptions and belief systems. This chapter has shown the dual historical processes of the making of a frontier imagination, and the persistent undoing of the same. The motives, intentions and methods of survey operations showed the contingent nature of knowledge production, as well as the shifting colonial strategies. The colonial state was unable to stabilise its position in the frontier by creating absolute categories of hills and plains, or British and non-British subject. Colonial jurisdiction and local custom were taken up as both the reason and the means for establishing colonial sovereignty over non-British territory.
Chapter 4

Colonial Jurisdiction and Khasi Custom, c. 1835-1903

“…revenue there is none, there is no law, and as little justice”.

In the non-revenue yielding, non-British territories of the Khasi-Jaintiah districts, the East India Company found little reason to invest in judicial establishments in its early years. Their primary judicial concern in relation to the hills early in the nineteenth century was to contain what were defined as “raids” into British territories. Alongside preserving and intensifying the revenue collected from newly acquired lands in east Bengal the prevention of “raids” was seen as an act of moral and economic necessity. The loot and slaying of British revenue yielding subjects by non-British hill tribals was unacceptable and produced justifications for determining boundaries between hills and plains as discussed in previous chapters. This artificial boundary underscored processes of territorialisation and expansion of the agrarian frontier in Bengal, and was accompanied by the need to preserve a legal and moral order in these frontier spaces. Moreover, early territorialisation of the East India Company always accompanied anxieties about British sovereignty. Diplomatic relations through treaties and agreements with local Chiefs of the Khasi States chartered the political interests of the Company Government. The legal and judicial authority of the colonial state vis-à-vis these local authorities remained ambiguous through the first half of the nineteenth century. The emphasis on the political role of the Agent of the Governor General, whose headquarter was located in the Khasi hills, accompanied his magisterial functions. However, apart from the monopoly over “criminal cases” and the authority to adjudicate disputes between two or more Syiems, the Agent’s judicial role was not clearly defined.

278 Minute by the Governor of Bengal, 16th November 1853 an appendix in A J M Mills, Report on the Khasi and Jaintiah Hills (1853):111-112
By the mid nineteenth century the Bengal Government decided it was necessary to define the precise nature of judicial authority it had in these hills. In her discussion of the legal pluralism as a colonial project, Lauren Benton points out that well before “indirect rule” was articulated as a political strategy, colonial administrators understood and expressed the need to sustain indigenous legal forums as a means of promoting order.279 EIC Administrators comfortably engaged with a multiplicity of legal and juridical forms being as they were accustomed to the complexity of jurisdictional politics in England. Also, in an attempt to lower administrative costs the Company depended on, encouraged and supported indigenous legal forums and infrastructure to continue. At the same time, the presence of Europeans (colonial officials or private entrepreneurs and others), commercial interests, and moral pressures necessitated British involvement in the legal and judicial infrastructure that lead to a formalisation of legal pluralism.280 This chapter examines the establishment of British legal authority as a dominant authority within this plural legal architecture.

Establishing political dominance in non-British territory was an intricate and complicated process. To avoid large-scale resistances by overt acts of dominance and control the Company instituted diplomatic relations with local chiefs. The relationship between these local sovereigns and the Company transformed in the latter half of the century with the gradual marginalisation of the power of the former to state and negotiate the terms of the Company’s involvement in non-British territories. The analysis of these relations, which were critical to the constitution of the political landscape of this colonial frontier, is significant not only to uncover colonial motives and anxieties. They are crucial to understanding the lasting repercussions of the curtailed autonomy of the “hill tribals”, the naturalisation of colonial definitions of a “customary ruler”, the

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279 Benton, Law, 127

280 Ibid., 27-166
reconstituted ruler-subject relations, and definitions of cultural superiority of colonial legal authority over the legal culture of the communities in the hills.

In 1822, the first Agent of the Governor in the North East, stationed in the Khasi hills, David Scott, expressed that there were numerous local customs “which it will be better to permit them [Khasis] to follow than to attempt at present to introduce a uniform mode of procedure throughout the whole extent of the frontier.”

Chapter 1 has noted the processes by which treaties were signed with the heads of many Khasi polities that were classified as “dependent” or “semi-independent” between 1829-39 depending on their strategic location and history of resistance towards the Company. There were also polities that did not sign treaties, though the existence of such autonomous polities rarely gets mentioned in government records. The polities in the Khasi hills -dependent, semi-independent or independent – were defined as non-British territory. Within these non-British territories, however, colonial stations were carved out that were directly administered by the Company. Throughout this differentiated political landscape at the frontier of Bengal a uniform criminal jurisdiction was introduced by the Company Government. It was initiated through a clause in the treaties signed with the different Chiefs, and legislated through Act VI of 1835. The Political Agent stationed in the hills was given magisterial duties and he could refer the cases to the high courts of Bengal or Assam, depending on the gravity of their criminal nature.

While most Syiem were allowed to retain juridical authority of their chieftaincies, the Political Agent acquired the power to intervene in civil disputes that seemed significant in addition to criminal cases. The separation between civil and criminal

281 Letter from David Scott, Agent to the Governor General in the North east to W B Bayly, Chief Secretary to the Bengal Government, Revenue Department Consultations 24th July 1822, no.13, India Office Records

282 For instance, the Khasi state of Nongkhlaw which led many other states into a decade long rebellion that sparked off in 1829 was completely subjugated after the Syiem Tirot Singh and his allies were captured. The state of Khyrim on the other hand which helped the Company forces during these rebellions was ascribed a semi-independent status. No treaties were signed with several polities which were deemed insignificant either strategically or due to no known economic advantages.

283 Mills, Report.
jurisdiction enabled the Company to have penal authority over its non-subjects. In this way, the judicial structures that the Company inherited from its Mughal predecessors were extended to frontiers that were beyond the Mughal jurisdiction in order to facilitate the capture and punishment of non-British subjects of the hills.284

A patchwork of plural jurisdictions was created in the Khasi-Jaintiah hills in the early decades of the nineteenth century. This plural legal and judicial structure in the frontier hills was economical, on the one hand, and helped formulate colonial sovereignty through a strategic negotiation of jurisdiction and colonial power, on the other. The modifications in the plural legal order from the mid-nineteenth century till the first decades of the twentieth century marked the colonial government’s lasting legal and political legacies. Colonial judicial policies from the mid to late nineteenth century underwrote a reconstitution of the notion of customary rights and sovereignty in the hills.

4.1 How, to What Degree and to Whom?

…Law and property, and a whole set of discursive formations predicated on the free, autonomous functioning of …modern institutions…[were] set up to appropriate the political function. They were represented as autonomous, as fundamentally non-political… 285

The company from its very inception as a government found it challenging to formulate a clear definition for inhabitants of the subcontinent as British legal subject, that is, the manner and degree to which British laws were to be imposed. This was compounded by two challenging tasks, according to Benton. The first was to understand the intricate and varied legal systems already in existence; Hindu and Muslim laws were extensively studied by the new administrators 285

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284 By the Act of 1835 not only was the Political Agent of the Khasi Hills placed in charge of civil and criminal cases under the superintendence of the Sudder Dewani and Nizamut Adalats but the orders of 29th September 1835 that included ‘Jaintiah territory’ as part of the Khasi hills was modified by ACT XXI of 1836 which sanctioned the annexation of the Jaintiah territory to Sylhet but Mills states that only the “plain country on this side was brought under this order”. See A J M Mills Report, 9

and imperial scholars. The second was the enhancement of British economic interests, which required the redesigning of laws. The jurisdiction over British subjects, i.e. soldiers, officers and their families also required additions to earlier forms of jurisdiction.\(^{286}\) These concerns that Benton discusses in relation to territories previously under Mughal rule were magnified in the north east frontier hills of Bengal. In the Khasi and Jaintiah hills inhabitants were neither Hindu nor Muslim, and their legal status in relation to the British Empire remained ambiguous through most of British rule in South Asia. The presence of a large number of Europeans - private traders, entrepreneurs, officials and their families, missionary groups - further complicated the nature of plural jurisdiction. The possibility of a shared legal identity of all those who inhabited the hills was impossible to conceive of for two reasons. First, the judicial structure, especially in the first half of the nineteenth century, was itself quite inchoate. The relationship between British courts in Sylhet, the office of the Political Agent in the Khasi Hills and the politico-judicial durbars run by Khasi Chiefs and jurisdictional powers enjoyed by the Dolois in the Jaintiah hills remained vague and contentious. Second, as several historians have pointed out, there was an inherent contradiction in the framework of colonial jurisprudence wherein “rule of law” was formulated not to enable uniform justice, but to strengthen colonial power that spelled out racial and civilizational hierarchies between natives and Europeans.\(^{287}\) While these formulations were being congealed in directly-administered British territories, judicial developments in the frontier hills of Bengal gave interesting inflections upon the intersecting British concerns around sovereignty, jurisdiction and property. In the next few pages I will discuss such corresponding concerns emerging from the mid-nineteenth century.

\(^{286}\) Benton, *Law*, 123

\(^{287}\) For a more recent formulation of ‘rule of colonial difference’ in the judicial realm see Elizabeth Kolosky, *Colonial Justice in British India*, (New York: Cambridge University Press, 2010). For an elaborate breakdown of the plural judicial framework in British India see Lauren Benton, *Law*, 127-166
A. J. M. Mills, a judge of the Sudder Court in Calcutta, was sent on a deputation to the Khasi-Jaintiah hills to enquire into anomalies in the colonial judicial establishment in 1853. The one hundred and twenty-three page report was prepared by Mills by consulting archived colonial correspondence, reports, administrative and revenue, pattas or leases on land and natural resources, and judicial cases from 1826 onwards. Using these sources, he examined the anomalies in colonial jurisdiction in the Bengal frontier which had led to severe and persistent disputes on jurisdiction between Sylhet and the hills districts. The report is significant because it led to several important changes in the judicial structure of the colonial state in the frontier. It also provides insights on the ideas about the legal status of non-British subjects, the relationship between the colonial government and private British enterprises and the imposition of British ideas of property and sovereignty in territories defined as non-British.

Mills’ report contained a review of the legal infrastructure developed from the Act IV of 1835 onwards and the broad jurisdictional divisions between the authority of the British and that of the Syiems, and the Khasi and Jaintiah districts, the hills and plains, and portions of the Jaintiah Rajah’s territories that were divided between hills, Sylhet and Cachar jurisdictions.²⁸⁸ The findings of this report are significant in that it was instituted in 1852, just five years before the transfer of the colonial administrative authority from the Company to the British Crown in 1857. Following the transfer of power the nature of relationship between the British government and the native states was reviewed. This report gathered importance in the reformulation of the diplomatic relation with the Khasi Syiems. Also, since government reports on these frontier hills were few and far between, this report, along with the revenue report of 1858 by WJ Allen, became significant points of reference for colonial officials in the following decades.

²⁸⁸ The Jaintiah territory, as elaborated in Chapter Two, was divided between directly administered plains territory by the colonial authorities in Sylhet, the hills were annexed in 1835, and its subjects understood as colonized subjects of the Company. Jurisdiction over the hills was given to the Political Agent. The territory of the Jaintiah Rajah was divided between Sylhet, Cachar and hills jurisdiction.
Jurisdictional disputes continued well into the late nineteenth century as evinced in the previous chapter. This meant that policies effected in light of Mills’ report did not bring about significant jurisdictional order in the immediate future or resolve the causes for recurrent disputes. Yet, the report remains significant in that it reveals what was at stake for the colonial office in this complex judicial landscape of the frontier hills. Pointing towards the necessity of reform in judicial administration, the report stated the following:

In Cherra Poonjee there are numerous Europeans, both in and out of the services-coal mines are worked, lime is quarried, and other speculations engage attention. …[M]any disputes have, in connection with trade, sprung up and formed the subject of suits in the court, and that great complaint is made, and not unreasonably, I think, in which justice is administered. It is therefore time I think, that the administration of the territory in which the political agent exercises the powers of a magistrate, collector and judge should be placed on a more satisfactory and intelligible footing; that magistrate should know what law he has to administer, and the subjects should know under what they have to live. It is, I think, very doubtful whether Europeans are even amenable to the Political authorities in civil matters in consequence of Act XI of 1836 not extending to the Khasi hills…I would suggest the enactment of a complete set of rules and procedure suited to the usages and institutions of the country…

This extract from the report captures, in a somewhat modified form, three crucial concerns that reformulated political relations with the Khasi polities. These included uncertainties regarding the economic benefits of legal pluralism, the nature and office of juridical authority, and identifying the juridical subject. The economic value of the hills, mines and quarries leased by Europeans and conjointly managed by the Company and private traders underwrote the concern for judicial reform. Additionally, the judicial role of the Political Agent in the hills and the precise nature of the relationship between the colonial district office and the Sylhet courts arose as a matter of concern. In addressing these concerns a corresponding formulation of British legal subject emerges. The report was unclear about who the subject is, and to whom the judicial reforms were directed. Direct references were made only to Europeans and colonial officials who were British subjects. Yet the extension of judicial reforms would inevitably include within its machinations the non-British subjects in the hills.

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289 Mills, Report, 10
The status of non-British subjects and their customary rights were largely circumvented in the report. The independence of the Khasi Syiem in adjudicating justice as well as the sovereign status of the Khasi polities were ignored or mentioned interchangeably with the Jaintiah hills under direct colonial administration. The customary rights and social structure of the two were intimately connected, but the latter had been incorporated into the judicial and economic ambit of the colonial state in direct and clearly-defined ways. The inconsistencies reflect that the legal structures in place for the Jaintiah hills could, at any point, be used to curb the autonomy in the Khasi hills. For instance, Mills stated with respect to the powers of the Dolois that,

> if it be found, as asserted by Mr. Lewis, that the present mode in which petty cases are decided by the village authorities is the cause of vexation and annoyance to the people, and that cruel ordeals are still enforced, the procedure should be reformed, the mode in which cases to be tried should be defined, and the powers of the dullais [sic] should be indicated with precision. The country is ours, and it is our duty to see that speedy justice, suited to the simple habits of the people is administered and practices abhorrent to humanity are not allowed.\(^{290}\)

The revenue yielding colonized subjects of the Jaintiah hills were highlighted as legal subjects in this statement. The status of inhabitants of the Khasi polities, however, was not addressed. In the next section I will examine the issue of rights of the subjects in the Khasi polities after a discussion of judicial considerations that became urgent for the colonial state.

### 4.1.1 Jurisdiction over Europeans

A lengthy debate on a boundary dispute between Zamindars in Sylhet and Syiem of Nongstoin brought into focus the undetermined jurisdictional boundaries between the British court in Sylhet and the colonial office in the hill district.\(^{291}\) Mills advised the Government to lay down provisions for deciding such disputes, especially for land situated in the boundary of Sylhet

\(^{290}\) Mills, *Report*, 11

\(^{291}\) Examples of such cases that Mills provides has been discussed as they unfolded over the course of several decades of the nineteenth century discussed in detail in last chapter.
and the Khasi Jaintiah hills. In the last chapter it was pointed out that boundary making and determining colonial jurisdiction were two sides of the same coin. In several cases, Bengali proprietors settled by the Company’s Permanent Settlement of 1793 were at loggerheads with Khasi Chiefs. However, the question of jurisdiction and legal subject was most prominent in cases that involved Europeans. One recurring issue in the judicial debates concerned private British entrepreneur Henry Inglis who was also employed as the Assistant to the Political Agent in the Khasi hills and was the son-in-law of the Political Agent stationed in the hills.292

Mills emphasised instances of the unsatisfactory exercise of judicial functions by Colonel Lister, the Political Agent stationed in the colonial headquarters at Cherrapoonjee in the Khasi Hills. Referring to several complaints from European traders he stated that the Cherra Court had lost the confidence of the entire people, and that the administration of justice has become a nullity, a “by-word” and a “reproach”.293 This loss of confidence in the Cherra court which was under Colonel Lister emerged from a dispute between British traders H Inglis on one side and Duncan and Gibson on the other. The report summarised the controversial case as follows. In February 1851 a complaint was made to the assistant to the Political Agent by a certain Sona Khasia (this was probably only part of a name that the colonial officials derived), the man who had leased land to Mr. Inglis. He claimed that a certain “Mr. Cattell and other servants of Messrs. Duncan and Gibson had forcibly commenced quarrying limestone at Choon Cherra.”294 The Assistant to the Political Agent issued a warrant for the arrest of the two accused traders and restricted the use of lime quarries on the land in question. Duncan and Gibson filed a petition to

292 There were several cases involving Henry Inglis and his ‘misuse’ of political power for economic benefits such as 1851 a case appeared in the Sylhet court filed by a certain Mr. Gibson versus Henry Inglis regarding a dispute on lime quarries in the Jaintiah hills.
293 Mills, Report, 17
294 Ibid., 17-18
the Magistrate in Sylhet against the “assault and unjust seizure of the servants by the Cherra Court” and contended that the quarries in question were situatuated within the Sylhet district.295

Following enquiries established that the quarries did indeed fall in the Sylhet district and under the Act of IV of 1849. Duncan and Gibson were given possession of the land. However, in spite of this decision Mr. Cattell was compelled to pay a fine by Lieutenant Cave, Assistant to the Magistrate in Cherra. The Sylhet court summoned Sona Khasia as well as the burkundaz of the Cherra court who had apprehended the defendants. This caused a huge stir in the provincial tiers of colonial state and drew the attention of higher officials to the unresolved boundary disputes between Sylhet and the Khasi hills. Moreover, the jurisdiction of the Cherra Court was challenged by the Sylhet Court which opened up debates about the exact relationship between the courts of Sylhet and the hills, judicial officers of the two districts, and the formulation of jurisdiction in non-British territories.

The Sudder Court in Sylhet had the responsibility to adjudicate and intervene in the proceedings of the two District Magisterial courts. The Commissioner of the Dacca was summoned to settle the conflict by determining the true boundary between the hills and plains and thereby the limits of the Cherra and Sylhet Courts’ jurisdictions. At the time these arrangements were being made, a slew of charges against Gibson and Duncan were reported. Sona Khasia complained, “on behalf of” Mr. Inglis, that the trees and bamboos were cut and houses constructed on the north bank of Choon Cherra which belonged to Sona Khasia’s property. Another complaint was lodged soon after by Ukian Khasi, employee of Sona Khasia, stating that on 4th November men appointed by Duncan and Gibson had trespassed into Khasi territory and assaulted him.296 On the other hand the traders complained to the Sylhet court of the illegal arrest of their servants by the Cherra authorities, and their dispossession of the land that was leased to

295 Ibid., 17-18
296 Ibid., 18-19
them.\footnote{Ibid., 19} Appointed by the magistrate to enquire into the conflict, Mr. Larkin testified as an eyewitness to the assault of Mr. Cattell by Mr. Inglis’ people. Further, Mr. Inglis’ muktiar filed a complaint to Lieutenant Cave, accusing Duncan, Gibson, Cattell and others with attempted murder of men employed Inglis, as well as sinking their boat and stealing their possessions. Mr. Larkins was accused of abetting these men by recording a false statement by the police.

This case unfolded in the Sylhet court which found Inglis’ men guilty, but it was once again retried at the Sudder Court where the Sessions judge was asked to state the precise crime of which he convicted the prisoners. The Court ruled that the terms of the conviction- assault and willful unsettling of the boat- could not be substantiated and the proceedings were dismissed. Following the court proceedings the colonial officials in charge of the hills and plains respectively came to a mutual agreement to make a natural stream the boundary between the two district jurisdictions.\footnote{Ibid., 20}

The court proceedings of this dispute revealed that Henry Inglis, son in law of the Political Agent in the Khasi Hills Captain Lister, was not implicated in the obvious misconduct and abuse of power. Mr. Inglis, Mills noted, had “absolute control of the trade in Cherra and Jaintiah Hills, and through his connection with Colonel Lister, his long residence at Cherra and the extent of his dealings, has acquired unbounded influence in the country…”\footnote{Ibid., 23-24} Instead, responsibility for the “irregularities” in the administration of justice was borne by someone with less influence in the official colonial infrastructure – the Assistant to the Political Agent Lieutenant Cave. Mills reflected on this and acknowledged both the need to implicate Cave and the unfairness of it. He stated that Cave had “betrayed an extreme infirmity in judgement” but at the same time was “quite ignorant of judicial duties when appointed assistant”. Moreover Mills
stated that Cave was “placed in a most awkward position” since “his official superior was his commanding officer, and the father in law of Mr. Inglis, Mr. Gibson’s rival in the trade.”

Mills fixated in his report on the suggestion that the Cherra Court had lost the confidence of the people. He noted that inhabitants of the hills were unwilling to report or testify against Mr. Inglis because of his influence. This, according to Mills, significantly hurt the formulation of colonial jurisdiction and sovereignty, and therefore needed to be rectified. Yet Mills refrained from addressing the perceived relationship between the colonial government and the inhabitants of the Khasi hills whose confidence had been lost. What was their legal status in the colonial judicial framework? The only two Khasi men mentioned with regard to the case discussed above were Sona “Khasia” – the primary owner who leased the land to Inglis - and Ukian “Khasia” – employee of the former. Their role in Mills’ rendering of the case as well as in the judicial correspondence between British courts and officials was reduced to mere names that could testify for or against the Europeans involved. That their names were also not fully stated, but rather suffixed with the word “Khasia,” made their significance (or the lack thereof) clear in colonial judicial discourse. In addition, Mills’ judicial report on the Khasi Jaintiah hills addressed neither the judicial structure, institutions and practices of customary land rights nor the legal status of hill inhabitants.

The judicial debates alluded to in the report suggest the emergence of new proprietary rights and the legalising colonial concept of property. As in the case of Anundo Kishore and the Chief of Nongstoin, (discussed in detail in the last chapter), an emphasis was placed on the proprietary right of the Bengali Zamindar legally sanctioned by the Permanent Settlement. In doing so, the historical conceptualization of property rights and land use in this region were marginalized. Practices of shifting cultivation and communal ownership of property were part of

300 Ibid., Report, 23
301 Ibid., 23-24
customary knowledge systems in the hills and came under severe attack by conceptions of private individual property imposed by the colonial state. Alongside shifting uses of land, claiming rights to unused and communal land was an important feature of the social formation of the Khasi and Jaintiah communities. Evidently, local conceptions, practices and custom were sidelined in colonial discussion on property and land rights and marginalised through policies.

In Mill’s report anxieties about the sovereign status of the Company were weaved into debates on colonial jurisdiction. The inconsistencies and lapses the report identified were to be addressed by the proposed judicial reforms. The report included suggestions to improve the ineffective communication between judicial establishments in the hills and in Bengal and Assam. The emphasis on the unavailability of adequate information about the leased lands in the Khasi hills and its agricultural and mineral resources was seen as hurdle towards formulating colonial sovereignty in the hills. Mills emphasised that in order to establish jurisdicational definitions efforts had to be made to know and define the land, people and their rights. Simultaneous to the information gathering effort, proprietary and judicial hierarchies were conjointly articulated to the detriment local judicial forums and sovereignty of the Khasi states.

Mills emphasised that the issue of property related to boundary disputes needed serious consideration. He claimed that since “… all minerals are the undoubted property of either the state or the proprietor, I am of the opinion that the pretentions of the lessors should have been set aside, and the right of Government, whether as ruler or owner it matters not, should have been asserted.”302 This statement is important because it emphasised that the colonial government had the right to dictate judicial policy and functioning as “ruler” or “owner” of property in the Khasi hills. This was a recurring idea in the colonial proceedings, correspondence and reports of the second half of the nineteenth century. In order to define jurisdiction over the non-British territory, the land and resources of these polities were reformulated as property.

302 Ibid., 14
Soon after the report was submitted in 1853, the Governor of Bengal, in lieu of effecting reforms, proposed the extension of the Assam Commissioner’s jurisdiction into the hills. His recommendation regarding the transfer of power did not clearly define which portion of the hills was in question. The extension of the jurisdiction was to follow the same manner, as in, the Garo hills on one side and Northern Cachar on the other. The Governor of Bengal wrote that “the jurisdiction of the Commissioner would then extend from our northern frontier to the limit of the regulation provinces.” This statement clearly indicated the colonial notion that the judicial reforms would mean that the Khasi hills would be treated as British territory as far as the judicial role of the colonial state was concerned. In his resolution, the Governor summarised the relationship between the Colonial office and the sovereign Khasi states in the following terms:

…the improvement in the condition of the inhabitants of the Khasi hills, the extension of cultivation, the development of mineral resources, the result of missionary education, the increase of traffic, and the cessation of all disturbances, both as among the Chiefs themselves and as between them and the inhabitants of the plains, afford evidence of the advantages that have attended the arrangements of 1835, whereby the Khasi hills was taken under the management of a British Agent, and a practical control exercised in a greater or less degree over the several Chiefs who were at that time either subdued or gave in their adhesion to the British Government.

The case discussed above compelled the government to curtail the role of the Political Agent, and his magisterial functions were limited to “small cases,” while all “heinous cases” and appeals were to be sent to the Sylhet district. With the reduction in the judicial role of the Political Agent and the eventual extension of the Assam government’s jurisdiction into the hills, the sovereign status of the Khasi Chiefs was reconfigured. “Native tribunals” or Durbars that had been acting as judicial bodies in the Khasi and Jaintiah hills were described as “barbarous in

303 Ibid.,111-112
304 Ibid.,114
305 Ibid.,113
character” and accompanied with “cruel ordeals.”\footnote{The Resolution stated the famous Missionary Revd. Mr. Lewis had “bitterly complained” of the tedious and expensive functioning of the forums in the Jaintiah hills. Mr. Lewis had published a book on Khasi grammar in 1855 with excerpts on the proceedings of judicial Durbars. His book became a hugely popular among Government officials. His work has been discussed in the following chapter.} There was no clear suggestion for reforming these tribunals, but, in effect, the Colonial government’s moral and ethical authority over Khasi Chiefs and “native tribunals” was asserted. These changes affected the status of the inhabitants in Khasi hills. They became legally liable to be tried by the Colonial government and yet continued to be categorised as “non-British” subject. Colonial judicial policy continued to be unclear on the precise manner in which the extension of jurisdiction would affect Khasi inhabitants. Jurisdiction over European subjects was formulated in clearer terms than that over inhabitants of the hills. In the following section the development of the concept of property in the nineteenth century is discussed to further examine the nature of Khasi subject-hood and European interests in the hills.

4.1.2 Colonial Property

Colonial authority in the hills was defined by its role in owning or delineating terms around property, formulated in A. J.M. Mill’s judicial report and manifested in the subsequent actions of the government - both immediate as well as long term. The immediate judicial reforms included efforts at delineating the precise judicial function of the colonial government in the hills, and establishing a hierarchy of accountability within the colonial administrative structure in the N.E.F. The longer term effects included administrative shuffling, and severely reconstituted notions of property, jurisdiction and sovereignty in the hills.

Not long after Mills’ report was published, another deputation was sent to the Khasi-Jaintiah hills, this time by the Revenue Department. This immediately followed the transfer of power from Company to Crown Rule. The report dated 14 October 1858 by W. J. Allen, a member of the Board of Revenue, was received by the Governor of Bengal, who revised and
sanctioned the recommendations in March 1859. At the first instance, the report demonstrated continued concerns about determining jurisdictional boundaries. It discussed in detail a petition filed by a private British trader who was stopped on his way from Sylhet to Cheyla Poonjee and allegedly “ill-treated by the Wahadadars Burdoloye, Berrajah, and a large party of Cossayahs…” He claimed that the Wahadadars and their accomplices held his servants captive while he was compelled to abandon his boat and escape on foot through forests to reach the police station in Sylhet. In the report, Allen suggested that the Wahadadars of Cheyla Poonjee were directed by Henry Inglis who owned leases to the lime quarries in the polity. As in the previous case, Henry Inglis emerged as the person responsible for trying to intimidate other traders in the region.

In addition to obsessing whether the incident occurred on land under the Cherra or Sylhet jurisdiction, the Government stated that the fault lay with both district officers and the principal blame was placed once again on the Assistant to the Political Agent Mr. Hudson (successor of Lieut. Cave, who was removed from office). The Government felt the need to dictate and reinstate jurisdiction to curtain Henry Inglis’ monopoly over lime quarries in the Khasi hills because of the repeated incidents that flouted colonial jurisdiction. A recent order “prohibiting ‘aliens’ entering the Cheyla district without the consent of the Wahadadars” was rescinded by the Commissioner of Assam and the Wahadadars were to be informed that “all persons in peaceful pursuits must be admitted without let or hindrance and that they will themselves be strictly responsible for any interruption of free intercourse between traders or travellers from other places or the inhabitants of the district.” The application of this rule curbed the authority of

307 Home Political, 29th April 1859, Nos. 75-79, NAI
308 Ibid.
309 Ibid.
310 Ibid.
Wahadadars in Cheyla Poonjee. Moreover, it weakened the influence of Henry Inglis over these local political heads. Underlying such efforts was the formulation of British sovereignty, by curtailing the monopoly of private traders like Inglis, and restricting the political authority of Wahadadars.

The Board of Revenue found it in the interests of the colonial government to curb the monopoly and power enjoyed by private traders like Henry Inglis by introducing different competitors to lease lime quarries. Government-owned lime quarries that were to be renewed in 1861 were to be offered for lease at moderate rates, and unworked quarries were also leased out “to parties unconnected with the firm of Inglis and Co.” The renewed desire to increase revenue yield was evidenced in the Government’s desire for a thorough exploration of the base of the hills “with the view of the discovery of other lime beds capable of being worked to advantage.” However, the incentives that triggered Allen’s enquiry were not purely economic; the commercial, political and judicial interests of the Colonial State in the non-British territories of Khasi hills were being articulated here as part of a single formulation. The manipulation of the proprietary rights of local rulers became the mainstay of establishing colonial political dominance in its non-territories.

In building a case for curbing Henry Inglis’ commercial stature, which extended to influencing Wahadadars, Allen presented examples of complaints by inhabitants of Cheyla Poonjee district against the latter. He cited several petitions filed by men and women to protest the low prices at which they were compelled to sell oranges from their groves. Allen proposed that the local authority customarily did not have the right to dictate trade by its inhabitants. This proposal was accepted as a convincing case and an important political precedent was set that would support the colonial government’s efforts at curbing the authority of local rulers. In order

311 Home Department, Political Branch, Nos. 75-79, dated 29th April, 1859, NAI
to establish itself as the primary economic and political agent in the hills a decision was made to not renew Henry Inglis’ lease in Cheyla Poonjee after its expiry in 1865.\textsuperscript{312} A resolution by the Governor of Bengal stated, “The Governor General’s Agent will be instructed to explain to the Wahadadars that their right to interfere in the private affairs and trading speculations of the people is not recognised by the government and it will at the same time be explained to the people by public notice that after March 1865 they will be at liberty to make their own arrangements for disposing of the produce of their groves.”\textsuperscript{313} In this way the colonial state placed itself between the inhabitants of Cheyla Poonjee and its local authorities by assuming the right to state terms of the Wahadadars’ political authority. At the same time it authorised the inhabitants to practice trade independently of their rulers. Imperial sovereignty was formulated in the case of Cheyla Poonjee, first by assuming responsibility to negotiate the terms of the relationship between inhabitants and the political heads, as well as, between private traders and the local authorities on the other.

Correspondence on similar issues, two decades after Allen’s report and the Government’s memorandum of 1859, show the limitations of the policies that were instituted. The colonial state’s efforts to enhance its commercial profits, and more importantly formulate its sovereign status in the frontier hills, continued into 1879. A memorandum by S. C. Bayley, Chief Commissioner of Assam stated,

> Of the whole number of quarries on the southern slopes of the Khasi-Jaintiah Hills, the Government is exclusive possessor of those in Jaintiah, is exclusive manager and joint proprietor of those in the Khasi Hills, while a few others are held on renewable leases by Messrs. Inglis & Co. direct from the Syiems. Of the quarries in the hands of the Government, the lease has been put up on auction, and with the single exception of one quarry (let to Mr. Sarkies), the leases of the others have been one and all bought up by Messrs. Inglis.\textsuperscript{314}

\textsuperscript{312} This interestingly was not accomplished and Inglis’s company run by his son continued to hold leases.

\textsuperscript{313} Home Department, Political Branch, Nos. 75-79, dated 29\textsuperscript{th} April, 1859, NAI

\textsuperscript{314} Foreign Department, Revenue A, 1879, nos. 23-25
The colonial government had acquired control of mineral resources in perpetuity as described in this quote through the treaties signed in the 1830s. Control was slowly extended over other resources including land by reconstituting it as property.

Along with correspondence from the Deputy Commissioner of the Khasi Jaintiah hills, other local colonial authorities advised the government to revise the existing commercial infrastructure in the hills, and introduce enhanced understanding of property. The government insisted that it was weary of the financial expenditure for the proposed scheme that would to break the monopoly held by Inglis and Co., by assuming direct management of the quarries leased to private traders. The government suggested instead, that the same could be achieved by reserving the use and management of the quarries by a government agency. The auction of leases of remaining quarries was to be subjected to a limitation so that no one bidder could possess more than a certain number. The concern over government interference in private trade in the hills, in turn, revised the relationship between the government and the Syiems, Wahadadaras and Sirdars of the Khasi hills, and also between the Colonial State and the inhabitants of the Khasi hills. The Government was also concerned about the implications such a scheme would have on the earnings of the Syiems. By curbing private trade, the memorandum stated that, “the whole difficulty of our obligations to the Syiems would come upon us at once in an aggravated form.” The memorandum thus concluded that the government should reserve only one quarry to supply its own demand, while public demand was to be met by private trade.

In 1883, further debates between different departments and tiers of the colonial state emphasised that legal questions were at the heart of the trade, property and political relations of the colonial state in the hills. Correspondence between the Revenue, Foreign and Legislative

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315 Foreign Department, Revenue A, 1879, nos. 23-25

316 Ibid.
departments stated, “It is needless to discuss the question as one of pure law. The Wahadadars are a treaty-making power, and except for the pressure which we can put on politically, are not subject to our civil jurisdiction. But nonetheless we can scarcely, in regulating our own action in the matter, altogether repudiate the legal aspect of the engagement.” The government was concerned about legal liabilities arising out of non-renewal of the lease to Inglis & Co., as well as the implications of transfer of the right to management of quarries from the Wahadadars to the colonial government. The Revenue Department proposed opening up the quarries to free trade, and lifting restrictions on the use of the quarries for purely governmental requirements. The Revenue Department was unable to trace records of agreements or leases between the three parties involved. Additionally, the terms for non-renewal of the lease could not be enforced by the law as per earlier precedents.

The Legislative Department reiterated that the treaty signed in 1829 gave the East India Company government the right to extract unlimited quantities of lime from the Cheyla quarries. It was established that the lease between Inglis and Co. and the Wahadadars was due to be renewed in 1883. Moreover, according to a separate agreement the government had agreed to not use its rights to extract lime from the leased quarries in exchange of a payment of Rs. 4,000 which were made regularly. The copy of the 1829 agreement with the Wahadadars, however, was said to be missing. New agreements were signed between the government, the Wahadadars of Cheyla and the Inglis and Co. the new agreement gave the government rights over management of the quarries with payments of half the profits made to the Wahadadars. The quarries were leased to Inglis and Co. under terms described as “prohibitory”. The government claimed that by setting prohibitory terms of agreement, to be signed upon renewal of the lease, they did not “expect or intend” Inglis and Co. to accept the renewed lease. The developments in Cheyla Poonjee

317 A-Revenue-E, May 1883, Nos. 1-7, NAI
318 A-Revenue-E, May 1883, Nos. 1-7, NAI
discussed above were among several instances that demonstrate the working of colonialism in non-imperial spaces.

These debates on jurisdiction between 1859 and 1883 demonstrate the intersecting judicial, political and economic imperatives of the colonial state in its non-British territories. Additionally, notions of property, and customary rights of the ruler were formulated within parameters enforced by colonial jurisprudence. Legality worked as the justification for colonial hegemony in territories. There was little effort made in formulating a plural legal system that accommodated customs and local usages of the inhabitants of the hills. Without clear definitions of the relationship between Khasi judicial forums and the British courts the latter assumed the status of a superior legal authority. The principle of preserving ancient customs, and non-interference in cultural aspects of native states was severely flouted in the Khasi-Jaintiah hills. In order for the colonial state to maintain a hold on resources in the hills vis-à-vis jurisdiction, socio-political structures that were founded on principle of kinship were severely attacked by reconstituting land and resources as property. The enhancement of the sovereign status of the British Crown in relation to the Khasi political sovereigns required reformulating jurisdiction, renewed resource management and containment of private trade. A concomitant process of reconstituting the role of the colonial state as political sovereign in these hills by changing customs and reconstituting customary authority is discussed below.

4.2 Defining the ruler

[It is] impossible to assume that the Cossyah Hills are foreign territory: a limited sovereignty has no doubt, been reserved to the Cossyah chiefs, but in so far as civil and criminal jurisdiction have been conferred upon, or in fact assumed by the British Government, the hills must be considered as a part of the British territory.319

319 From Secretary to the Government of Bengal to Officiating Registrar, High Court of Judicature at fort William, Bengal, Foreign Political, October 1866, no.10, NAI
The powers assumed by the British Government in the Khasi-Jaintiah hills were severely undercut by the presence of local rulers in the different polities—Syiems, Wahadadars, and Sirdars—who were legally-recognised as treaty making powers. Through colonial processes of defining jurisdiction and formulating sovereignty local conceptions and knowledge were severely altered or marginalised. The need to define jurisdiction in the contested landscape of the hills necessitated reconstituting the role and status of the Syiems or heads of state of Khasi polities. In this section I examine the changes in local structures of political privilege, shedding light on the complex relationship of resistance and accommodation between Khasi Syiems and colonial authority. Additionally, this section explores the interface between coexisting ideas of legally codified colonial authority and a reconstituted customary authority that was defined in terms of changing conceptions of property and custom. British knowledge about various aspects of the hills, such as the nature of the landscape and its customary uses and values, customs that structured social and political formation of these polities, was accumulated in the form of scientific studies during the latter decades of the nineteenth century and twentieth centuries.\(^{320}\) In its early stages, this process was a direct outcome of political and economic imperatives.

Even after the Company’s rule ended abruptly in 1857, the colonial state continued to entrench itself further in these frontier areas. Although the hills remained “non-rebelligious” during that particular year, the colonial governments anxieties about appeasing “native states” was extended into these hills as well. The Queen’s Proclamation of 1858 stated that “[w]e know and respect the feelings of attachment with which the Native States of India regard the lands inherited by them from their ancestors and we desire to protect them in all rights and connected

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\(^{320}\) The kind of knowledge being accumulated and produced changed over the course of the nineteenth century from geographical information, to an intensification of interests in the flora, fauna and geology, to language and customs. In the twentieth century the largest amount of knowledge produced on the frontier was in the new and emerging field of anthropology. Inflections of non-officially sanctioned publications are found in the policies and frameworks of knowledge that were produced over time.
therewith subject to the equitable demands of the State, and we will wish that generally in framing and administering the law, due regard be paid to the ancient rights and usages and customs of India…”321 There was an emphasis on the ancient rights, usages and customs of the Khasi polities by the colonial government. By upholding custom, the colonial state emerged as the dominant political authority. The Khasi Syiems were constructed as subservient to the colonial district magistrates, and defined as male, and customary. The notion of autonomous political leadership and the prominence of women in the political structure were redefined to suit colonial and patriarchal interests. This was most apparent in shifts in the colonial government’s relationship with local authority or the Syiems in Government correspondence from an acknowledgment of their power, prestige and prominent role as leaders of their chieftaincies to designated hereditary heads with very limited power. Before examining debates that directly demonstrate this process, in the following pages I will discuss how jurisdiction of Syiems was curtailed, thereby allowing the Colonial State to make legal claims to political authority.

4.2.1 Land, Location and Jurisdiction

In 1876, a time when debates on customary rights of the ruler were prominent, a petition filed by Han Manik, Syiem of the Mylliem polity, was forwarded by the Chief Commissioner of Assam for considerations of the Viceroy and Governor General in Council. 322 The petition was in relation to Syiem of Mylliem’s claim over disputed villages adjoining the Mylliem and Khyrim territory. These villages had been transferred to Khyrim’s jurisdiction by the orders of the District Commissioner (DC). The petition was then forwarded to the Chief Commissioner of Assam (CC) who upheld the DC’s decision. Why was this long standing dispute between the two Syiems sent to the Viceroy and Governor General of India for final considerations, after both the District


322 Letter from Secretary to the Chief Commissioner of Assam to the Secretary to the Government of India, foreign department, dated May 1876, in Foreign General B, June 1876, nos. 197-200, NAI
Commissioner and the Chief Commissioner of Assam had made their decisions? The Company had assumed the right to adjudicate in disputes involving two or more chiefs in the first treaties signed earlier with the Syiems. However, it was only from the mid nineteenth century that petitions around when disputes could be sent to the highest colonial official body for consideration.

The letter from the CC stated that the two Syiems “have been for the last twenty five years or more engaged in disputes over their jurisdictions.” 323 There was a paucity of records for the colonial state to use in order to substantiate their decision. According to the CC, “their jurisdictions varied from time to time, according to the personal influence of the respective Chiefs…” 324 The CC asserted that he based his decision on his personal judgment, and not on historical or customary ground. The historical evidence according to him was conflicting and the only source of customary conceptions – oral evidence was described as “all hearsay and of no value.” 325 He thus came to the conclusion that “…if the Syiem of Mylliem has lost one or two villages, to which he had apparently nearly as much right as his rival, he has…retained those which villages, which from their position surrounding the station of Shillong, will grow rapidly, and become in the future valuable property…” Also, the CC stated that his final decision was one which would ease the functions of the colonial police in the British station of Shillong. 326

The petition from the Syiem of Mylliem described the nature of jurisdiction, and dispute in terms that were neither specific nor conceptually clear to British officials, as the discussions around the final decision reveal. Syiem Han Manik Sing wrote,

…From the time of Bor Manik Seim to that of Hajar Sing of Myllim the

323 Foreign General B, June 1876, nos. 197-200, NAI
324 Ibid.
325 Ibid.
326 Ibid.
poonjees under litigation …remain under Myllim, and Sing Manik Seim of Khyrim with a view to obtaining their possession obtained a parwana from the then Political Agent to the effect that Hajar Sing will have no right in handling with affairs appertaining to these poonjees and still the inhabitants of Maopadeng never acknowledged the subjugation of Khyrim. From the issue of the above Parwanah Maopadeng and some other poonjees have remained independent of either Khyrim or Myllim but on friendly terms with the latter.327

This statement by the Syiem of Mylliem gives access to a language of rights and jurisdictions that is not present in colonial official reports and correspondence around this dispute. In particular, what needs to be highlighted is the acknowledgement by the Syiem that the disputed villages in question had for a period chosen to remain “independent” of both Khyrim and Mylliem. Notwithstanding the certain amount of exaggeration and bias in the Syiem’s assertion of Khyrim’s subjugation of villages that showed their allegiance to Mylliem, the nature and conceptions of jurisdiction in the hills are reflected in the indeterminate position of the villages. Customarily, villages could choose their allegiance to both, neither, and one or the other. This changed over the course of the nineteenth century with boundary disputes, survey operations and newly imposed jurisdictional divisions. That the inhabitants resisted the newly imposed jurisdictional landscape is evinced by the persistent boundary disputes. Their own conceptions of jurisdiction and concept of sovereignty is demonstrated in depositions that were recorded to resolve the dispute between Syiems of Rambrai and Nongstoin at the border of Khasi and Garo hills. The villagers asserted that they paid their tributes to one or the other Syiem interchangeably, in intervals of several years depending on which Syiem’s agents came for collections.328 This indeterminacy was not a sign of ignorance or lack of knowledge about where the villages belonged or whom they considered the jurisdictional head. The vagueness around the precise juridical head was a result of shared sovereignties. The “ascending and descending” nature of sovereignties that facilitated shared jurisdiction was often misunderstood or completely ignored.

327 Petition from Hain Manick, Sing Syiem of Mylliem to the Government of India, Political Department, Simla, in Foreign General B, June 1876, nos. 197-200, NAI

328 Board of Revenue Papers 48, file no. 8/100, GSA
in official analysis of disputes. The nature of indeterminacy in oral evidence that was dismissed as “hearsay” or “conflicting” was a convenient way for the colonial officials to impose their own conjoining ideas of property and jurisdiction to come to conclusions favourable for the mapping of landscape and superseding local jurisdiction.

The confusion around this case was further compounded by the fact that Mylliem and Khyrim were part of one polity until the 1829 rebellions. The CC stated that,

[the] truth appears to be that Myllim and Khyrim were in former times nominally one state, the ruler of which was called the Rajah of Khyrim. But this Chief held joint sway with another Chief, who ruled immediately over that portion of the State now known as Khyrim. The Myllim Chief overshadowed the lesser Chief of Khyrim, and the former was perhaps more influential, and the acknowledged head of society. But the lesser Chief of Khyrim held an imperium in imperio, and in the course of the years the interests of the two Syiems became more and more defined.

The lack of written records on the boundaries between the two states of Mylliem and Khyrim, during the time of their split from a single polity, was considered a serious setback for the colonial officials in establishing jurisdictional divisions. The DC’s proceedings noted that

…there are no records nor is there any evidence to establish who was the last sole ruler, not the exact period at which a separation took place…What the respective jurisdiction of Seims of Khyrim and Myllim may have been in former times, it is impossible to determine; and I consider it not any unreasonable thing to assume, that at first in the primitive era of the Khasi mountaineers, which may with safety be reckoned to have obtained previous to the advent of the British government which dates from 1826, the rulers were not divided; but held a joint sway and this in a erasure accounts for Bor Manik having been styled Syiem of Khyrim, for he was evidently the only ruler in the country called Khyrim which included Myllim, who was known in 1829 to the British Government, his brother ruler [sic] the ruler of Khyrim proper remaining then in the background.

With this background, the DC noted the extent of “difficulty …to adjudicate upon such questions, as are presented in the case under consideration.” He felt that with an “…advance

329 See Sanghamitra Mishra, Making.

330 Letter from Secretary to the Chief Commissioner of Assam to the Secretary to the Government of India, foreign department, dated May 1876, in Foreign General B, June 1876, nos. 197-200, NAI

331 Proceedings of the Deputy Commissioner, Khasi Jaintiah Hills Shillong, 9th September 1875, in Foreign Department, General B, June 1876, nos. 197-200

332 Ibid.
of civilization, the interests of the Syiems of Khyrim and Mylliem have become more and more
distinct till at length they have resorted to the British courts, to determine any right about which
there is a doubt…”  

These statements by the DC state that the colonial state had secured itself as
the dominant juridical authority as arbiter of disputes quite pervasively. It also reveals that this
legally acquired position was founded neither on any knowledge of customs or deep
understanding of laws of governance existing in these polities nor by establishing ruler-subject
relations. The arbitrary nature of the imposition of colonial hegemony in the Khasi hills was
betrayed by what was described as “difficulties” in adjudicating such disputes. The DC described
the nature of Chieftaincies as “petty democracies” where “rule of the Chief has extended to the
subject rather than to localities” and this made “questions connected with jurisdiction…difficult
of solution.”

In order to overcome these difficulties the DC compared three different forms of evidence to
come to his final conclusions. These evidences included written documentation, oral testimony
and strength of suffrages. The proceedings described the elaborate processes in collecting the
evidence and numbers, graphs and maps were used for additional support. Analyses of these
evidences collected by the DC often leave out the total strength of the villages while stating a
show of hands in favor of one Syiem or another. Oral testimonies were not extensive and these

333 Ibid.

334 Ibid.

335 Oral testimonies in the borders of Khyrim and Mylliem give ample proof of the absence of the idea of an
indivisible sovereign. The depositions give evidence of shared and interchangeable allegiances. The
villagers whose total number is not mentioned were congregated and based on a show of hands it was
determined which side of the jurisdictional boundary they belonged to. Many such boundaries were
established based on oral testimonies and what was described as “suffrage”.

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interviews were sparingly in the official proceedings. Answers that did not fall within an either/or category were eliminated.\textsuperscript{336}

According to the Syiem of Mylliem’s statements the colonial system of jurisdiction brought about changes both detrimental as well as advantageous for his position. His petition sought a form of jurisdiction conceptually in line with that of colonial state. However, juridical frameworks in practice in the bordering villages were quite different. The Syiem argued that complexities arising from the plurality of jurisdictions justified his claim over the villages in question. The petition used a combination of customary and colonial logic to argue the misjudgment of ascribing the villages to Khyrim. For instance, referring to a dispute between the predecessors of the two Syiems in dispute over the same set of villages, Hain Manik, described that the then Syiem of Khyrim “induced some of the inhabitants to acknowledge that they were his subjects although proof to the contrary were adduced by the appellant’s predecessor.”\textsuperscript{337} The DC was unconvinced by the petition and ascribed jurisdiction of the villages to Khyrim based on false documentation. To prove his claim further he stated,

The six poonjees which the Deputy Commissioner has pronounced to have belonged to Khyrim from older times were not so, can be proved thus: that when some case of arson took place in the Maolenrie and Mowshubuid poonjees the Seim of Khyrim Sing Manik who was then independent should have decided them instead of the Political Agent taking them up. In proof of this appellant produced a Bengali Roobokari dated 1848. On the face of this the Dy Commr detached the poonjees on the statement of some unfriendly inhabitants from appellant’s jurisdiction to that of Khyrim. This is referred to in Dy Commr’s [sic] decision at page 15 copy enclosed….Appellant grants that it is the custom in the Hills to appoint Seims on the consent of the Ryots but if it be made another custom to separate poonjees belonging to one Seimship from time immemorial to another merely on the statement of some (not all) inhabitants, as has been done in the present case by the Dy Commr [sic], great confusion will arise. Any one Seim can induce a portion of the Ryots to express some dissatisfaction against their rightful Seim and go to another.\textsuperscript{338}

\textsuperscript{336} An interesting point that emerges in these evidences, is that with the creation of the British station of Shillong many labourers from khyrim settled in the disputed village of Malki. Forming a majority in Malki these inhabitants wanted the village to be transferred to Khyrim.

\textsuperscript{337} Petition from Hain Manick Sing Seim of Mylliem to The Government of India, Political Department, Simla, in Foreign General B, June 1876, nos. 197-200, NAI

\textsuperscript{338} Petition from Hain Manick Sing Seim of Mylliem to The Government of India, Political Department, Simla, Foreign Department, dated May 1876, in Foreign General B, June 1876, nos. 197-200, NAI
This was a winning argument for the Seim since the Government of India’s orders for retransfer of the six villages from Khyrim to Mylliem’s jurisdiction replicated the same logic. The final orders also aligned with the petition by ordering further enquiries to be made for the five more villages in dispute. One important aspect of the petition of the Seim was that it was written in English and was probably written by a mukhtiar or transcribed and translated by a British official or associate of the Syiem of Mylliem. The language and tenor of the petition should be seen as a product of ideas and exchanges between different actors involved in advising or employed by the Syiem. It was also a reflection of changing notions of jurisdiction which the as Syiem was aware had to be used in convincing the colonial government to adjudicate in his favour.

An important question that arises is, how much of the dispute settlement was a colonial judicial process and whether there was anything “customary” in the settlement procedures or in the logic stated by the inhabitants of villages. In short, what was the extent of, if there was any at all, custom or customary law in this debate? In the correspondence and reports by the colonial officials there is very little trace of a language of customary rights, obligations or law. However, one can read in such records the prominence of certain kinds of “evidence” over others. In the District Commissioner’s proceedings for instance, an emphasis is placed on the desire of the majority of the people who had migrated from Khyrim’s jurisdiction into a villages under Mylliem to be transferred to Khyrim. The desire was gauged by “a show of hands” and depositions by few male residents. The proceedings also highlighted that the allegiance of certain persons was deemed more important, than the physical location of the village in determining jurisdiction. It was argued that this mirrored the customary rights of the subjects to choose their ruler. In contrast to the DC’s arguments that took into account certain customary rights and

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339 The Syiem must have been in contact with and made associations with several legal representatives in the British station of Shillong, which was carved out of his Chieftaincy.
procedures, the petition by the chief of Mylliem himself rejected such aspects of the case, and emphasised a logic that was more in tune with western legal parameters. The Syiem of Mylliem’s petition to the Viceroy and Governor General demonstrates that his jurisdiction was emphasised in terms of the physical location of the village, in keeping with the notion of land as property. At the highest level of colonial decision-making this argument was found more acceptable over the evidences presented by the DC. Local customary rights or the right of the subjects to choose their sovereign was dismissed over territorial jurisdiction of a ruler.

The Viceroy’s decision was not a result of notions of property that were invented for the purposes of the colony. In England, both prior to and during the enclosure movement, custom came to mean rights over land or property. As E. P. Thomson put it, “[t]he land upon which custom lay might be a manor, a parish, a stretch of river, oyster beds in an estuary, a park, a mountain grazing, or a larger administrative unity like a forest. At one extreme custom was sharply defined, enforceable at law, and (as at enclosure) was a property….In the middle custom was less exact: it depended on the continual renewal of oral traditions…” Custom in in the hills embodied the landscape and people. It operated through a kinship system which defined custom as inextricably related to religious, social and political aspects. The sovereignty and jurisdiction of the Chief over subjects of villages was customarily contestable and shifting. In the second half of the nineteenth century the “ascending and descending” sovereignty of Chiefs, especially in villages along the borders of two chieftaincies, was overwhelmed by the need to determine precise jurisdictional boundaries. As demonstrable in the case such described above, boundaries were not only imposed on the hills by the colonial government but eventually sought by the local rulers such as the Syiems of Mylliem and Khyrim.

The diversity and malleability of customs in the hills faced an onslaught with the increasing need to determine boundaries and jurisdiction. Although custom was not codified in

the hills, the presence of British colonial courts for settlement of disputes set precedents that made custom and customary authority increasingly standardised. The distinction between custom as law and praxis was not articulated. 341 The Viceroy’s ruling in favour of the Syiem of Mylliem based on demands made by the latter, marginalised customs derived from practices, found in unwritten beliefs, usages and oral traditions. Territorial jurisdiction was formalised as land was reconstituted as property. This undercut customary rights of inhabitants on land on the one hand, and the right to choose or align with their Syiem as their political/religious/social authority, on the other.

In another case of ten disputed villages, which had been part of the Khasi state of Sohiong, the colonial courts emphasised the location of villages along the hills-plain frontier. This particular set of ten villages was placed under the judicial authority of a local authority in Kamrup, Assam in the early decades of the nineteenth century. The DC of Khasi-Jaintiah hills stated, “…many of them [the villages] in former times were included in the Khasia Hills, to which they geographically belong, yet they were as may be gained from the 1st paragraph of the Deputy Commissioner’s [of Kamrup] letter already quoted attached to Kamrup in 1855-56.” 342 The Syiem of Nongpoh in a petition presented numerous complaints against the above arrangement. He wrote,

…the ryots are decreasing that they come and complain to me; that they suffer much through their being attached to Kamrup…The people are Khasi, both in language and in customs; but through the machination of the Rani Raja have been subjected to Kamrup…Whenever they have any business to transact with Kamrup they are put to great trouble. It is known to you that they are simple minded people and that they are greatly duped by the cunning people of Assam whose language is unknown to them and are put to great expense from such a cause. I am also put to great outlay when I am to go to Kamrup. They journey is a long one and I have to pay for the hire of the court peons, and all the commission I receive from the Government is spent and I have no profit, and moreover I have to pay a salary of Rs.3 a month to a Mukhtiar at Gauhati…Owing to the ryots leaving my district for districts under Khasi Chiefs so that they may have comfort, I

341 Ibid., 97
342 In a letter from DC Khasi-Jaintiah Hills to Assistant Secretary to the Chief Commissioner of Assam, dated 4th June 1875, in Home Judicial A, September 1875, nos. 209-211, NAI
am through this put to sore trial, for I have to attend to numerous requisitions for coolies for carriage purposes both from Gauhati and Khasi hills, and if I fail to obey orders I am liable to fall into disgrace; and further I fear that the ryots will leave the country in a body if they continue under Kamrup.  

The petition highlighted a couple of aspects that are important to consider here. First, the inhabitants of the villages were seen as being part of the Khasi hills both in language and customs. The transfer having made to the jurisdiction of Kamrup was seen to be a machination of the local Zamindar known as Raja of Rani who the DC pointed out collected revenue from the inhabitants without any payments made to the colonial office in Assam. The issue for the Seim was, the adverse effect on his resources, and the fear that ryots who were oppressed under the Zamindar would leave to work in other parts of the Khasi district. Correspondence between officials of the Revenue department in 1865 showed that there were several more complaints against the Zamindar Rani Chowdry who was described as “grasping and avaricious, and under the influence of his dependents.” The CC proposed the transfer of these villages to be placed under the Khasi hills jurisdiction. This authorised the Syiem to regain the power to exact taxes and manage labour that had been appropriated by the Zamindar. In this case, custom was upheld by annuling the Zamindar’s lease due to evidence of oppression and extortion against him.

The order sanctioning the transfer from the Government of India stated that “…the tract now in question has been for some years administered as part of the Kamrup District, a bona fide doubt exists as to whether it is really included in that district. Looking into its geographical position, its physical features and the race of its inhabitants, it is evidently part of the Khasi

343 Petition from N. Shillong Sing, Seim of Nongpoh, dated January 1862, in Home Judicial A, September 1875, nos. 209-211 NAI

344 Letter from Deputy Commissioner of Revenue to Commissioner of Revenue, Assam, dated 20th February 1865, in Home Department Judicial Branch A, September 1875, nos. 209-211, NAI

345 Ibid.
The correspondence on boundary settlement of the Kamrup and Khasi hills noted the need to revise the understanding of local divisions of territory under collectors. This was emphasised since neither Khasi hills, nor Kamrup were understood as British Zillahs. The legislative department pointed that the colonial government’s most pressing problem with respect to this case and numerous cases like this was the “confusion of law in force in the two districts and the differences in those laws.” In order to find a solution to the complications of governing in the non-directly ruled regions the respective DCs of Kamrup and Khasi-Jaintiah hills were appointed to determine the boundary between the two districts. The government was aware that the villages would be placed under the Khasi hills district before further enquiries were made.

The order was passed in November of 1875 to appoint the respective DCs to determine the boundary, although the decision had actually been finalised earlier.

In a letter to the Foreign Department, the CC noted that “…Lord Dalhousie’s government in 1853 declared that it was not the intention of Government to extend its interference in the affairs of the petty Khasia chiefships.” The several cases discussed above have demonstrated that non-interference was neither practical nor desirable for the colonial government, even if it meant overruling customary rights and practices. What transpired in these cases was a colonial governmentality framed within and supported by ideas of civilizational hierarchies and progress.

In the case of a village called Marbisu, which refused its allegiance to the Chief of Mylliem and

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346 Letter from Secretary to the Government of India to the Chief Commissioner of Assam, dated 15th September, 1875, in Home Department Judicial Branch A, September 1875, nos. 209-211, NAI; (emphasis added)

347 Ibid.

348 Legislative department to Home department, dated 18th August 1975, in Home Department Judicial Branch A, September 1875, nos. 209-211, NAI

349 Home Department, Judicial Branch, November 1875, Nos. 68-69, NAI

350 From the Chief Commissioner of Assam to the Secretary to the Govt. of India, Foreign Dept. dated 4th July, 1877, in Foreign Dept. Political Branch A, August 1877, nos. 295-296, NAI
wanted independent status, the colonial government applied a similar logic. Marbisu was described as a village made up of many small villages, which, according to the report by the DC that was ratified by the CC of Assam, was given three years to determine whether it wanted to be under the Seims’ jurisdiction or preferred to be under direct management of the British government, to which it would have to pay taxes. “The DC accordingly held a ‘plebiscite’ with the result that 149 votes were recorded in favour of the village remaining under British management and 39 votes in favour of the village becoming again subject to Seim of Mylliem. The Seim, also, has presented a petition praying for the restoration of ‘his sovereignty over his revolted subjects’.” At the end of the three years the villages retained their demand for independence but the choices offered to them remained the same. As British villages they would pay not only the usual tax to the colonial government but also “a tax equivalent to the dues which the Seim has a right to exact from them as a penalty for serving their allegiance.” The CC could not “contemplate a return to the primeval barbarism of separate independent villages.” Neither custom nor customary rights figured in colonial discourse on this subject. The focus of the Syiems also remained on rights on revenue and jurisdiction.

The nature of the decision making process in the colonial office suggests that locally constituted customs and usages could be completely ignored or suppressed by the practical imperatives of the colonial state. For instance, the Foreign office’s letter to the CC acknowledged that while there were independent villages in the hills, he did not know of any so close to the station of Shillong. Moreover, the villagers, being in such close proximity to a British station, often sought redress to their grievances and problems with British officers. There was doubt

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351 From Secretary to Chief commissioner to Assam to Secretary to G O I, Foreign Dept. dated 4th July 1877, in Foreign Department Political Branch, October 1877; nos. 301-304, NAI

352 From the Chief Commissioner of Assam to the Secretary to the Govt. of India, Foreign Department, Dated 4 July, 1877, in Foreign Dept. Political Branch A, August 1877, nos. 295-296, NAI
about whether the village ever owed allegiance to the Seim of Mylliem or not, but exploring that idea might not have yielded the desirable outcomes and was thus dismissed.

The customary rights of the Chief whose jurisdiction the villages ceded from were also circumvented. The local authorities had made the suggestion that the Chief of Mylliem would receive “half or any other portion of the house tax which is levied from the ceded villages”. But the Government of India ruled that “such a proceeding would amount to recognition on the part of the government that the Chief possessed rights of suzerainty (or zemindaree rights) in the village, and would practically give him a claim to reopen the question of transfer at any future time.” Instead, it was ordered that compensation for secession, “should take the form of a money allowance to be granted to the Chief by the British government, which allowance might be renewed to his successors subject to good behaviour.”

In the case of Marbisu, the colonial state's ruling not only dismissed the rights of the villagers demanding independent status, but also those of their former Chief in deriving customary levies. The changing nature of the compensation was meant to excise any rights that might be supposed by successive Chiefs over this set of villages.

In another similar case, a petition from inhabitants of the polity of Shella (Cheyla) demanded better colonial governance, by dismissing customary practices. Cheylapoonjee, as discussed earlier, comprised nine confederate villages and was “governed by a board of four jointly elected rulers termed Wahadadars (corruption of the Urdu Uhdadar)”. After the election of Wahadadars in 1876 there was a spilt in the public opinion in the choice between the two sets of four representatives. The group of four who won the majority of 773 votes consisted of three men from the same family. The fourth being the youngest was considered to be less influential.

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353 From under Secretary to the GOI, Foreign Dept. to Chief Commissioner of Assam, in in Foreign Dept. Political Branch A, August 1877, nos. 295-296, NAI

354 Petition from the inhabitants of the State of Shella in Assam, Foreign Political A August 1877, nos. 303-308
than the others. In order to avoid allowing the Sirdars to form a family clique, the DC noted that “favoritism and misrule would best be checked by allowing the minority to be represented.” 355 He constituted the committee of four by conjoining members from both representative groups. “The laws and customs of Shella State”, the petition stated, “are not written, but the custom of electing the Wahadadars has been recognised for a long period by the British Government, and though in the present instance the custom has been to some extent infringed, it appears to have been for the good of the State, and the point to be decided by the government is whether this infringement on the part of the Deputy Commissioner is to be upheld.” 356 The inhabitants of Shella who petitioned to the government argued that the polity was constitutive of four clans, with each clan being entitled to a representative. This was not respected by the DC’s decision to constitute a committee that did not represent the four clans. The Administration Report of the Khasi-Janitiaih hills for 1874-75 and 1875-76 noted,

…the mismanagement and dissensions which had arisen demanded our interference. The people are a border race of mixed descent, partly Khasias, partly Bengalis from the adjoining plains districts of Sylhet, and are consequently somewhat difficult to manage, and prone to internal dissensions. Two of these Wahadadars having been removed for misconduct, and a third died, an attempt was made to induce these people to accept a single ruler, however, to this measure of reforming their constitution, and they have accordingly been permitted, at their urgent request, to return again to the ancient usage and to proceed to the election of their four rulers. 357

The CC quoting an extract of the administration report argued that with this background in mind, the petition from representatives of the “defeated party at the election must be accepted with hesitation.” 358 The CC also stated that the District Officer had intimate knowledge of the customs

355 Foreign Department Political Branch A August 1877, nos. 303-308
356 Foreign Department Political Branch A August 1877, nos. 303-308
357 From Chief Commissioner of Assam to Officiating Secretary GOI, Foreign Department, dated 6 June 1877, in Foreign Department Political Branch A August 1877, nos. 303-308
358 Ibid.
of the people having lived there for very long and conducted a “painstaking enquiry” the results of which validated the DC’s decision, while it overruled customary usage. 359 The petition stated,

Your petitioners have the misfortune to belong to a semi-barbarous race governed by customs and traditions, handed down from generation to generation, with no written record of their customary laws…The Deputy Commissioner by reason of his contact with the people being conversant with those customs, but his administrations of the affairs of the Khasi Hills is marked by an entire want of sympathy with the people and utter disregard for their customs and traditions. …The people are again not fitted by education to represent their own case with such clearness, fullness, and force as may enable the Chief Commissioner to arrive at the right conclusion. The result is, as might be expected, frequent miscarriages of justice…The question involved is one of vast importance, as affecting the rights and privileges of the community, which your petitioners have always esteemed as their most precious political possession. Your petitioners are the more anxious to have this question definitively and satisfactorily settled, inasmuch as their claims in this instance are borne out by those few customs that are in print and have been formally recognised and acted upon by the British Government; and if the Deputy Commissioner can at his will depart from these very customs none other can be regarded as safe from his interference.360

The petitioners further substantiated their claim to customary rights by directly quoting W. J. Allen’s report where he noted the established usages of the people of Shella to elect or remove Wahadadars. Using Allen’s report and the ratification of the report by the Bengal government to support their case, the petitioners questioned the “principle” whereby two of the Wahadadars were appointed by the DC, and the “grounds” for the rejection of the men elected by a majority votes. The selected Wahadadars represented only two out of the four gathees, or clans, that constituted the Cheyla village communities. The petitioners pointed out that this disturbed several social usages and religious observances of the community. These practices were tied to the role of the Wahadadars as elected heads sanctioned by customary principles. One of the principle functions related to Kapli Bazar, which customarily belonged collectively to the four gathees, who divided the income from the market equally as voluntary contribution by the people. The petition stated that the two Wahadadars voted by the minority, would not have access to the

359 Ibid.

360 From U Koohai and 839 other inhabitants of Shella to His Excellency the Governor General of India in Council, in Foreign Political A August 1877, nos. 303-308
earnings simply by virtue of being appointed by the Government. Secondly, they discussed a
religious ritual conducted at the death of a person. Descendants of the deceased performed a
pooja at the hat, and four goats were offered to the four Wahadadars of the respective gathees to
perform the ritual sacrifice. The unrepresented clans would not gift their goats to any of the
elected Wahadadars and this would make the ritual imperfect and incomplete. Third, the social
and judicial functions of the Wahadadars in settling disputes on land and marriage between
members of the respective clans, was once again complicated by the non-representation of two of
four clans. The petition further questioned the moral authority of two Wahadadars of the minority
branch. “The Deputy Commissioner’s actions,” the petition concluded, “is not only an invasion of
the right of election by the people, but also places over them as their leader and ruler persons who
do not possess the high moral character necessary to win the esteem and confidence of the public,
which are so essential to the good administration of the affairs of the community.”

The D C’s decision overruling the above claims was based on the argument that the
custom of all four gathees being represented was not followed in previous elections. The CC
stated that he approved the DC’s decision if in “future any such custom should be revised, but it
must be fully defined and sanctioned before the time comes for the next election to take place, or
he will not allow it to be acted upon...”. He added that, “...it would be a very convenient
arrangement if the Shella community were divided into four constituencies each of which elected
one Wahadadar, and he would not oppose such a measure if it were desired by the
community.” The foreign department office concurred with the CC’s decision to approve the
actions taken by the DC and the inhabitant’s petition was finally rejected. This instance shows

361 From U Koohai and 839 other inhabitants of Shella to His Excellency the Governor General of India in
Council, in , Foreign Political A August 1877, Nos. 303-308, NAI
362 From Assistant Secretary to Chief Commissioner of Assam to Deputy Commissioner, Khasi-Jaintiah
hills, in, Foreign Department Political Branch A August 1877, nos. 303-308, NAI
363 From Assistant Secretary to the Government of India, Foreign department to Chief Commissioner of
Assam, in Foreign Department Political Branch A August 1877, nos. 303-308, NAI
the different ways in which custom was invoked, remade and superseded by inhabitants of Cheylapoonjee and the colonial state. The case discussed below further emphasises the strategic formulation of the colonial state as dominant political authority.

A dispute between the colonial state and Cherra arose over the jurisdiction of a village called Byrunzgpoonjee which was directly administered by the former since 1829. A petition from the Seim of Cherra in 1876 demanded that the Government revoke its decision to directly administer Byrunzgpoonjee, and its excision from his the administrative authority. The village had been attached to Cherra by David Scott following the rebellions that began in 1829. The CC of Assam opposed the petition in a letter to the foreign department, and noted his support of a report by the DC of the KJ hills in which the DC suggested that this village should not be placed under the Seim of Cherra. The reason given in the letter was that retaining management of the village was important for the government to ensure that potentially valuable village resources did not slip out of the colonial government’s control. The petition emphasised the loyal services rendered by the successive Chiefs of Cherra to the British government by suppressing dissent and rebellions. Employing the language of official reports on rebellions and resistances by inhabitants of the hills the Seim’s petition stated, “…both Byrong and Subarpoonjee people were very troublesome and turbulent; and it was not without considerable trouble that they were made to give up their bloodshed and savage ideas.” He noted that the government had little to gain from the resumption of the management of the village, but that losing it would affect his social and political position. He stated, “I am degraded in the estimation of my people and the neighbouring states and my influence is also a great deal lessened, as it is now generally believed that I do not

364 From Chief commissioner of Assam to officiating Secretary to GOI, Foreign Dept., dated 25th October 1876, in Foreign Department Political Branch, October 1877; nos. 301-304, NAI

365 Petition from Hajon Manik, Chief of Cherra, in Foreign Political, October 1877; nos. 301-304, NAI
deserve such privileges and favour in the hands of the government as my predecessors did, and that therefore Byrong has been annexed, although the people of that state sided with me.”

The government’s decision to resume the management of the village was based on not creating “prescriptive rights in British possessions to the Seims of Cherra.” This village was considered a “British possession” by virtue of conquest, and hence its inhabitants, albeit customarily part of the Syiemship of Cherra, were not considered subjects of the Syiem. This was further emphasised by stating that the Seims were “not territorial rulers” but democratic chiefs elected by their subjects and as long as the British Govt. finds them suitable to rule. There was a clear conflict in the DC’s understanding of the role of the Chiefs and the rights of possession of the village by the colonial government. The revenue from the village and potential value of the lands as property was perhaps the real motivation to resume management of the village. Since the decision of the colonial government not to interfere in the affairs of the Chieftaincies could not be openly flouted, the village had to be legally claimed as a British “possession”. To acknowledge customary practice in the hills, it was also necessary to emphasise that the Seim did not have any territorial claim over the village, and was simply an elected representative, and customary head. The participation of the inhabitants of the village in electing the present Seim had to be undervalued as well. Since the British had the right to remove a Seim from office for maladministration, a further point was made about the unfeasibility of continuing traditions of democratically-elected representatives of Seims. The District Commissioner stated,

…it is at present expedient not to interfere with the system which obtains for the hill people to be governed by their elected democratic rulers, yet the practice is one the perpetuation of which as civilization advances may not be found conducive to ends of good governance and for reason which I have stated I do not consider I should be

366 Ibid.

367 From Chief commissioner of Assam to officiating Secretary to GOI, Foreign Dept., dated 25th October 1876, in Foreign Political, October 1877; nos. 301-304, NAI
justified in recommending that Byrong should be again placed under the rule of the Seim of Cherra.\textsuperscript{368}

The petition of the Seim to reacquire the village as part of his Chieftaincy was rejected since it remained potentially valuable to the colonial state. The susceptibility of customs to manipulation and change transpire in these cases, as a political imperative of the colonial state. But changes in custom were only effected through dialogue with local authorities, and, in certain cases, with the inhabitants. The colonial state in the second half of the nineteenth century categorically stated its decision to not interfere with cultural and social aspects of the “tribal” communities. Yet, ruler-subject relations were severely altered in and through the handling of numerous disputes on boundaries and jurisdiction, some of which have been discussed above. The Khasi inhabitants did not figure in colonial correspondence as legal subjects of the British Empire, and yet, they were implicated within the colonial judicial system. Moreover, reconfiguration of the relationship between the colonial state and the Khasi Syiems also informed new ideas of sovereignty and authority in the polities across the hills. The reconstitution of Khasi social-cultural-political authorities and ruler-subject relations are elaborated in the following section.

4.2.2 Changing rulers, changing customs

The East India Company government, in the management and expansion of their territorial interests, followed a cautious policy of diplomacy with sovereign Syiems in the Khasi hills. These rulers were distinguished from Zamindars in Bengal whom the British had vested with proprietary rights. Khasi Syiems were gradually stripped of their political power, and assigned customary and prescriptive roles by using property as the defining feature of sovereignty. The formalization of the non-proprietary status defining the role of Syiems can be evinced from mid-nineteenth century, when A. J. M. Mills and W. J. Allen submitted reports and

\textsuperscript{368} From Deputy Commissioner of the Khasi and Jaintiah hills To Secretary to the Chief Commissioner of Assam, Dated 13\textsuperscript{th} October 1876, in, , in Foreign Political October 1877; nos. 301-304, NAI
extensive proposals for reform on judicial and administrative aspects. The 1850s was also the
decade when the reins of the colonial administration were transferred from the EIC to the British
Crown. This section discusses the changing concepts of property and custom in the Khasi hills,
both of which underpinned colonialism in these non-British territories.

In A. J. M. Mill’s report the Syiems were recognised as treaty making powers without a
detailed discussion of their political role. The report acknowledged the truncated judicial role of
the Syiems with reference to treaties signed in the 1830s. Their judicial role and responsibilities
and the functioning of Darbars or indigenous politico-judicial forums was not discussed.
Variations in powers of Syiems under dependent, semi-independent and independent statuses
were not clarified. The Syiems had, Mills wrote, “by tacit admission, the sole civil and criminal
jurisdiction of their respective territories”. The division of powers between the Company
government and the Syiems was described in terms of a division between the power to adjudicate
criminal and civil cases. The EIC assumed the right to try all criminal cases described as
“heinous,” while the customary Darbars in each of the polities continued to adjudicate petty
criminal cases and all civil cases. The station of Cherrapoonjee was the only area where the
Political Agent had sole jurisdiction. Mill’s report reiterated the clauses in the treaties and added
that “the Government has it would seem, the undoubted right to interfere in any way it pleases
with the administration of the villages of Moosmai, Sohbar, and Mamloo, the first by right of
conquest, and the second by treaty.” 369

From the mid nineteenth century British jurisdiction extended into spaces where it did not
have sanction through adjudication of various disputes. The inhabitants of the hills, particularly
of those chieftaincies where contact with the Company authorities had been extensive, sought
redress of their grievances from the colonial courts in Cherra or Sylhet. The legal plural order of
colonial rule had entrenched itself and reconstituted the relationship between subjects and

369 Mills, Report, 6.
authorities- both Khasi and British. Yet, colonial discourse only vaguely articulated its relationship to the subjects of the hills and failed to conceptualise the kinship based, customarily sanctioned relationship between Syiems and the people. The mid nineteenth century report by W. J. Allen, which became a reference point for ascribing colonial political and economic interests in the hills, gives access to the changes in the terms of the relationship between the two authorities underscored by the transformation of the hills as property.370

Mills’s and Allen’s reports legalised the transformations by introducing revised contracts. Changes were being effected in the content as well as the procedure of signing treaties with the Syiems. The sanads were to be issued by the Colonial government and presented to the Chiefs instead of the former practice of signing agreements that acknowledged the diplomatic nature and mutual political power of the signatories. The rituals of khillut and nuzzuranah were also emphasised in the latter half of the century as essential aspects of accession to the role of Syiems. Rituals and ceremonies sanctioned the dominance of the colonial state and the sovereignty of the Khasi polities was marginalised.

The contractually and ritually defined hierarchy between the colonial government and the Khasi Chiefs was achieved strategically. Identifying, and formally defining rights of the Syiem as a sovereign in relation to subjects of the hills was one of the methods. Moreover, proprietary rights in land, rights to issue taxes, and other political and judicial functions of the Syiems were examined. The non-existence of land tax, for instance, was seen as defining the nature of the Syiems authority. Allen noted that the only form of taxes collected by the Chiefs were “judicial fines and tolls levied on all goods in the market of their villages.”371 The emphasis on quasi-judicial and non-proprietary nature of the Syiem’s authority gave an impetus to colonial redefinitions of property in the hills. The Government of Bengal in a letter to W. J. Allen

370 Home Political, dated 29th April, 1859, Nos. 75-79, NAI

371 Ibid.; His source of this information was the Political Agent, Captain Lister.
approving his recommendations emphasised that waste lands, identified by Allen, in both Jaintia
territory and the Khasi territories should be put to use. Alongside the right to dispense waste lands
in the hills ceded by the British, the order stated the necessity “to prevent Cossyah Chiefs,
Sirdars, elders and other village authorities, from alienating large tracts of land in their Districts
in favor of Europeans or other persons not being Natives of the Hills without the knowledge of
the Officers of the Government.” Accordingly, it was notified to “Chiefs and people of the
semi-independent and dependent states that the Government will not recognise the grant of any
land in any of those States without his sanction.” Further, all succession in Khasi States, not
only those within dependent polities, would need to be sanctioned by the British Government.
The role of the Colonial State in sanctioning the succession of major and minor Khasi states
would thereby allow the state to include new clauses in the sanads and legalise its political
dominance.

The sovereign status of the colonial state emerged from its judicial authority in the hills.
Once the jurisdiction of the hills was divided between different courts, the role of the DC in the
hills was further attested as being both political and judicial. The precise definition of that role
became a point of contention in 1866 when the Chief of Mawiong (spelled variously as Mowiyam
or Mauwiong )was murdered and riots broke out in that polity. The Secretary to the Government
of Bengal wrote to the Registrar at the High Court in Bengal that the limitations that had been
placed on the Khasi Chiefs” jurisdictional powers made it “impossible to assume that the Cossyah
Hills [were] foreign territory…the Government exercise[d] in those Hills all rights and powers of
sovereignty, including that of legislation, limited only by the terms of the agreements made with

372 Ibid.

373 Home Political, 29th April, 1859,Nos.75-79, NAI
What complicated colonial judicial involvement in this case was that, according to the agreements, the British could not interfere in civil or criminal jurisdiction where subjects of a single Khasi state were involved. The Sessions Judge of Sylhet had dismissed the case on the grounds that Mawiong was not in his jurisdiction. The Lieutenant Governor of Bengal was of the opinion that the DC had rights over adjudicating the particular case as per an agreement with the Syiem. The latter had given the Governor the power of interference between him and his subjects as well as the power to remove him if the people were dissatisfied by his rule. The right of subjects to seek British interference in case of maladministration by their Syiem was used to flout the prescribed non-interference in affairs involving Syiems and his subjects. This case set the precedent to formulate the following: first, the rights of the colonial state in sanctioning the rulers in the Khasi states by emphasising the right to remove a Syiem on grounds of dissatisfaction of his subjects; and second, the ruler -subject relations between the Syiems and the inhabitants of the Mawiong polity was also mediated and articulated vis-à-vis the colonial state. Additionally, the case set the precedent for the DC’s jurisdiction over all cases deemed important by the colonial state.

In a letter to the Government of Bengal, the Foreign Office approved a new form of agreement to be made with the newly appointed Syiem of Mawiong. This new sanad was sanctioned as the template for future agreements to be made with Syiems on the occasion of their succession. Therein lay the significance of the case described above. Additionally, this letter specified that the term Raja be substituted for Syiem. Nomenclature particularised the Syiem’s

374 Letter from Secretary to the Government of Bengal to the Officiating Registrar, High Court of Judicature, Fort William, dated 13th September, 1866, no. 2166T in Foreign Political, Programmes for October 1866, GSA
375 Ibid.
376 From the Secretary to the Government of India, foreign department, to the Junior Secretary to the Government of Bengal, dated January 1867, no. 189, in Foreign Political Programmes for March 1867, no. 13, GSA
role, distinguishing them from Rajas who held proprietary rights and often were defined as
sovereigns. This was further noticeable as the letter attempted to define the political status of the
DC vis-à-vis the Syiems.377

The new form of agreement, being formulated first with respect to Mawiong and later to
be with other Khasi states, included the rights to the “cession of lime-stone and other minerals,
and of waste land.” The previous agreement executed with the Chief of Mawiong did not contain
such a clause but the Agent to North East Frontier stated that there was a separate agreement in
which these terms had been agreed upon, a copy of which was supposedly misplaced and
unavailable to the officers. The Agent stated that “…such a stipulation was the subject matter of
another and subsequent agreement entered into by the Manwiong [sic] Chief, in common with the
Chiefs of the other States whose names are mentioned in the margin. I do not happen to have a
copy of the Manwiong [sic] Chief’s particular agreement by me, but all the agreements are in the
same form, and I annex one kept in this office as an example…” That different agreements were
signed with different polities was glossed over in this assertion. After deliberations between
different departments, the Government revised arrangements that would satisfy both the Syiems
and the colonial state. The Syiems were offered “an income which they could not have
themselves realised” in addition to “protecting them from the arts of unscrupulous speculator.”
The Government would derive tribute which it believed would increase over the years, and
contribute towards administering the hills and public works.378 Recurring discussions on the
inclusion of new clauses emphasised the colonial state’s control over resources in the hills. This
in turn highlighted the non-proprietary nature of the Syiem’s sovereignty.

377 Ibid.

378 From Agent tot the Governor General, North-East Frontier, and Commissioner of Assam, to the
Secretary to the Government of Bengal , dated May1867, no. 171, in Foreign Political, August 1867, no.
25, GSA;The same is discussed again in a letter from the Secretary to the Government of Bengal to the
Secretary to the Government of India, Foreign Department, August 1867, no 240T in Foreign Political,
August 1867, no. 25, GSA
New and revised forms of *sanads* officially instituted from 1875 highlighted that succeeding Chiefs were no longer permitted to “alienate the property of the state.” 379 This was supported on the grounds that the Syiem “…is elected for life or during good behavior. He is not even entitled to land revenue.” 380 The clauses inserted into these revised Sanads betray the motives of the colonial government. The relationship between sovereignty and proprietary rights arose from debates over jurisdiction in the hills which demonstrated the limited power of the colonial state in the hills. The role of the Syiem in the different polities had been much more than prescriptive. They had led armed rebellions against the Company, made diplomatic decisions, oversaw trade and headed local judicial and legislative councils. According to the social structure ordered through matrilineal kinship structure, land was either communally owned (*Ri raid*) or owned by the clan members (*Ri kynti*). Under such a system proprietorship was not the grounds upon which the Syiem’s power was asserted or understood. The clash between the new meanings invested in political authority by the colonial state and the existing forms also produced new ruler-subject relations.

Reformulation of customs around the succession of Syiems through colonial mediation further reconstituted the role of the Syiem. After the suppression of the rebellions started in 1829 and the conclusion of treaties with the different political heads, David Scott interfered in positioning a nine-year old heir to succeed Tirot Sing as the Syiem of Nongkhlaw- the polity where the rebellion had erupted. There are no records of further British involvement in the succession of Chiefs in any of the Khasi states, except in Cherra, where the successors had to report to the Political Agent. However, there seems to have been no greater involvement in the entire process of electing successors and rituals that sanctioned the heirs as Syiems. The early

379 Letter from L Johnson, secretary commissioner of Assam to Secretary Government of India, Foreign Political B, January 1875, nos. 166-167, NAI

380 Ibid.
treaties signed by the Syiems had allotted the colonial officers the right to mediate in case of disputes during succession of chiefs.

The role of mediation was transformed into the right to sanction succession of Syiems. In the new form of *sanad* introduced in 1875 this shift is clearly visible. Paragraph three of the *sanad* stated, “In the case of my using any oppression or of my acting in a manner opposed to established custom, or in the event of my people having just cause for the dissatisfaction with me, the Chief Commissioner of Assam may remove me from my Chiefship and appoint another Chief in my stead.” 381 This clause in the revised form of *sanad* clearly indicated the change in the status of the Syiem from political sovereign to elected nominal head of the polities. Official colonial literature from the period, including statistical accounts, descriptive and historical accounts, scientific literature on physical and political geographical and most clearly early treaties and colonial correspondence, demonstrate the political status of Syiems. However, somewhere between the middle of the nineteenth century and the first decade of the twentieth century, Syiems came to be regarded as customary authority whose validity rested in British government sanction during succession.

This transformation of the status of the Syiems was a result of the expansion of colonial judicial powers in the Hills. The authority of the Cherra, Sylhet and Assam colonial courts pervaded deep into the remote villages in the hills through the following ways: formulation of jurisdictional divisions through consultations with village elders, collecting depositions and interviews of subjects of villages to determine contending sovereignties, and survey operations to settle boundary disputes. The courts were flooded with petitions from inhabitants with various complaints and disputes unprecedented in the first half of the nineteenth century. The Cherra court received numerous petitions on disputed successions not only from the Syiemship of Cherra, but other Khasis states as well, where the political agent had never had a role in

381 Ibid.
determining succession dispute. Through the processes of involvement in such disputes, customs were reformulated. Custom became the site upon which British authority entrenched itself as the supreme political authority. In the official correspondence on succession disputes and petitions from competing heirs one finds inflections of the contested nature of customs, and the malleability, and marginality of certain customs over others. In the following pages I will discuss a few different instances of succession disputes highlighting different demands and different circumstances, which demonstrate the nature of custom in a plural legal context.

In the Jaintiah Hills custom was delegated less importance because it was treated as British territory. In 1886 the GOI summarily rejected an appeal for reconsideration of a petition to the local authorities from U Kat, a Sirdar of Nartiang Dolloiship against uncustomary election of U Jan as Dollois of Nortiang. The deputy commissioner had introduced education as a qualification for candidates to Dolloiship and elected a candidate based on that. The petition from U Kat stated that he had won by a majority of 458 votes over the elected Dollois who received 340 votes. He wrote that he was rightfully elected “in accordance with a custom which has prevailed in this district from time immemorial.” He wrote that the colonial authorities “admit[ed] the existence of the custom…they also admit[ed] that the same has remained hitherto unbroken, but they claim[ed] the right of departing from this custom of election at pleasure.”

The custom of people electing the Dollois was mentioned in colonial correspondence, although the number of votes was not recorded. The Chief Commissioner noted, “…the wishes of the people were consulted and a useful precedent established.” The petition, presumably written by a mukhtiar, referred to precedents of custom overriding statutory law in the Calcutta court. The petition claimed that the British government enjoyed popularity and support because the

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382 Memorial from U Kat Sardar of Nartiang to the Viceroy and Governor General of India in Council, in Foreign External A, April 1886, nos. 189-197, NAI

383 Foreign External A, April 1886, nos. 189-197, NAI
inhabitants of the hills had not encroached upon civil rights that connected them to their pre-colonial past. Comparing the Jaintia hills to the non-regulation districts where civil courts respected custom over statutory laws, the petition lamented that custom was not enforced. Responding to the assertions made in the petition, the Government of India requisitioned the official order that made educational qualification necessary. The local authorities were unable to provide the order and claimed that it must have been issued verbally. The Government dismissed the petition and upheld the decision of the local authorities with a side note that although the Governor General agreed that some degree of educational qualification was useful, “in such districts as the Khasi and Jaintia Hills it does not seem expedient to attach primary importance to this qualification.” The formal consent of the Darbar and the family was stated as necessary, “as they have the power to disqualifying the next in regular line if he be, by any reason of tender age, physical defect, or any other reasonable cause, unfit to rule, and they then appoint the next after him in regular succession.” Upholding the decision of the local colonial official was expedient while the Governor General emphasised that in subsequent cases educational qualification should not override custom. In spite of recognising the validity of the discontent expressed in the petition the decision that was made could not be reverted because that would impress upon the subjects the fissures in the structure of colonial authority, and weaken the local representative figure of the same.

Changes in the form of sanads in 1875 accompanied changes in customary structures. The new sanads gave the local officials more authority to make changes into aspects hitherto not

384 Ibid.

385 From Assistant to the GOI, Foreign Dept., to the Chief Commissioner of Assam, dated 29th March 1886, in Foreign Department External Branch A, April 1886, nos. 189-197; NAI

386 Ibid.
interfered with. This was explicit in the changes in the political structure of the polity of Maharam where until 1875 two Syiems conjointly held authority. In that year the senior Syiem was deposed on charges of misconduct. Colonel Bivar, one of the reformist DCs of the Khasi Jaintiah hills recommended that the office of Syiem be limited to only one person. In 1877 the junior Syiem died, and during deliberations of succession of new Syiems the CC of Assam and the DC jointly decided to discontinue the customary offices of two Syiems. Many inhabitants refused to vote unless elections for both offices were held. There was no explanation provided by the colonial officials for instituting such changes. In this respect, their only concern was whether the heir to the deposed senior Syiem should suffer for the latter’s misconduct.

The debate over proposed changes in the customary political structure focussed on new clauses in the revised sanads and the event of succession was seen as an opportunity to extend control over the natural resources. The CC stated in a report that the new sanad should include unrestricted rights to use of reserved forests in Maharam. There was also an emphasis on the ritual sanctioning of the office of Syiem, which had not previously been practiced in this polity. In exchange for a nazaranah the Colonial Government allotted a khillut to the Syiem who also signed an ikrarnamah and received a sanad. With reference to W. J. Allen’s report, the CC noted that, “…this public and ceremonious recognition of the chiefs by the Government would ensure the respect and ready obedience of their subordinates, and that the direct and visible responsibility to the paramount power would render the Chiefs more anxious and careful to exercise their delegated functions with fidelity and discretion.”

387 Foreign Department, Political Branch A, May 1878, Nos.60-68, NAI

388 Ibid.

389 According to previously signed agreement most of the natural resources were already leased to the British government or to private traders.

390 Chief Commissioner of Assam referring to the Administration Report of the Khasi and Jaintiah hills for 1858 by W J Allen, in Foreign Political A, May 1878, Nos.60-68, NAI
authority produced custom as a political strategy. On the one hand, custom provided a voice to several actors and inhabitants of the hills to assert their political demands, and on the other, custom was used by the colonial state to effect a reconstitution of the authority of the Syiem, as well as to marginalise certain sections or groups of society in the hills in conjunction with others local political interests.

The qualifications and procedure for appointment of a Syiem assumed much significance after 1875 and succession in most Khasi polities came under the purview of the colonial office. W. S. Clarke, DC to the Khasi-Jaintiah hills, was given the task in 1878 to hold official enquiries into issues of succession after his predecessor Colonel Bivar’s actions involving changes in procedures were brought into question. 391 An appeal from an unsuccessful candidate to the post of Syiem of Nongstoin led the judicial department to institute an enquiry into principles for the appointment of Syiems. The DC was asked to report on several aspects of succession eligibility such as the residence of the candidate, belonging to any particular family or the specific relationship to the last Syiem and whether female candidates were eligible for election. 392 Clarke collected information from all Syiems except Rambrai, and noted that “according to one and all of them, the office of the Syiem is not elective, but hereditary, going in regular succession to the senior nearest male relative, not being a son or a nephew, the son of a brother, or a cousin on the fathers side, but the brother by the same mother, or, failing brothers, the son of mothers sister, or son of a sister or failing heirs male, to the senior nearest female relative on the mother’s or sister’s side.” 393 Furthermore, he stated that the candidates “must be of a native state for which he stands, must be a blood relation of the last Syiem, and in particular relation to him, and that

391 Colonel Bivar the District Commissioner of KJ hills in the 1860s conducted popular elections in which all adult males voted to elect the Syiem U Hajon Manik. See Foreign Political, October 1878, no.1337, NAI

392 Foreign External A February 1902, Nos. 88-110, NAI

393 From W S Clarke, Deputy Commissioner Khasi-Jaintiah Hills to the Secretary to the Chief Commissioner of Assam, dated 15th October 1878, no.1337, Sub-enclosure 5, enclosure 3, Prog. No.108 in Foreign External A February 1902, Nos. 88-110, NAI
females are eligible for the office of Syiem.” Clarke emphasised that although the elective system was not customary, in many polities elections were held to ascertain eligibility. He also noted an instance when the Syiem of Myllim was deposed by the people in 1863 and the Darbar disqualified all his family members, setting a precedent for elective offices.

In the decades that followed, disputes around succession of Syiems produced petitions in British courts in unprecedented numbers. A particular instance of succession dispute in the state of Cherra induced the Government to institute a formal codification of the procedures for appointment of a Syiem. The polity of Cherra, however, as noted earlier, had acknowledged the involvement of the Political Agent from the 1830s in its politico-judicial structure including sanctioning succession. Until 1858, it remained the only Khasi State where the Political Agent and later the District Commissioner could intervene in the process of electing a Syiem. This particular succession dispute attracted the attention of parliamentarians in the House of Commons as late as 1912 long after the issue had been settled in 1903. A British parliamentarian asked the Secretary of State for India to explain why,

the practice of electing the Syiem of the Cherra state in the Khasi and Jaintiah hills district…was abrogated in the election of the present Syiem, and has caused dissatisfaction among twelve clans in the district; and whether, having regard to the immemorial custom among the people of the Cherra State to elect their chief by the votes of the representatives of the twelve clans, there is any reason why this custom should not be allowed in future?” His question was shot down with the assertion that the government of India was satisfied that the method of election was “in greatest accordance with the ascertained usage of the people.”

This was not quite so simple because the customs were allowed to change according to specific circumstances, and local colonial officers were cognisant of that. By the first decade of the twentieth century, customs were accepted as changeable according to contingent necessities and

394 Ibid.
395 Foreign General B Feb 1912 nos. 356-357
396 Ibid.
power of local authorities. At the same time, customs also became the hallmark of colonial power in the hills.

After disturbances and riots broke out following the election of U Chandra Singh who succeeded as Syiem of Cherra in 1901 the British government became concerned with disentangling the complex principles and practices-political and customary-surrounding the role of the Syiem. The deployment of the military to settle the disturbances raised the concerns of the higher echelons of the colonial office. Additionally in a non-British territory or a native state care had to be taken not to overstep its role, by upholding custom.397 This dispute started in 1901, and was hotly contested as different tiers of colonial officials engaged in ascertaining customary practices of electing Syiems, using various reports, and official records, as well as through engagements and discussions with heads and elders villages and localities in the polity.

Petitions stating grievances with local colonial handling of the dispute also highlight the contested nature of customs. The CC overruled the DC’s order to appoint Roba Singh who was nominated by the Darbar (constituting the heads of twelve clans) and ordered the appointment of U Chandra Singh. The Secretary of State to the government of India ordered the annulment of this sanctioned appointment because of public outcry, protests and debate within the colonial government. The CC who sanctioned the appointment insisted that a reversal of the decision and a re-election would “weaken” his political authority. He said “…In dealing with a rude and uncivilized tribe like the Khasias, it is dangerous to weaken the hands of the controlling authority with whom they are brought into immediate contact. It is highly dangerous to afford such a people any inducement to believe that an order of the chief Commissioner can be set aside by persistent intrigue backed by a display of force”.398 The Chief Commissioner in this statement

397 Correspondence between Viceroy Lord Curzon, Secretary to the GOI H S Barnes and J B Wood, Military Department, dated December 1901, in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

398 Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI
referred to an informal but steady support by the influential missionary in the hills John Roberts
of the rival contender who along with his family faction had converted to Christianity. In the
Chief Commissioner’s view protests by inhabitants of the Cherra against the appointed Syiem
was conjoined with political intrigue induced by converted groups. This diverted the question of
protests of the inhabitants against very specific political actions by the Syiem.

Further diversions through emphasis on custom led to questions about past precedents
and their validity. The role of the heads of twelve clan members in electing the Syiem from
among the nominees was hugely debated. In this case the Chief Commissioner Cotton was
deemed wrong “in both procedure and in his facts.”399 W. J. Allen’s report had noted that the
authority to elect the Syiem rested on the representatives or heads of twelve clans. This was not
the precedent that was followed in the last two Syiem’s appointments when the clan heads were
“induced” to accept the candidature after the sanctions had been made. In this specific instance
the twelve clan heads nominated U Roba Singh who was not as closely related to the deceased
Syiem U Hajon as the elected U Chandra. In a second Darbar summoned by the Chief
Commissioner, the twelve representatives voted in favour of the latter. However, it was later
argued that the four most important myntris or clan heads, remained adamantly against the
election of U Chandra. U Roba Singh was more closely related to the predecessor of U Hajon, U
Ram Singh. What complicated this set of connections was the argument that since U Hajon
Manik did not complete the rituals associated with the cremation of his predecessor, his
appointment and tenure as Syiem was not valid. This not only made U Chandra’s claim as
immediate heir weak, but it also opened the floodgates to several opinions on the actual custom of
assigning heirs the role of Syiems.

399 H S Barnes, Secretary to the Government of India Foreign Department, dated December 1901, in
Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI
Defending his appointment of U Chandra Singh, the Chief Commissioner argued that Captain Herbert had acted in haste by appointing U Roba Singh “on the strength of the information he had received from the Missionary Roberts whose name has, however, been kept out of the correspondence. The Darbar referred to in Captain Herbert’s first letter were self-constituted and not the recognised Darbar of the State.” The argument that holding a Darbar without it being summoned by the colonial state made the proceedings invalid had no precedence. Indigenous councils continued to retain the authority to function independently of the colonial state. The CC’s statement pointed to the assumption of new rules and powers by the colonial state over the functioning of autonomous native councils. Moreover, the focus of the correspondence moved further and further away from the cause of the protests against U Chandra.

The protests were suppressed by bringing in the 43rd Gurkha Rifles military regiment. The government was induced to urgently settle and determine custom. Several causes for dissatisfaction led to violent protests by the inhabitants and were directly related to the elected Syiem’s actions in the capacity of a political and spiritual leader. A petition from the people of Cherra stated, “…in view of the great political, evil, unlawful act and heinous offence committed by U Chandra and his voters…” the memorialists requested that the Government “declare the invalidity of U Chandra Singh’s appointment and to sanction their prosecution in a court of law.” In a petition from three other Mantris, it was noted that the actions of the Chief Commissioner appointing U Chandra Singh became “…all absorbing question in the minds of the

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400 Letter from Chief Commissioner of Assam to the Secretary to the Government of India, Foreign Department, dated December 1901, in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

401 Petition from R Lumsyntiew, Mantri of Vougrum clan and other inhabitants of Cherra to the Viceroy and Governor-General of India in Council, dated 20th October 1901, in in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

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people of Cherra State as well as of other Khasi States, unprecedented in its kind and nature by any event since the advent of the British into these hills."  

Another petition from the people of Cherra listed a number of grievances against U Chandra Singh. They claimed that he had not held a Darbar to consider public questions or try cases since his appointment, thereby neglecting his political duty as a Syiem. To assert his power over those who opposed his elections he demanded a poll tax of Rs. 1 from each male adult and a fine of Rs. 50 with one pig for those who would refuse to pay the poll tax. In addition, men employed by the Syiem threatened the dissident inhabitants with torture and forfeiture of their properties. Moreover, he had introduced taxes on trades and “exorbitant market tolls…contrary to the usual practice.” Gambling houses in certain parts of the state, which had been shut down during the administration of the last Syiem, had been reinstalled. The Syiem, the petition noted, “…being mindful of his self-aggrandisement and personal enjoyment, and with a view to obtain money by unlawful means, has leased them to his mischievous adherents.” The Syiem had also placed restrictions on the use of forests, only allowing his adherents to cut wood freely from reserved forests. The political role of the Syiem was not limited to adjudicating cases in the Darbar or levying taxes which, according to the petitioners, were aspects not properly conducted by him. By virtue of the kinship system that was the foundation of the social structure of the Khasi states, the Syiem’s political role merged with religious and spiritual duties. The petitioners claimed that the Syiem attempted to disrupt religious ceremonies, and engaged with witches and sorcerers, devising means to offend the religion of those who opposed him, and bring

402 Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

403 Ibid.

404 Ibid.; In the following chapter I have noted how religion law and custom were part of a single framework in the Khasi States
about their ruin. A petition, supposedly by two thousand people of Cherra, was submitted in December 1901 and drew attention to “how subversive of their existing institutions and inconsistent with the constitutional principles…the policy adopted by the Hon’ble Chief Commissioner of Assam and his order, in appointing U Chandra Singh, Syiem of Cherra have been…” The petition described in great detail every step that had been taken by the local authorities following the death of U Hajon Manik and concluded by claiming the right to participate in the administration of public affairs and to choose their Chief best qualified for office in accordance with the established usages. The petitioners mostly, male elders of the villages, argued that they were the best judges of their ancient rights and established custom, and should therefore be consulted before a final ratification of the said appointment was made.

The political aspects of the riots were barely discussed in the official correspondence. Attaching importance to the causes of dissatisfaction would have resulted in addressing the political role of the Syiem. The colonial government circumvented a discussion of political conflict by focussing on the question of custom. The CC, for his part, wanted to reduce concerns of the higher office, and insisted that the disturbances in Cherra were of no significance, as there was “no bloodshed and minimum looting”, and the company of soldiers had been brought into Cherra only “to maintain order and enable the DC to assert his authority which was being defied.” The officers at the central level were unconvinced by the Chief Commissioner’s assurances. They confirmed their doubts about his actions by stating his conflicting views on the long term customs. Viceroy Curzon insisted that to avoid the recurrence of disputes of this nature

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405 Petition from the people of Cherra to the Chief Commissioner of Assam, dated 25th October 1901, in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

406 Memorial from the people of Cherra to George Curzon, Viceroy and Governor-General in Council of India, in in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

407 Letter from Chief Commissioner of Assam to the Secretary to the Government of India, Foreign Department, dated December 1901, in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI
and to ensure uniformity of action, local authorities should determine the exact procedures in regular and disputed successions.\textsuperscript{408} He further ordered a re-election by inhabitants of the polity and dismissed U Chandra Singh’s office.\textsuperscript{409}

The expediency in upholding the precedent of popular elections ensured that grievances of the clan representatives and protests by inhabitants did not escalate. By ordering a re-election in which Roba Singh was declared the new Syiem, a temporary check was placed in rising public opinion against the adequate political role and procedures surrounding the appointment of Syiems. The District Commissioner emphasised one significant breach in custom which was reiterated by the Foreign Office during their final deliberations. U Chandra Singh was deemed the successor to Syiem U Hajon Manik by virtue of his closer relationship to the deceased Syiem. However, the validity of U Hajon Manik as Syiem was brought into question based on his refusal to perform the cremation rituals of his predecessor, and also that “thirty villages did not consider him Syiem”.\textsuperscript{410} While this was being used to support the removal of U Chandra Singh by the Foreign Department, the final orders of the Viceroy upheld the principles that had brought Hajon Singh into office in the first place—popular election.

The conflicting opinions presented in the colonial correspondence and reports through the second half of the nineteenth century, on what really was the custom of succession, points to the malleable nature of customs themselves. In the CC’s opinion, “too much stress was laid on the remark by Captain Clarke” about the existence of popular elections. Although, Clarke’s report, as mentioned earlier, emphasised the hereditary nature of the line of succession, Bayley’s report emphasised the role of the Darbar reiterated by the CC. Popular election, according to Bayley,

\textsuperscript{408} From Governor-General and Viceroy George Curzon to H S Barnes, Secretary to the GOI, Foreign Department,, dated February 1902, in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

\textsuperscript{409} Letter to the Chief Commissioner of Assam, no.328 E.B, dated 11\textsuperscript{th} February 1902, in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

\textsuperscript{410} Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI
was only held on the request of the Darbar, who, along with the Syiem’s family, nominated the
Syiem. In 1903, the same year that Roba Singh was appointed by re-election as Syiem of
Cherra, a report was published as a compendium of customs related to succession in every Khasi
polity. *The Report on Succession to Syiemship in the Khasi States*, by Captain D. Herbert, DC
Khasi-Jaintiah hills, became the official guide for determining all the principle rules and
differences across twenty-five Khasi polities. The report focussed on the following aspects,

1. The course which is followed by hereditary succession, that is to say, the order
   of relationship which leads to heirship [sic];
2. Whether, if heirship [sic] is recognised, it gives absolute or prima facie claims;
3. Whether any procedure is recognised for the examination and conformation of
   claims to succession, and whether such procedure is confined to the
   ascertainment of the next legitimate heir, or may extend to the passing over of
   the next legitimate heir for any reasons;
4. If election is followed in any form, who are the electors, and have they powers
   to select a candidate as well as to veto a candidate?
5. If the electors are the myntris or elders, how are they themselves appointed? 

The five principle points which the Captain Herbert formulated in his report emphasised
uniformity of procedures and ascertained the specific procedures in cases of dispute. The Chief
Commissioner noted that “…The information which the report affords throws an interesting light
upon the peculiar institutions and customs of these chiefships…Captain Herbert has defined the
customary line of succession in the case of all the States.” The report circumvented the political
functions of the Syiem by strictly maintaining the customary nature of procedures and
constitution of the office.

The report was produced by collating information collected at Darbars that were
summoned in all the different Syiemships in the presence of the DC. The report noted the

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411 Extract from the Proceedings of the Chief Commissioner of assam in the general Department, no. 3189-
P, dated 21st July 1901, in in Foreign Department, External A Branch, February 1902, Nos. 88-110, NAI

412 Foreign external A, July 1903, nos. 59-61: report on succession to Seimships in the Khasi hills

413 Ibid.

414 Ibid.
increase in what it defined as the electoral body from a body of *lyngdohs*, or priests, who could dismiss the Syiem only on religious grounds, to gradually include representatives of the different clans. The increase in the electoral body varied in different polities. A further step towards strengthening the public will was the introduction of popular elections in which all adult males voted. The report maintained that the British Government had the “right of refusing to accept a person as Syiem whose appointment would be undesirable for any serious reason.”

Validating this point, the Secretary to the Government of India stated, “It must… be clearly understood that the Government, as a Parliament Power, reserve an absolute discretion to reject any nominee, and that no succession is valid and complete until it has been expressly approved and confirmed by Government.”

The letter concluded that although the existing procedure was based on customary usage, it “should not be regarded as stereotyped for all time, but should be open to such revisions as any on occasion be suggested by the legitimate evolution of tribal customs.”

Thus, the report insisted that Syiems were elected through customs. Several caveats remained in this formulation that could be exploited by the colonial state when necessary.

Incidentally, what began as a debate that had the potential to increase public accountability, and a broadening of principles for electing Syiems, eventually led to a codification of rules and practices of accountability in all the polities, based sweeping generalisations. Two things are clear from these debates. The first, there was a diversion from the nature of political authority of the Syiem to an emphasis of his customary role. In colonial correspondence and debates from the late nineteenth century the Syiem emerges as a customary, nominal and vulnerable leader while his political functions get relegated to the background. Secondly,

415 Ibid.

416 Letter from Secretary to Government of India, Foreign Department to Officiating Chief Commissioner of Assam, dated July 1903, in Foreign external A, July 1903, nos. 59-61: report on succession to Seimships in the Khasi hills

417 Ibid.
although it was not innovative to mould customs to suit particular circumstances, the use of British judicial courts as forums for debate and discussion, for Khasi inhabitants as well as colonial officials, produced rigid patriarchal structures.

The influential role of the women in the Syiem’s family in electing Syiems was mentioned in some colonial correspondence, including Clarke’s report of 1878 but this was lost in the flurry of debates ascertaining actual custom. It is, however, possible to trace the marginalisation of customs that emphasised the role of women in political and religious aspects of Khasi society using the massive amount of correspondence on a succession dispute in the Khyrim polity between 1905-1906. Petitions poured into the colonial offices regarding the election of a Syiem who was a “remote heir” but was elected by a majority of the clan heads or myntris because other heirs were disqualified for various reasons. Petitions from the disqualified candidates, as well as myntris and inhabitants, give access to several aspects of the procedures and those that were ignored in the standardised principles of electing Syiem.

Two memorials from U Shemuel and U Borgusain were forwarded by the Assam government to the Secretary of State for India in October 1905. Their petitions provide insights on the preference given to certain customs over others, and also contain clues as to why specific customs became marginalized. U Shemuel was disqualified because he had converted to Christianity and U Borgusain because he was not the most closely related heir. A recurring complaint in the petitions was that Captain Herbert’s findings in his report to the succession of Khasi polities was incomplete and glossed over important aspects of custom.

U Borgusain stated a number of defects in the official enquiries pointed to that fact the last Syiem persuaded Captain Hebert into “laying down a new rule of succession for the future in which succession to the Syiemship was to be traced in lineal descent from a Syiem-priestess.” This was done by the last Syiem, according to the petitioner, to confine the succession to descendants of his mother and to the descendants of his fourth sister, whose son was appointed
the next heir. He also questioned the integrity of the *myntris* in the election process and claimed that the Darbar was not duly represented. His provocations are important because it brings into the debate the role of the women in the family in determining succession. Borgusain pointed out that personal grievances and factional differences within the family had produced a distortion of custom. He wrote,

…in most Khasi states there are Syiem-priestesses who have similar functions as those exercised by the Syiem priestesses in the State of Khyrim and they are always the senior female members of the houses of the ruling Syiems, but in the course of the enquiry of Major Herbert into the custom of succession in those States, the status and functions of the Syiem-priestesses were not introduced and no mention was ever made of them as succession is always traced from the ruling Syiems on the female side and not in a converse way from the Syiem priestesses who are appointed from the house of the ruling Syiems and not the latter from the house of the former. An artificial importance was given to the position of the Syiem-priestesses in the succession enquiry of the Khyrim State, as without it, the late ruling Syiem could not achieve the object he had in view …When it is borne in mind that in the social custom of the Khasis an importance is given to female descent and female authority, the senior female members being regarded as the head of the household, the position of the Syiem-priestesses and the functions discharged by them can easily be understood.\footnote{Memorial from U Borgusain to the Secretary of State for India in Council, in Foreign Department, External Branch A, May 1906, Nos. 35-38, NAI}

This was an important section of the petition for it gives an insight into the customary role of women in the succession of Syiems. Although Borgusain rejects the role allotted to the Syiem-priestess in Khyrim because it restricted the eligibility of the heirs from the extended family, he revealed the significance of the role of the Syiem’s mother in other states. Official correspondence deliberately avoided addressing the aspect of women’s role in the Khasi political structure. Colonial conceptions of property, land rights and political rights in the colony, formulated through engagements with male elites of directly ruled provinces, precluded any sufficient understanding of gender roles in the matrilineal kinship system that framed concepts of political and property in the hills. Innovations in customs around succession, such as adult male franchise, undercut the socio-politico-religious authority of women in the Khasi hills. Borgusain’s
petition is evidence of the procedural marginalisation of women during the decades following the introduction of the new form of Sanad and colonial intervention in succession disputes.

He suggested, instead, that fairer conclusions could be made in cases of succession disputes through a more exhaustive judicial inquiry into the customary rights on succession and inheritance:

… a mass of evidence bearing on past facts, history, and traditions should have been collected by a reference to old record and by the requisition of the testimony of disinherited persons who were authorities on the subject. All kinds of objections of any version of custom supported by evidence should have been admitted and a decision after a full consideration of all facts should have been given and appeals against the same allowed … the authority of the ancient custom has been wholly repudiated by the introduction of distasteful innovations creating thereby party factions and discontent among the members of the Syiem’s family and the people of the state.419

He further went on to state that “according to ancient custom,” clans were understood as joint families with collective temporal and spiritual concerns and responsibilities, and confining succession to a particular house only served to “split up the clan, destroy its communal [sic] and create divisions in it as has proved now to be the case.”420 In contrast to U Borgusain’s memorial, U Shemuel’s lobby indicated the need to reform customs, and introduce changes including the eligibility of a Christian Syiem. One of the petitions expressed inflated numbers of previous petitions as many as 5000 and 1500, sent to the Government in support of U Shemuel. The Government correspondence does not attest to any such numbers. Evidently a large number of inhabitants, who were presumably themselves converts, demanded the consideration of democratic principles in electing the Syiem. The Government of India however, was satisfied in its decision, backed by sixteen myntris, that U Dakhor was rightfully elected and religion was an essential eligibility criterion.

419 Memorial from U Borgusain to the Secretary of State for India in Council, in Foreign Department, External Branch A, May 1906, Nos. 35-38, NAI

420 Ibid.
The debates and correspondence in these cases show a systematic reduction of the role of the Syiem in designing and stating the terms of the relationship between Khasi states and the colonial state. The negotiations reveal a sustained effort to reduce the political role of the Khasi states through an emphasis on customs that defined the succession of Syiems. The report by Captain Herbert, published in 1903 as the compendium of standardised rules of succession in the twenty-five Khasi states, served to simplify the role of colonial officials in the Khasi hills in the years to come. It privileged some customs over others and introduced new ones and secured the superiority of certain sections of the society over others. Any effort to codify customs in order to safeguard traditions, as in the case of Punjab, was a process of dialogue and negotiation between the elite men of the different communities and British officials.421 The emerging customs then were remade catering towards the alignment of racial and patriarchal privilege.

Most of what came to be understood as ancient usage and customary forms by the first decades of the twentieth century were not so much elements of law or forms of authority that survived colonial onslaught, but products of colonial history.422 Customs were selectively codified, shaped by colonial considerations regarding law, property, jurisdiction and sovereignty. Colonial jurisdiction extended to inform and reconstitute non-British subjects in non-British territories by mediating in ruler-subject relations, and by redefining custom. The dominant ideas about Khasi customs emerged from Syiemships that had more contact with British officials and the colonial judicial system, as is evident from the fact that petitions and cases were mostly filed by Khasis in villages closer to the main lines of communication that connected British courts. The colonial reach widened, as precedents set through these limited sets of petitions and cases became further generalized over time. Additionally, through an appropriation of symbolic rituals such as khillut and nuzzuranah, colonial sovereignty assumed the dominant role in relation to the

421 For an analysis of codification of customary laws in Punjab see Neeladri Bhattacharjee, 'Remaking'

422 See Nick Dirks, The Hollow :324
sovereign status of the Syiems. Such symbols and rituals were extricated from their social context and imposed on the Khasi political process of succession of Syiems. The inclusion of such symbols and political rituals gave a sense of maintaining the pre-existent political order, where the new dominant sovereign was the colonial state. 

In order to make the political landscape in the Khasi hills palpable, four British courts divided up their jurisdiction over the Khasi-Jaintiah hills between themselves. Law and property, constructed as non-political formations, gave shape to the political landscape in the Khasi hills. Questions of property and jurisdiction, law and custom were integral to ideological underpinnings of “indirect rule”. After the revolt of 1857, imperial policy makers became weary of attitudes and approaches that guided policies in the colony. The general sense of skepticism was sharpened in the frontier hills, although, there were no revolts in the hills during that year. Colonial policies and the nature of imperial sovereignty in the Khasi-Jaintiah hills were reformulated over the course of the nineteenth century, accelerated after 1857. This reformulation was guided by both the economic underpinnings of the Empire, and the need for indivisible sovereign power legitimised by legal and juridical operations. In the atmosphere produced after 1857, Henry Maine’s writings emerged as a significant foundation to reacquaint with the colonized. Indirect rule, as conceptualised by Maine, presented an alternative to earlier policies that had led to revolt. Notions of property and custom were understood within universal evolutionary framework with colonized societies like India and Ireland temporally behind Europe. According to Maine, by drawing analogies between India and English rights on property English revenue officials misunderstood layered communal rights in property as absolute and individual. The effect of the Permanent Settlement of 1793 produced new notions of proprietorship in land and had a

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423 For an elaborate discussion of such processes see Nick Dirks Hollow, 356

424 Karuna Mantena, Alibis, 135

425 Ibid., 140
serious effect not only on the village communities that came directly under the ambit of the Company administration. Additionally, imperial policymakers and administrators in the latter half of the nineteenth century started recognising the “force of custom” as a necessary consideration in enhancing productivity, and effecting useful land legislations.\(^{426}\) This is evinced in the Khasi hills, where the non-territorial nature of Chiefly authority augmented colonial sovereignty, and the exercise of colonial power. In the Khasi hills a transition towards private property took place without conquest, but through an insidious and selective emphasis on custom. The gap between conquest and sovereignty in the Khasi hills was filled by the overriding nature of British jurisdiction and the constructed distinctions between political and customary authority.

The colonial state’s separation of the political, social, and religious aspects of Khasi society severely altered the socio-political structure in these polities. This chapter has examined the imperatives and processes by which power relations were reconstituted in the hills, to reveal the shifts in ruler-subject relations. I have demonstrated that new notions of property and land rights, alongside the redefinition of custom and customary authority, resulted in profound changes. Social order in these hill polities had been grounded in a kinship system, and the political role of the Syiem was inextricably linked with his social, cultural, and religious roles. Niam- which came to be understood as a Khasi word for religion was inextricably linked to custom or law, and rooted in the Khasis’ relationship to kin and to land. This is examined in detail in the following chapter. The following chapter examines the colonial intellectual processes that reconstituted the understanding of land, landscape and inhabitants. Chapter five also demonstrates the resistance to colonial transformations that have been highlighted above.

\(^{426}\) Ibid.,146
Chapter 5

Imperial Knowledge and Narratives of Continuity: Khasi or U

*Hynniewtrep?*

The colonial state had superseded the sovereign status of the Khasi polities by early twentieth century. This was achieved through centralised processes (as the last chapter noted), and in decentralised ways. The improvisational, contingent and decentralised processes that produced colonial geographies, profoundly affected the self-conception of the inhabitants of the Khasi Jaintiah hills. These processes continued to inform knowledge on the hills for decades after the collapse of the British Empire. Of the most enduring forms of knowledge that framed conceptions about land, location, and people, was the creation of a geographic imagination of frontier hills. The colonial geographic imagination readily made associations between landscape and the status of colonial sovereignty - defined by law and jurisdiction. In this imagination, landscape and people were defined in tandem by such corresponding geographical and legal discourse.427 The “hill tribal” as a category, and a subject position was produced through corresponding discourses.

The association between geographical and legal discourse informed other disciplinary discourses such as ethnography, and anthropology, demonstrable in the case of the Khasi-Jaintiah hills. The mosaic of inhabitants in the north east frontier of Bengal, among others, were homogenised into an imagined collective identity as “tribals”, a category defined by the

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relationship between people and the landscape on which they were located. These were inhabitants of forests, hills, or of lands that were not readily identified as agriculturally productive. As some scholars have suggested, such settlements were products of territorialisation of pre-colonial and colonial states. Colonial spatiality continued to create tribal spaces by processes of land reclamation and settlement. Hence, the association between land, location and people was both a historical process, and historically produced. A reconstitution of conceptions of the self and surroundings accompanied processes of knowledge production.

Yet, colonial knowledge was not able to annihilate indigenous knowledge that undergirded the conception of a Khasi place. This chapter will explore the interconnections between centralized and decentralized, official and unofficial, commissioned and improvisational, colonial and indigenous forms of knowledge. First, I will discuss colonial writings that rested on, as well as

As I have stated earlier, the colonial construction of “tribe” itself varied across the colony. The category “tribal” has been examined by several scholars. For instance, James C Scott argues that tribes were “barbarians by design” and evaded imperial and civilizational forces as a political response. Tribes, he points out were not genealogically or culturally homogeneous units but created as such by the colonial state in order to exert control over them. See James C Scott, *An Upland*, 209; In directly administered and agricultural areas tribes were idealized as aboriginals and sedentarised for agricultural labour and revenue. See K Sivaramakrishnan, *Modern*; Also see Kavita Phillip, *Civilising*; Prathama Bannerjee, *Politics*; The image of the “noble savage” was invoked in Ootacamund and other hilly areas where colonial stations were built and a resolution for creating European enclaves demanded such definitions. See Judith Kenny, “Climate”; In the north west frontier province, tribes were characterised as inherently aggressive, trained in warfare since childhood, fanatical and brave. See Sameetah Agha, “Inventing a Frontier: Imperial Motives and Sub-Imperialism on British India’s North West Frontier, 1899-98”, in ed. Sameetah Agha and Elizabeth Kolsky, *Fringes of Empire: People, Places and Spaces in Colonial India*, (New Delhi: Oxford University Press, 2009):94-114; Radhika Singha has pointed out that the colonial state attempted to create an encompassing typology of tribal and incorporated diverse groups like the Thugs, Pindaris, Bhils and others. Such classification enabled distinguishing between the productive revenue yielding subjects and the non-revenue yielding subjects. More significantly, such classification enabled legalised coercive measures against certain groups, culminating in the Criminal Tribes Act of 1871.


created the association between people and places, and examine the nature and basis of these interconnections. In the second section I analyse narratives of continuity which constitute both Khasi oral traditions and social practices collectively understood as Niam. Together the two sections address histories of “tribal” communities in the north east frontier of the British Empire that have shaped their contemporary political and social existence, as subjects of the Indian nation state. Here, histories denote the way the past was recorded, read and thereby used to legitimate governance and statehood.

The characterisation of Khasis as ‘hill tribals’ was a product of colonial territorialisation as well as legal imperatives that began in the late eighteenth century to control raids. The creation of a discriminatory terminology to describe Khasi communities was directly linked to notions of ‘criminality’ emerging from the socio-political context in the frontier of the newly formed collectorate of Sylhet in 1778. While several official sources into the late nineteenth century continued to use characterisations such as ‘barbaric’, ‘raiders’ etc. to define the ‘hills tribals’, there were a few sources that distinguished the Khasis as possessing an independent disposition and having high moral character. Unlike in central India, Bengal and Southern India where tribal communities were identified as resources vis-à-vis the productivity of their lands and their labour, in the non-British territories Khasi hills inhabitants remained vaguely free from being identified as a revenue yielding British subject or as resource equivalent to land. The initial treaties drawn with Syiems had assured such a freedom to the inhabitants, compounded over the decades by an attempt by the colonial state to avoid any large scale

432 See Chapter 1
433 See Walters’ characterisation of the inhabitants of the Khasi hills as towering morally over the neighbouring people of the plains. In H Walters, “Journey”, 501; Also discussed in Chapter 2
434 See Kavita Phillip, Civilising; Also, see K Sivaramakrishnan, Modern.
rebellions or resistances. As such the category tribal varied in its definition across the colonial state space and period. The vagueness around the relationship between the colonial state and the Khasi ‘hill tribals’ had two repercussions: on the one hand the Khasis were able to retain an autonomous self-conception over the nineteenth and twentieth centuries in spite of colonial institutional structures having pervaded the hills. On the other, a corollary to the vague form of subjecthood was that the identity of these non-subjects was constructed as one imbricated in ‘custom’, stripping the political from their social and self-definition.

5.1 Local knowledge to Imperial Knowledge

In the nineteenth century scientific and non-scientific imaginaries produced these hills as mysterious yet inviting, outside of British political territory yet constituting resources for the Empire. The Khasi hills were incorporated in large scale scientific projects in the mid-nineteenth century such as prominent British botanist Joseph Dalton Hooker’s study of natural science of the Himalayan mountain ranges. The Khasi hills were included in this study due to its location, as both the lower and easily accessible ranges of the Himalayan mountain chain, and because of Company stations like Cherra and Shillong that were deemed safe and salubrious for Europeans were located in these hills. J D Hooker published his study in two volumes of The Himalayan Journal or Notes of a Naturalist in Bengal, the Sikkim and Nepal Himalayas, the Khasia hills etc. in 1854 and dedicated it to close friend and associate Charles Darwin. He travelled between 1849-51 along with a companion to several places in the north east frontier including Sikkim, the Sunderbans in Bengal, the Khasi-Jaintiah hills, the Garo hills and Cachar. His project, funded by the Crown, covered three years of his research which documented the flora and fauna in extensive

435 The colonial state believed that suppressing large scale rebellions such as the decade long rebellions from 1829, would be highly uneconomical and draw focus to its imperfect sovereign status.
436 J D Hooker, The Himalayan Journal or Notes of a Naturalist in Bengal, the Sikkim and Nepal Himalayas, the Khasia hills etc., (Kew, 1854). e-book
detail as well as acquired collections of large numbers of botanical specimens that were brought back to England for the Royal gardens at Kew.437

Joseph Hooker’s work exemplifies the confluence of experience and epistemology in scientific narratives of travel. The representation of his travel and research appear sequentially as he traveled across the frontier hills within British and outside controlled spaces. His narrative was not confined to botanical study only, as he described sceneries, noted his impressions of people and places, and narrated strange and familiar encounters. He described the essence of his experience in the following way, “[throughout] our travels in India, we were struck with the undue reliance placed on native names of plants, and information of all kinds; and the pertinacity with which each linguist adhered to his own crotchet as to the application of terms to natural objects, and their pronunciation. It is a very prevalent, but erroneous, impression, that savage and half-civilised people have an accurate knowledge of objects of natural history, and a uniform nomenclature for them.”438 His statement juxtaposed two important facets of colonial civilizational discourse that informed the scientific and geographical framework of his work. One was the idea that local knowledge was inaccurate or simply dated as it was a product of “half-civilised” and “savage” communities. This understanding enhanced the significance of and legitimised his representations, inferences and conclusions. Ironically, the second was a reliance on local knowledge to build, develop, and legitimise all forms of colonial knowledge that was crucial for the Empire. Hooker’s narrative gives further access to the already established premise that new knowledge produced on this region was both imperfect and improvisational.

437 David Arnold has dedicated a chapter in Tropics to discuss the impact of botany to the construction of the idea of “tropics” and focused largely on J D Hooker and his work The Himalayan Journals. According to Arnold the book represented one of the most accomplished examples of scientific travel narrative and also marked the decline of the disciple of botany and “of the once prolific genre of travel writing about India, and the waning of travel’s centrality to colonial science.” See David Arnold, Tropics, 185-224

438 Hooker, J D, Himalayan, 450
Hooker’s narrative was informed by colonial geographical discourse and identified the places he visited including the Khasi hills with specific botanical discoveries, thereby according a particularity to the hills. This was also done by revising errors in botanical knowledge of plants found in the vicinity. For instance, he wrote, “[before] the geographical features of the country north of Silhet were known, the plants brought from those hills by native collectors were sent to the Calcutta garden (and thence to Europe) as from Pundua. Hence Silhet mountains and Pundua mountains, both very erroneous terms, are constantly met with in botanical works, and generally refer to plants growing in the Khasia mountains.” A map that Hooker used was copied from an original submitted by him to the office of the Surveyor General of India in 1851 which showed his route along the Khasi hills. The copied map revised Hooker’s original map by correcting names, and adding information in spaces left blank in the previous one. It showed a triangulated cross section of the hills marked by rivers, names of some polities and villages. The copied map focused on the route taken by Hooker and his major stops, prominent among them Cherra, and Mawphlang (known for its sacred grove).

Geographical mapping of this botanical tour was complemented by historical contextualising the place. The origin and growth botanical specimens were read as history of a particular place including England. Yet, in the frontier hills plants were framed within civilizational discourses characteristic of nineteenth century colonial knowledge production. Making a botanical distinction between Indian flora and that found in the hills Hooker described it to be “of Malayan character; by which is meant the prevalence of brilliant glossy-leaved evergreen tribes of trees (as Euphorbiaceae and Urticeae), especially figs, which abound in the hot gulleys, where the property of their roots, which inosculate and form natural grafts, is taken

439 Hooker, J D, Himalayan, 415
440 See figures 6 and 7
441 J D Hooker, Himalayan, 416
advantage of in bridging streams, and in constructing what are called living bridges, of the most picturesque form…”442 The “tribes of trees” that Hooker identified were brought under the purview of British science in the same way the “tribes” that peopled these hills were brought under the influence of enlightened civilization. The correlation between tribes of plants and people and the confluence of science and enlightenment was reiterated in Hooker’s narrative. He pointed out the processes through which “blood thirsty” Khasis were brought into submission by “extreme penalty” and the force of law. Yet, he claimed not all local authorities were “quiet under our rule” and as both a warning and an explication of his own vulnerable position there he emphasised that “various parts of the country are not safe to travel in.”443 This was not only an indication that his scientific inquiries were limited to the areas considered safe in the Khasi hills in particular and the frontier in general. Those regions considered safe were ensured to be as such by the reliance on help and assistance of local inhabitants and non-British authorities to a significant extent. Moreover, the absence of colonial control over what was deemed dangerous or threatening corroborates the idea of an uneven and contested colonial landscape.

442 Ibid.:416
443 Ibid.: 416
Figure 7 J. D. Hooker’s Route across the Khasi Jaintiah hills
Figure 8 Revised map of J D Hooker’s route across the Khasi Jaintiah Hills
Scientific projects like Hooker’s were weaved out of and were thereby reflective of the legal and political context of the places he visited within the Empire. Geographical discourse was not tangential to such scientific enquiry but a central feature of it. Landscapes were identified as constituting not only unknown plants, but equally strange people who were characterised using legal tropes. The frontier landscape thick with knowledge to be consumed, converted, translated and produced using scientific tools represented a constant threat of the unknown, of the inherent instability of Empire, and the imperfection of colonial knowledge.

Although the underlying aim of this book was for Hooker to gain prominence as a botanist like his father, a large part of the narrative described different aspects of his travel including detailed descriptions of people and places. Throughout the two volumes of Hooker’s journal names of places he visited were changed or spelled to suit the English reader. Toponymy is an important aspect to consider here because the local naming of different features of the landscape, rivers, and often villages carried meanings that were tied to a broader conception of peoples’ relationship to these elements. This was a recurrent feature of colonial literature, scientific or otherwise. Encounters with inhabitants of the hills, and Hooker’s impression of them reflected a racialized scientific classificatory discourse. Hooker wrote,

The Khasia people are of the Indo-Chinese race; they are short, very stout, and muscular, with enormous calves and knees, rather narrow eyes and little beard, broad, high cheekbones, flat noses, and open nostrils…We found the Khasias to be sulky intractable fellows, contrasting unpleasantly with the Lepchas; wanting in quickness, frankness, and desire to please, and obtrusively independent in manner; nevertheless we had a head man who was very much the reverse of this, and whom we had never any cause to blame.

Racially embedded physiographic descriptions were juxtaposed with favourable and unfavourable ‘personality’ types- helpful, frank, unpleasant, intractable and so on. This was followed by a description of their houses, clothes and religious ceremonies.

444 For a discussion of the personal context, achievements and goals of J D Hooker see Arnold, Tropics, 186
445 Hooker, Himalayan, 419-420
Socially and politically relevant landscape features such as collections of stones—large and small monoliths—spread across the Khasi and Jaintia hills in villages, along roads and in forests were divorced from their relevant context and described only in relation to the Stonehenge.\textsuperscript{446} Interestingly, in Hooker’s description of Khasi religion, the aspiring botanist described the landscape in terms that were strikingly similar to locally held conceptions. He relied on information conveyed to him by inhabitants of the hills or locally employed companions. However, like anthropologists in later decades, Hooker failed to contextualise Khasi beliefs, worship and rituals around aspects of land and environment within the locally embedded frameworks. He claimed that the Khasis did not have a religion but believed in a supreme being and deities of groves, caves and streams. In spite of descriptions of visits to sacred peaks of Shillong and Mawphlang (where the famous sacred grove still exists and rituals around it have continued to be practiced), as well as visits to important religious and political centres like Khyrim, Hooker glossed over the socio-political and ritualistic/religious importance of these sites. He described the renowned village of Mawphlang in a narrative style reminiscent of early travelers in the hills,

…From a hill behind Moflong bungalow, on which are some stone altars, a most superb view is obtained of the Bhotan Himalaya to the northward, their snowy peaks stretching in a broken series from north 17 degrees east to north 35 degrees west; all are below the horizon of the spectator, though from 17,000 to 20,000 feet above his level. The finest view in the Khasia mountains, and perhaps a more extensive one than has ever before been described, is that from Chillong [sic] hill, the culminating point of the range, about six miles north-east from Moflong bungalow. This hill, 6,660 feet above the sea, rises from an undulating grassy country, covered with scattered trees and occasional clumps of wood; the whole scenery about being park-like, and as little like that of India at so low an elevation as it is possible to be.\textsuperscript{447}

In his description of the Khasi hills and his observations from locations across the Khasi hills, noticeable in the extract above, Hooker dissociated the hills from British India. This is an instance of the paradox of colonial knowledge, and the inconsistencies of colonial spatiality. The idea of

\textsuperscript{446} This is a repetitive feature in travel writing on the hills.

\textsuperscript{447} Hooker, \textit{Himalayan},429
the Khasi hills being as little like the rest of British India as possible is what made these frontier hills of greater importance in affirming imperial sovereignty. Hooker in the statement above reflected the localised nature of the knowledge that built his imagination, and underpinned his scientific project. In this imagination, the Khasi hills were distinct from British India. At the same time, this project like most other scientific and non-scientific, colonial and imperial accounts of the hills, served to incorporate the hills as a frontier of the Empire thereby bringing it within the confines of British India.

The hills were particularly significant in Hooker’s study because they represented that transitional and subtle overlap of temperate and tropical climate, flora and landscape. David Arnold has pointed out that Hooker employed a scientific approach “to trace through changes in temperature, humidity, elevation, and aspect the subtle shift from tropical to temperate… The changing moods of the sky, the brilliant colours of the landscape, the taste and smell of exotic fruits- these were too important to be left to poets or painters.” Yet, unmoved by Darwin’s evolutionary perspective on temperate plant species finding their way into tropical climates, Hooker maintained that the tropicality of genera was sustained in the highest elevations, thereby emphasising the tropicality of the Himalayan hills.

Hooker’s account as well as his map attests to his travels in the Jaintiah Hills. Just as in the Khasi hills, Hooker’s stops included significant social and political centers such as Nartiang. In describing Nartiang he noted the presence of impressive stone monuments and emphasised how theses stones were as relevant to the landscape as to the social norms of the inhabitants. He wrote that Nartiang, “…contain[ed] a most remarkable collection of those sepulchral and other monuments, which form so curious a feature in the scenery of these mountains and in the habits

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448 Arnold, *Tropics.*, 200

449 Arnold, *Tropics.*, 201
of their savage population.” ⁴⁵⁰ He described the precise location of these stones such as within a “grove of trees, occupying a hollow” but glossed over the social and political relevance of such ritual centres. Half-hearted ethnographic notes were complemented with brief descriptions of the nature of the stones. “The flat slabs…”, he noted “…were generally of slate or hornstone; but many of them, and all the larger ones, were of syenitic granite, split by heat and cold water with great art. They are erected by dint of sheer brute strength, the lever being the only aid. Large blocks of syenite were scattered amongst these wonderful erections.” ⁴⁵¹

Racial characterisations of inhabitants of the hills complemented the description of their habitation and surroundings inscribed with references to civilizational hierarchies. Scholars like Prathama Bannerjee and K Sivaramakrishnan have differently argued that the production of tribal spaces through colonial spatialization imposed a temporal backwardness to those places. ⁴⁵² Prathama Banerjee has demonstrated that temporality was superimposed on territoriality and through this “an-other land could be understood as an-other time.” ⁴⁵³ For colonial administrators, policy makers and knowledge producers re-presentation was the only means by which those occupying another time and place could be included in the narrative of modernity. In the process, the construction of people as ‘primitive’ and ‘backward’ transformed them from being subject-agents of different histories to being objects of a totalizing representational knowledge. ⁴⁵⁴ Sivaramakrishnan has demonstrated that representations achieved consistency by the colonial intervention in the production of social space through botanical surveys, tea

⁴⁵⁰ Hooker, Himalayan, 429

⁴⁵¹ Hooker, Himalayan, 429

⁴⁵² Banerjee has employed Hegel’s philosophical articulation of ‘spatialized temporality’ to understand the founding moment of colonial modernity. Prathama Bannerjee, Politics; K Sivaramakrishnan, Modern, 34-119

⁴⁵³ Prathama Banerjee, Politics, 7

⁴⁵⁴ Ibid.
plantations, and timber conservancy etc.\textsuperscript{455} Therefore the production of knowledge was concomitant with the ordering of landscape and simultaneous representation of inhabitants of those landscapes as inextricable to the places.\textsuperscript{456} The nineteenth century production of knowledge of the north east frontier ranged from geography and cartography in the early decades of the nineteenth century to scientific studies of flora and fauna, geology, language and grammar, in the middle decades and ethnography and anthropology towards the close of the century. Each of these disciplines, sub-disciplines, and genres overlapped, informed one another and created interconnections serving the processes of ordering the landscape, representing the subjects, and producing a frontier imagination.

The Khasi-Jaintiah hills had minerals and natural resources which were brought under colonial control after the first treaties were signed with the Chiefs in the 1820s and 30s. There was no reliable estimate available to colonial administrators of the extent of coal, lime, iron and other products available for extraction. The second half of the century saw an intensification of extractive uses of natural resources in the hills and a concomitant transformation in definition of sovereignty in the hills as property. The hills, constituting its land, mineral resources, timber, pasture, and even roads and rivers were reconstituted as property. This is evident not only in the centralized politico-judicial processes discussed in the last chapter, but in commissioned and decentralized research and knowledge production. One such specific study commissioned by the government was Thomas Oldham’s \textit{On the Geological Structure of part of the Khasi Hills, with observations on the Meteorology and Ethnology of that District}. The sub-title boasted of an encompassing scientific study of the land, skies and people, and intentionally or not pointed towards what Khasi cosmology comprised of. This study was conducted by the Superintendent of the Geological Survey of India beginning in 1851 and published in 1854. In his words the study

\textsuperscript{455} K Sivaramakrishnan, “Geographies”,298

\textsuperscript{456} This process was sharply evident in the north east frontier into the post-colonial period and is at the root of several conflicts between national and provincial identities.
examined “…the principal facts in the physical structure of these hills, and to indicate some of the more important economical considerations springing from this structure.”457 The area that this study covered was limited to the Sohra chieftaincy primarily in and around the station of Cherrapoonjee and certain parts of the Jaintiah hills.

This study drew upon Dr. Mc Clelland’s study of rocks and fossil shells of these hills in 1835 and discussed further the location of deposits, the age of the rocks and its quality. Oldham emphasised that his study was an “economical geology” with double significance. One was its importance in scientific research. The second was the importance “from there being the great source of supply for the large demand of Calcutta and other markets.”458 Oldham’s project was published years before A J M Mill’s report that raised alarm at the monopoly of Inglis and Co. on the entire range of lime quarries along the base of the hills. His calculations of the quantity of limestone produced and its importance in trade was thereby a significant addition to the colonial states knowledge of these hills and provided the impetus for asserting its sovereignty over European traders as well as local authority. The jurisdictional mechanisms employed by the government to establish control and formulate imperial sovereignty in the hills have been discussed in the previous chapter.

The study of ‘economical geology’ also focused on the most cost effective means by which coal could be transported from mines in the higher hills to the Sylhet plains. Oldham followed up on a study conducted in 1842 on the same subject and noted that nothing was done to facilitate the transport of coal from Cherra thereafter. He pointed out that coal was carried down the hills by coolies on their back. The estimated profits from the amount of coal traded or used would not be enough to justify the undertaking of setting up a mixed transit system using trucks

457 Thomas Oldham, On the Geological Structure of part of the Khasi Hills, with observations on the Meteorology and Ethnology of that District, (Calcutta: Bengal Military Orphan Press, 1854):2

458 Ibid.53
for half of the way and machinery for the other. Yet, he maintained that the coal found in Cherra was of superior quality compared to coal in mainland India especially for the manufacture of gas. He also stated that “[the] manufacture of iron appears to have been carried on in these hills from time immemorial; and by all the tribes inhabiting them.” The presence of a long history of iron manufacturing in the hills was emphasised as a rare circumstance. The extensive employment of women labourers in iron manufacturing was also noted. Oldham wrote, “…the manipulative skill of some of the Khasi women, acquired by long practice in these operations, is very great; and a very small proportion of the ore is lost in the washing.” Oldham’s account incorporated the figure of the local inhabitant as extractor of resources, imbued with local knowledge of production and as central to ‘economic ecology’.

Concluding his discussion Oldham reiterated two of the goals underlying this publication. He wrote,

…if this outline should lead to further investigations, and tend to direct the attention of any to this district, and so increase the number of its visitors, I am satisfied, that whether profit may be derived from such investigations or not, much pleasure will result from a sojourn amidst the lovely scenery and among a people presenting many interesting points for study, and many excellent traits of character; and in a most salubrious climate. 

Apart from the two clearly stated goals of this study- inviting Europeans to travel in these hills for its beauty and climate and prospective increase in profits from resources described and evaluated, the statement above points towards an enduring aspect of knowledge-production on these hills. Just as in Hooker’s botanical study, Oldham’s work on geology also wrote the people into its study as objects of knowledge- as inextricable to the scientific nature of the landscape. Sivaramakrishnan has noted that, in analysing the objectifying gaze of colonialism scholars have mostly examined separately, the impact on the ordering of bodies, or consequences of colonial

459 Ibid. 70
460 Ibid. 72
461 Ibid. 77
spatialisation. Emphasising the need to study the confluence of people and landscape classification, he demonstrates that such dual processes can be evinced in the Santhal parganas and in the Nilgiris. As evinced in the discussion above, similar processes were at work in the Khasi and Jaintiah hills too, with variations in the representation of the “tribal” and additionally layered with and directed towards producing a frontier imagination.

Evident in Oldham’s account among other sources discussed in this chapter, was the large amount of cross referencing in colonial knowledge forms. For instance, a botanical study drew from ethnological accounts, a geological study included elements of missionary work on language and grammar, and an anthropologist relied on comparisons with studies on groups and communities in Europe, on archaeology and on travelogues. Such overlap implied that the relationship between writing about botany, geology, language or geography was one that similarly located the people as analogous to “tribes of trees” or as part of “economical geology”. Kavita Phillip argued that science produced people and places as resources simultaneously. “Natives”, she demonstrates were constructed as part of “nature”, useful if managed well but dangerous if uncontrolled.462 In the Khasi hills the mechanism of control was circuitous and limited. Anthropological categories justified commercial exploitation of natural resources while legal discourse garnered legitimacy for the same. The inhabitants were denied a clear status as colonial legal subject, which also allowed room for continuing autonomy. At the same time, the knowledge produced on the hills assumed dominance by marginalizing local forms of knowledge, which was largely constitutive of such scientific studies. The dominance of western knowledge in turn, was served to domesticate the autonomous hill tribals.463


463 For a detailed analysis of the processes that involve the production of dominant knowledge and the domestication of unfamiliar places and subjects see Bruno Latour, *Science*, 215-257
Oldham’s study included three appendices each highlighting distinct colonial interests. The first marked the different elevations above sea level of various localities in the Khasi hills. The second further demonstrated the use of measurement devices including barometers, hygrometer, thermometer, pluvometer and anemometer. In this section he discussed the climate and meteorology of Cherra. Oldham was asked to add to discussions on British sanatoriums in the north east and in his opinion by virtue of excessive rain Cherra was deemed less suitable than other stations in the hills.464 At the same time for Oldham it was preferable to Darjeeling since Cherra not only provided lovely scenery, but its location made it convenient to travel into the interior, as well as in either direction towards Sylhet in Bengal or Guwahati in Assam.465 In his opinion a station in the interior of the Khasi hills would be most favorable. He wrote in another report that was published in 1852, “[p]laced geographically between the great plains of Assam and of Sylhet, and accessible with ease from either side, the Khasi hills would seem to have been indicated by their position as the place for a convenient hill resort common to the inhabitants of both, although at present the station is placed on the extreme Southern verge of the district.”466 His opinion found its way into official circles where the decision was made to construct Shillong as the favourable hill station in the second half of the century.

In the third appendix Oldham discussed the language and ethnology of the Khasis. This section provided a list of colonial publications on Khasi language in the hills. Interestingly, Oldham’s reference to the first published write up on Khasi language in 1831 in a Journal called Gleanings in Science, pointed to the monoliths and clusters of rocks found in the Khasi hills. Oldham stopped short of suggesting that the monumental stones” strewn across the hills were not simply a feature of the landscape, but inscriptions in themselves. This idea is explored further in

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464 Thomas Oldham, On the, ix
465 Ibid. xxi
466 Ibid. xxi
the later section in relation to indigenous conceptions and continued meanings of these stones in the hills. The inclusion of the stones in a discussion of Khasi language and ethnology leaves a curious impression of what nineteenth century accounts did not incorporate, emphasise or conclude. In representing the newly discovered aspects of the frontier landscapes and translating the local information into colonial knowledge, filtered through western frameworks, what were the aspects that were emphasised over others? The stones were of interest to ethnologists, and every travel account, whether official or unofficial made references to the stones.

One such official study is found in an article dated 1874 published in *The Journal of the Anthropological Institute of Britain and Ireland* by C B Clarke called, Stone Monuments in the Khasi Hills’. This article documented the types and purposes of the stone monuments and emphasized the significance of such sites for “all modern treatises of Archaeology and Anthropology.”467 This account like those that preceded it emphasized the location of these stones within a civilizational model by juxtaposing Khasi society and primitive European societies. That the stones possessed greater significance than for memorial and sepulchral uses remained unaddressed. Nineteenth century knowledge formation naturalised the association between modernity and history writing to such a great extent, that histories which were performed, inscribed or transferred orally were either completely ignored, or partially addressed and marginalised as pre-modern. The stones and Khasi landscape in general was framed within such discourse. Their relevance as lived history and, as inscriptions is discussed later in the chapter.

A written script was introduced in the Khasi hills in the early nineteenth century. The Khasi language used today was developed and standardised by missionaries of different denominations starting with the Welsh. Early documents used the Bengali script while the Roman script was introduced to ease missionary work. It also served to distinguish Khasi identity from the neighbouring Bengalis. Learning languages of the inhabitants of places that were being

incorporated into the scope of the Empire was not new. A series of compendiums of Khasi words and grammars were produced from 1830s onwards as initiatives by mostly Welsh missionaries who used stations like Cherra as centres of proselytization in the hills, which required an understanding of the Khasi language for translating religious literature. 468

Oldham attempted to revise several erroneous deductions made in such works of the early decades and provided an account of the structure of the language or dialect spoken in Sorah, and a list of the vocabulary. The diversity of dialects in the Khasi and Jaintiah hills was ignored in books on Khasi grammar. The language used was the dialect commonly spoken in and around the Cherra station. The creation of a homogenous Khasi language was a product of books written and published by missionaries like Thomas Jones and Reverend Lewis Pryse. The latter’s comprehensive account of Khasi language and grammar was produced using Thomas Jones’ unfinished work on Khasi grammar with additions made by Pryse. 469 In an article published in U Khasi Mynta 1902 an anonymous contributor quoted the Chief Commissioner of Assam from a report from 1884 stating that the use of roman characters for Khasi language was not only wrong but the transliteration was “barbarous” and “uncouth”. The heavy influence of Welsh in the Khasi used in the texts was the cause of such disparaging opinions by colonial officials. 470

The prevalence of multiple dialects and variations in customs and practices in the different polities of the Khasi hills was acknowledged in the colonial correspondences and some reports but knowledge on the hills and its inhabitants used a homogenising category to describe


469 Clarence Calhoney, *Language*, 170-171

470 Ibid, 170
the groups speaking different dialects as Khasi.\textsuperscript{471} PRT Gurdon, the author of \textit{The Khasis}, the first anthropological monograph on the Khasis published in 1909, recognized five different groups that inhabited the hills.\textsuperscript{472} He categorised the inhabitants into Khasi, Pnar (Jaintiahs), War, Bhoi and Lyngam.\textsuperscript{473} Anthropology emerged as a professional discipline by early twentieth century and induced a shift in scientific and scholarly focus on tribes. This particular book was part of a project initiated by the Chief Commissioner of Assam, Bampfylde Fuller in 1903 with an aim to produce a series of monographs on the tribes and castes of the north east frontier. P R T Gurdon was the Deputy Commissioner of eastern Bengal and Assam as well as Superintendent of Ethnography in Assam. He spent a significant amount of time travelling in the Khasi hills, learnt the standardised Khasi language and reproduced, created and accounted information as scientific knowledge. He acknowledged the role of missionaries in providing him information on folk tales of the Khasis and other colonial agents for providing help in putting together the monograph, but no inhabitants were acknowledged for their contributions to his findings.

Gurdon’s book described in detail most aspects of the lives of the inhabitants, including the politico-economic structure, social formation, religious rituals, landscape, and other ethnographic information. The narrative reads as an interface between personal observation and scientific account.\textsuperscript{474} The correspondence between political and administrative functions

\textsuperscript{471} Indrani Chatterjee has pointed out that the term Khasi was a Tibetan word for lay and ordained disciples of monastic orders. The word Cosseah or Cusseah was used by colonial officers to describe the individual heads. See Indrani Chatterjee, \textit{Forgotten}. 95-96

\textsuperscript{472} Gurdon, \textit{Khasis}.

\textsuperscript{473} Gurdon first mentioned the different groups in the third section on law and custom when the different customs of the groups are described. This was preceded by two sections on ‘general’ characteristics including physical features, and another on social and economic practices. See Gurdon, \textit{Khasis}, 62

\textsuperscript{474} Kavita Philip demonstrates the political significance of ethnographic knowledge and argues that it provided an epistemological framework to colonial administrators and scholars. Referring to Henrika Kuklick’s work, she writes that anthropology was defined by colonial discourse as apolitical, as technical expertise, scientifically grounded and “value neutral”. Yet, it was employed to identify and provide solutions to social conflict “thus transforming political issues into administrative ones.” See Kavita Philip \textit{Civilising} , 137
facilitated by anthropological knowledge is demonstrable in Gurdon’s account. His role as Deputy Commissioner of eastern Bengal and Assam, and his stint as an amateur anthropologist in the hills were geared towards performing the same duties – that of a colonial state official in the frontier. His book provided the scientific basis for the colonial state to identify and locate the Khasi as “hill tribals”, stripping them of their political identity by translating their socio-political formations as cultural and rigid. There was no mention of the presence of missionaries and the almost century long proselytization in the hills. This erasure represented Gurdon’s anthropological subjects to further appear as archaic and unchanging.

The anthropological literature on the Khasi hills served to formulate inhabitants as “cultural” versus “political”, already visible in legal and jurisdictional debates discussed in the previous chapter. This distinction is most apparent in the emphasis of Khasi “tribal” religion as animism. The introduction to the book by C J Lyall noted that “…[all] forms of animistic religion make it their chief business to avert the wrath of the Gods, to which calamities of all kinds- sickness, storm, loss of harvest- are ascribed, by some kind of propitiation.” 475 Gurdon described the veneration of ancestors to be the foundation of tribal piety. Describing the method of divination to ascertain causes of misfortune or remedies to cure the same Gurdon emphasised their religious belief as irrational, superstitious. Interestingly, in order to explain Khasi belief systems and practices, examples from the European ancient past were used. For instance, the practice described as ‘extispicium’ found among the Khasis was defined in correlation to similar practices known to have been present in Roman society, and similarly the practice of ‘egg breaking’ known to diviners in ancient Hellas.

In the context of the Nilgiri hills, Philip has shown that the scientifically grounded anthropological studies naturalised tribal practices around land and forest, stripping them of

475 P R T Gurdon, *Khasis*, xv
political meaning. This recast the utilization of forest into binary terms: the colonial state’s intended transformation of the landscape based on scientific and inherently progressive system of knowledge, against the pre-existing tribal methods of resource use, deemed unscientific and inherently backward.\(^{476}\) Since forest management and resource use was not directly taken on by the colonial government in the Khasi hills, anthropology performed similar but additional functions. These functions are apparent through an analysis of the plethora of colonial literature produced over the nineteenth century, culminating in Gurdon’s monograph of early twentieth century. The construction of a geographical frontier landscape through scientific and disciplinary studies- on plants and trees, mineral resources and technology, people and their social formation- shaped discourse on the nature of colonial sovereignty in the Khasi hills. In order for the colonial state to establish its dominance in non-British territories, and to legitimise its interference in the political affairs of sovereign polities, the landscape and the people were ‘tribalised’.

Gurdon’s book was a culmination of nineteenth century colonial discourse on non-British territories and non-British subjects. Within the reconceptualised landscape produced by colonial geographical imagination, geological and botanical descriptions and anthropological objectification, Khasis were located, not in isolation but alongside other tribes in similarly reconstituted spaces. The comparisons were informed by and validated the evolutionary and civilizational models used by amateur anthropologists.\(^{477}\) According to Gurdon, Khasis were distinct from other tribes like the Garos who according to him belonged to ‘Tibeto-Burman stock’. Khasi origin was traced to the linguistic family of Mon Khmer from Indo China. Although, the groups in the Khasi hills continued to live with relative autonomy and there were no large scale attempts at transforming them into a labour force, Gurdon’s human objects of study was translated as resource, just as in Bengal, central India, and southern India. For instance, the

\(^{476}\) Kavita Philip *Civilising*, 137

\(^{477}\) For a detailed investigation into the various intellectual traditions that informed colonial anthropology see George Stocking *Victorian Anthropology*, (USA: Free Press, 1991)
matrilineal kinship system (described as “matriarchy”) is considered to adversely affect the population increase over a period of two decades. In the census of 1891 data revealed 117 children under 5 to every hundred married women between 15 and 40 and in 1901 it dropped to 108. Gurdon wrote that the independence of the wife, and the facilities, which exist for divorce, lead to restrictions upon child bearing, and thus keep population stationary. Since, the inhabitants could not be controlled by colonial strategies of organizing labour, the control over people assumed a discursive form.

Gurdon presented with fair detail an account of the ‘state organisation’ in the Khasi hills. He described the main functions of the Syiem as head of state and the differences that exist in the different states with respect to election of Syiems. Once again, he avoided the significant changes and debates on the method of electing Syiems that occurred with the interference of the colonial state. The issue of property, which became central to debates on succession of Syiems is completely erased in Gurdon’s description of the role and status of the Syiems. Moreover, Gurdon’s description of the state organisation, did not address the role of the colonial political agents in the hills. Thus, the political landscape of the hills was keep aloof from the anthropological one. However, his book contained several inferences of the political nature of the Syiem’s authority. “In the olden days…” Gurdon wrote, “…the Syiem marched to war at the head of his army.”

Gurdon’s book like the other colonial narratives discussed in this section demonstrates the simultaneous production of history and geography, of the reconstitution of space and identities. This section has demonstrated that the colonial narratives on the hills produced the “hill tribal” as a cultural object of representational knowledge. The domestication of non-British subjects required the erasure of their political identities. This was achieved through the large amount of scientific and other forms of knowledge produced in the hills. The representation of the

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478 P R T Gurdon, *Khasis*, 69
“hill tribal” already came with assumptions set in place from the late eighteenth century- of the association between the landscape and people. This was refined over the course of the nineteenth century as the need to acquire more information arose after the decade long resistance to colonial intrusion in the region. In analysis of the colonial literature I have also found that the nature of information, the methods of collection and the very context of knowledge production, made it profoundly local. It assumed dominance using the rhetoric of science and civilization and through circulation of the same. The difficulty of separating what is local from western scientific knowledge is counteracted by highlighting knowledge that was marginalized during the nineteenth century. The sustained resistance in these hills, to being coopted into western epistemological frameworks is discussed in the following pages. Using contrapuntal analysis of colonial sources, along with oral accounts of historical memory the next section will argue that subsuming the hills within the geographical imagination of the British Empire produced resistances in various ways through the articulation of a Khasi place.

5.2 Narratives of Continuity

Knowledge produced over the nineteenth century on the north east frontier of the British Empire has shaped the contemporary political and social existence of communities living in the region. Socio-political identities of the diverse communities in the north east of India are informed and articulated through narratives of continuity that are both constitutive of and framed against histories that are products of colonial knowledge systems. This section shifts the focus to a reading of history as conceptualised, articulated and inhered in the present by frontier tribal communities such as the Khasis and Jaintiahs. This chapter re-reads Khasi oral traditions and social practices based on kinship that constituted Niam. Khasi conceptions of the past inflected in myths and folk tales alongside social practices centered on land and forest provide a hitherto unexplored and critical insight into the ways communities in the Khasi - Jaintiah hills understood
the surrounding landscape and their place in it. These narrative and material processes were significant in articulating a sense of continuing identity in a period of severe social and political change brought about by colonialism and missionary activity.

In exploring the narratives of continuity that shape, inform, and constitute social identities, I will look at three related aspects – first, I will look at landscape and the past inscribed on it; second, will explore several myths and beliefs that invested meaning in the landscape and defined various forms of being in place; and third, I will draw a link between the imaginative conceptions of self and more material processes that define identities such as kinship and land rights.

5.2.1 The Past and Present in Landscapes:

Most of the sources that are available to a historian to reconstruct and bring into focus indigenous conception of the past are mired in colonial knowledge, perceptions and discourse. This is due to the large reliance on written accounts from the nineteenth century that recorded folk tales and other aspects of religious and cultural life. Oral traditions and oral histories of the present also inflect the influence of western epistemology, and missionary discourse. Resistances to, and accommodations with non-indigenous or non-local systems of knowledge had preceded colonial encounter. The influence of Hindu, Muslim, Buddhist and other religious traditions had pervaded the hills over centuries. Despite the limitations of sources available during this research, a rich and variegated system of knowledge of the hill inhabitants can be accessed through an analysis of recorded material and oral interviews.

Nineteenth century geographical treatises that I have examined in chapter two were instrumental in creating a frontier imagination for future explorers and scientists, surveyors, and administrative officials. Most of these accounts described the landscape as a canvas upon which violent encounters with hill tribals took place, on which exotic flora could be sampled, and rich resources exploited. I have argued earlier that the experience of travelers recorded in their
journals and memoirs demonstrated that they encountered an active landscape—whether in the dangers afforded by floods, insects, animals and people or as sceneries of hills, mountains, waterfalls and moss the evoked memories of England. The landscape was not simply a canvas on which historical events occurred or one that was being appropriated by a British imagination. Since the landscape was largely understood from an objective standpoint as a stage upon which history unfolded, colonial knowledge on communities who conceptualised landscape as active constituents of their everyday, was inevitably limited and flawed. 479 In the following pages I have examined Khasi landscape as an essential component of the history of inhabitants of the Khasi hills, their conceptions of their past, and their self-identity.

The most visible aspect of Khasi landscape described by travelers and colonial officials as memorial stones are found across the hills, and were integral to a Khasi sense of place in the hills. 480 The landscape constituting land, forest, river, streams, stones and rocks was collectively called meiramew.481 According to folk traditions the landscape was produced by the interaction between human and inanimate objects, which were believed to possess active agency. Meiramew was inhabited and protected by generations of ancestors in conjunction with living predecessors who communicated with the former often using the landscape as a medium.482 The awareness and articulation of place and self that-recurred through rituals, narratives and everyday activities was


480 I use ‘place’ as a conceptual and theoretical category in this chapter to understand the relationship between the constitution of the Khasis as a ‘hill tribe’, and their corresponding relationship to the space they have inhabited

481 Mei is translated as mother in Khasi and Ramew broadly means the surrounding elements that constitute the earth. Meiramew then was understood as mother-earth.

482 See Christina Toren’s discussion of Fijian notions of landscape for a similar discussion on landscape, ancestors and social practices, in ed. Hirsch and O’Hanlon, Anthropology….:170
“time emplaced.”483 This suggests that a sense of self and belonging were produced from mutually implicated notions of space and time. As Toren succinctly states “…the self is always placed in time, whether “here now” or “here then.”484

The Khasi word for memory is kynmaw which literally means to mark with stone. This was noted by colonial administrator and amateur anthropologist P R T Gordon while describing the significance of monoliths that he found strewn across the Khasi and Jaintiah hills. Several travel narratives and early descriptive accounts of the hills referred to the clusters of stones arranged along roads or inside forests.485 Gordon emphasised that “the very large number of monoliths, table stones and cromlechs that are to be met with almost everywhere in that country” were “memorial stones”.486 He pointed out that the Khasis commemorated important life events like death by erecting stones. He distinguished these stones from gravestones by drawing on familiar examples from England. He noted that although gravestones were a universal feature in the west, and in to some extent in the east as well, the Khasi menhirs were more comparable to the memorials of Westminster Abbey. He wrote, “…the Khasi stones are cenotaphs, the remains of the dead being carefully preserved in stone sepulchers, which are often some distance apart from memorial stones.”487 Gurdon’s also compared these stones in the Khasi hills to ones created by other tribes such as the “Ho-Mundas, near Belgaum, those of the Mikirs, the monoliths at Willong, in the Manipur Hills, and the Dimapur monoliths.”488 The universal feature was contextualised in relation to other tribal societies in anthropological terms.

483 Ibid. 163
484 Ibid. 163
485 Including narrative accounts by Henry Yule, J D Hooker among others
486 P R T Gurdon, Khasis, 144
487 Ibid.:144
488 Ibid.:144-145
An analysis of the landscape marked with stones points towards the relationship between past and memory. That the word *kynmaw* meant being both stone and to remember, suggests a relationship between using stones to inscribe the landscape with memories, record past events and communicate with an ancestral past. Gordon pointed out the complementarity between place names in the Khasi hills and the purpose and meanings of the stones. He wrote of “…places in these hills as Maomluh, the salt stone (the eating of salt off the blade of sword being one of the forms of oath), Maosmai, the oath stone, Maophlang, the grassy stone, and others…”

Additionally Gurdon’s narrative noted, that

At Nongkrem there [was] a center stone with a regularly carved top, evidently intended to represent the head of a man. At Umstow, some two miles from Cherrapunji…stood two rows of fine monoliths…All of these stones except one were thrown down by the earthquake shock of June, 1897. The centre stone, or mawkni, of one of these rows was surmounted by a carved stone covering like a hat, but having a rim with intended edges, the intention being evidently to represent a crown.

The purpose and meanings invested in stones were thus varied. Gordon expressed the difficulty of acquiring information on the stones because of the inhabitants’ “feelings of delicacy in revealing secrets of their religious system to a foreigner or through [sic] ignorance or apathy …” From the information he did receive, he divided the stones into the following categories: 1. *Mawlynti* or *mawkjat*, erected to serve as “seats for the spirits of the departed clans folk” when their remains are carried to the “clan cromlech”. These can be inferred to have ritual significance in funeral ceremonies. 2. *Mawbynna* or *maynam*, which are stones erected to commemorate a parent or some near relations. This suggests personal inscriptions for commemoration. 3. *Maw-umkoi* are signposts for water tanks. Such water tanks were particularly used for the purpose of ritual cleansing of ashes and bones of those who died unnatural deaths. 4. *Mawshongthait*, flat table.

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489 Ibid.:144
490 Ibid.145
491 Ibid.149
stones, often alongside vertical stones found in market places and along roads to serve as seats for weary travelers. Interestingly, there is a coincidence between these and *mawlynti* or *mawkyjat* described above. These seats were not meant only for living persons travelling between two places, but also for spirits of the dead as they were transported to the clan sepulcher or *mawbah.*

Descriptions of the stones by the interviewees emphasised the relevance of ancestors and their continued presence in spaces within and outside the physical landscape. *Mawbyna* or *mawnam* were erected to commemorate deceased parents or ancestors and consisted of odd numbers of upright stones with flat table stones in front. The table stones were feminine, often accompanied with the prefix *Ka* unlike the upright stones. The monoliths that made up these clusters represented different members of family of ancestors such as maternal uncle, maternal brothers and nephews. Gordon described such clusters in the following way, “…The table stone is called *ka iawbei tynrai* or *ka iawbei tymmen*, literally the grandmother of the root, or the old grandmother. These are different from *ka iawbei khynraw*, or *ka iawbei kpoh* (the grandmother of the family or branch of the family).” Anthropomorphic definitions of the stones also revealed the significance of women in this matrilineal society. The presence of two sets of flat table stones reflects the acknowledgement of the “first ancestress”. Stones placed on the right signified *ka iawbei longkpoh*, who according to Gurdon was “the grandmother of the clan to which the memorialist belong, or *ka Iawbei khynraw*, the young grandmother, i.e. the grandmother of the actual family to which the memorialists belong.” The significance of female figureheads is reduced significantly in contemporary oral accounts. This is a result of the separation of religious,

492 Sweetymon Rynjah, Interview by Reeju Ray, July 2012.

493 Sweetymon Rynjah, and Tambor Lyngdoh , Interview by Reeju Ray, June and July 2012

494 Ibid.:151

495 Ibid.:151
social and political dimensions as well as the separation between sacred and profane spaces—induced by colonial discursive strategies and the dominance of western knowledge.

The stone clusters were not only erected in the memory of deceased ancestors. In many villages, erecting these stones was an obligatory way to absolve guilt. For instance families (which are religious units in themselves) often erected mawklim when a family member committed adultery. Clusters of monoliths erected in memory of deceased soldiers or mawshyrwait are also quite common alongside mawbynnanam for the deceased. Colonial accounts left such functions unrecorded by emphasising the ritual and religious significance of the stones. As well western literary standards that produced the disciplinary bounds of history marginalised the way non-literate societies related to the past, recorded and articulated knowledge and conception of the past. These stones performed the significant function of recording events, provided access to the past and were a medium of communicating with ancestors. Additionally, they were used for practical purposes such as seats for travelers along roads, and for storing the remains of the dead, and marking boundaries.

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496 Sweetymon Rynjah interview.
Figure 9 The Lymbren Monoliths. Located near Pamtdong Village in east Khasi hills. These were erected and assembled by mining clans.
Figure 10. Cherrapoonjee, Khasi Hills.

Figure 11 Nongtalang, Jaintiah Hills.
Figure 12 Nongtalang, Jaintiah Hills
Figure 13 Nartiang, Jaintiah Hills
Figure 14 Nartiang, Jaintiah Hills.
The representation of landscape in colonial accounts corresponded with the tribalised inhabitants, by emphasising religion as nature worship. The *menhirs* were represented within the confines of religion. Shifts and changes in usage were also noted. Gurdon observed that in the “olden days when it used to be custom for the clans-people to place offerings of food on the flat table-stones for the shades of the departed ancestors, and this is sometimes the case still; but now it is more frequent to make these offerings in the *ling*-seng, or clan puja house.”\(^{497}\) He also reflected on the possibility of human immolation on the stones further invoking familiar tropes of barbarity and immorality used in describing ‘tribes’ in the frontier.\(^{498}\)

The ethnographic representations of Khasi landscape as religious were framed within established ideas of varying degrees of scientific backwardness among natives.\(^{499}\) There was a simultaneous universalizing and hierarchizing of the features the Khasi societies. It is interesting to note that such narratives were not meant for European audiences only. In an article in the first Khasi newspaper “U Khasi Mynta” which was in publication from the end of the nineteenth century, the practice of “ancestor worship” is seen in relation to similar practices of the “Shinto cult of Japan”. The remains of Japanese warriors who die in battle are said to be reverentially taken to the warriors’ home at the first opportunity. There was a similar practice of transporting ashes of those who died violent deaths while employed in the military expeditions on the north eastern frontier by the survivors. These were handed over to the relations of the deceased for last rites.\(^{500}\) Newspapers like this one, and other publications by the Seng Khasi Press disseminated

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\(^{497}\) Gurdon, *Khasis*,151

\(^{498}\) Ibid.:151-152

\(^{499}\) Prominent among the sources Gordon uses for his section on Khasi memorial stones is C B Clarke’s article called *Stone Monuments in the Khasi hills* published in *The Journal of Royal Anthropological Institute of Britain and Ireland Vol. 3*, (1873): 481-493

\(^{500}\) Gordon, *Khasis*, 111; The readership of the newspaper at the turn of the century was limited to a small number of Khasis mostly missionary educated, in government services. However, it was these educated males that informed the articulation of Khasi identity through the Seng Khasi Movement and Press which published literature, poems and news from around the hills and the world at large for a local readership.
knowledge to Khasi readers. These works reproduced colonial knowledge and reinstated the distinction between nature and culture.

The resistances to colonial geography can be found when colonial accounts such as Gurdon’s are read critically and in conjunction with oral histories, folk literature and traditions. In Derek Gregory’s critique of western systems of geo-graphs he argued that space was produced as absolute on the one hand and subjects were objectified and normalized on the other, by abstracting nature and culture in its own terms. This argument is validated in the colonial production of the north east frontier which on the one hand incorporated places within the cartographic imagination of the empire and on the other through scientific and other methods of creating meaning, and articulating sovereignty, objectified inhabitants and features of landscape. As it will be explicated below, aspects of the natural world were intrinsic to Khasi self conceptualisation and therefore an integral part of culture.

The landscape was in itself an access to the past. Inscribed in it were memories and relationships, reverence and continuity, expressed through the performance of rituals and oral traditions. The living were part of a symbiotic relationship with the spirits that embodied energies of nature and its constituent elements guided by spirits of deceased ancestors. Caroline Humphreys in her study of Mongolian landscapes writes that the “…human relation to natural entities is analogous: their unpredictable energies and beneficial powers can be tamed by ritualized actions. People have their own relationship with particular mountains, cliffs, or trees which they feel to be especially influential in their lives.” Interaction with nature through

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Exploring how such self-conceptions informed contemporary Khasi identity assertion is outside the scope of this chapter. Yet, it is necessary to be cognizant of such connections and influences.


502 Caroline Humphrey, “Chiefly and Shamanistic Landscapes in Mongolia”, in Hirsch and O’Hanlon ed. Anthropology,137
rituals also invested it with socio-cultural meaning and spiritual agency. That such agency was invested in nature is also clear from the names of places in the hills. *Nong* which is a common prefix to place names is a Khasi term for agent. Other place names in the Khasi hills use prefixes such as *Um* (water), *lum* (hill), *maw* (stone). These agents or energies often referred to as spirits were appeased at the ritual centres or *law kyntang* or *law Niam* translated as sacred forests or groves.\(^{503}\) Time and even seasons found their descriptive articulation in changes in nature. For instance, the blooming of the flower *kymbat samthiah* represented the rise of a new day and as its petals closed at sunset the day came to an end. Similarly a sign for abundance of fish in rivers were the growing tender leaves on rubber trees.\(^{504}\)

*Sa’ng* or injunctions forbidding people from disturbing any element within the sacred forests show that different elements of the forest were conceptualised to have power and agency. In most colonial accounts such as Gurdon’s the different elements of nature were noted to have spirits and were referred to as deities who had to be appeased. The word *ryngkew* is translated as spirit and is sometimes gendered. The main forest energy or spirit is *U Ryngkew U Basa* (masculine gender denoted by the prefix *U*) who was believed to have the power to harm anyone who harmed the forest or disturbed it in any way. Anyone was allowed to enter the forest but there were *Sa’ng* against picking up anything from it and leaving the forest or leaving anything impure inside.\(^{505}\) The most important of these injunctions was that no tree was to be cut from these forests. Apart from the *ryngkew* there were other elemental energies in the forests. Sociologist Rekha Shangplaing notes that there are two kinds of ‘spirits’ –those with good intentions are called *lei* and are associated with state welfare, wealth, water, village, etc. There are also malevolent spirits which called *skuid* which cause harm. These forests are not only a

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\(^{503}\) Many of these continue to be consecrated such as forests in Mawphlang and Nartiang discussed later.

\(^{504}\) Interview Sweetymon Rynjah, July 2012

\(^{505}\) This belief is observed in the present day.
home to energies of the different elements of nature like Lei Lum (‘mountain or hill spirits’), Lei wah (‘river spirits’), Lei Khlaw (‘forest spirits’), Lei Wallang (‘spirit of the state’), Lei Umtong (‘water spirits’), Lei Mulluk (‘spirit of the state’). Also, inhabiting these forests are rngai (literally meaning shadow) of the deceased ancestors. Not every sacred forest was believed to constitute multiple elemental spirits. In the sacred grove of Mawphlang only the U Ryngkew U Basa is believed to exist. Notwithstanding the influence of Christian morality influencing the conceptions of “spirits” or energies ascribed to natural features, these beliefs were essential to the Khasi conceptualisation of their landscape.

Additionally, forests or groves that were recognised as sacred in colonial texts also divided the landscape into spaces accessible by colonialism and bounded “religious” spaces that were not. This was not necessarily strictly practiced as examples of sacred forests having been sold to the colonial government are found. Sacred forests or groves differently called law (forest) kytang, law Niam or law lyngdoh are found scattered across the Khasi-Jaintiah hills.

506 Rekha Shangpliang, *Forests in the Lives of the Khasis* (Delhi, Concept Publishing 2010): 32

507 Tambor Lyndoh interview by Reeju Ray, June 2012; At the Mawphlang sacred forest rituals only take place when there the twelve clans who are believed to be the founding clans of this lyngdoh-ship feel there is a necessity to appease ancestors and the U Ryngkew U Basa. This five hundred year old grove is under the care of the Tambor Lyngdoh who informed me that only during a natural calamity did the elders of the village initiate rituals to appease the U Ryngkew U Basa. Belonging to the Lyngdoh clan and son of a traditional healer, Tambor Lyndoh is now involved with projects of community conservation of forests.

508 There are several instances of the destruction of sacred groves in folk tales including lum shyllong the now famous tourist spot of Shillong peak. Bengt Carlson noted the slow desecration of the once sacred grove in this hill starting with a Francis Syiem who leased the lands including the sacred hill and forest to a timber contractor. In his interview with Lyngdoh Nongkrem (traditional priest of the Khyrim polity) he was informed of a folk tale about a deer that trespassed into the forest and was killed by the inhabitants of the corresponding village. Of the several interpretations of this folk tale, one that explained the cutting down of the sacred forest, involved the analogous trespass of outsiders i.e the British. The deer was killed for encroaching into the sacred forest and transformed by the hill spirit moved by the cries of the deer’s mother into a sacred stream. Although the analogy is not quite clear, overlaps in themes of encroachment, violence and a consequent transformation of the landscape is visible. The selling of the lands by Syiem Francis is dated to the 1980s while the analogy used to explain this occurrence is situated in the early nineteenth century. What Lyngdoh Nongkrem was emphasising is that transgressions such as the one made by Syiem Francis was a result of encroachment made by the British which caused the people to “forget their culture and faith”. See Bengt Carlsson, *Unruly*, 4-6
Several sacred groves and forests have over the centuries been destroyed particularly in the vicinity of colonial stations in the hills like Shillong.509

The importance of the monoliths and forests beyond purely religious functions can be evinced in Nartiang in the Jaintiah hills, which was the political centre of the Jaintiah Rajah. Nartiang comprises magnificent clusters of monoliths as well as sacred groves which continue to be preserved and used as a ritual centre. Nartiang was an important political centre and grew in significance after the Jaintiah Rajah was forced abdicate his capital of Jaintiahpur in the plains. The mid nineteenth century rebellions against colonial taxation in the Jaintiah hills erupted in Nartiang. The stone clusters in the political centre of Nartiang were important for various functions such as succession of Rajas and conducting judicial and administrative deliberations. The functionality of the stones cannot be understood by separating the religious from the political or the customary from the ritualistic. They were ascribed social, political and religious functions which invested the landscape with meanings which in turn produced the sense of belonging and of self.

Describing Khasi religion as ‘animism’ Gordon wrote that “…the religion of the Khasis may be described as animism or spirit worship, or rather, the propitiation of spirits both good and evil on certain occasions principally in times of trouble. The propitiation of these spirits is carried out either by priests (lyngdohs) or by old men versed in the arts of necromancy, and as the lyngdoh or wise man deals with good as well as evil spirits, and as often as not, with the good spirits of ancestors, the propitiation of these spirits may be said to partake of the nature of shamanism.”510 Quoting Colonel Bivar, Deputy Commissioner of the Khasi-Jaintiah hills in late

509 Mawphlang is one of the existing and more famous of the sacred groves. It has recently come into international focus by conservationists, anthropologists and the like. But not all sacred forests have had the same fate. Many have succumbed to rampant deforestation. The belief that a Hima (or Khasi state) must contain a sacred forest is no longer in practise and may have been the result of colonial appropriation of lands that were once sacred groves or forests and their transformation into private or commercial property.

510 P R T Gordon, Khasis, 105
nineteenth century, he further simplified Khasi socio-religious practices presenting it to his audience as “forms used to cure diseases and avert misfortunes by ascertaining the name of the demon, as the author of the evil, and the kind of sacrifices necessary to appease it…” and further as “demon worship or a jumble of enchantments muttered by priests who are sorcerers.” Such characterisations served to simplify both the landscape and Khasi belief systems for the colonial anthropologist. The ‘spirits’ provided the landscape social agency and ascribed the surroundings as active a role as the actions of individuals or communities. The past was inhered in the present and history was continuously lived through memory, associations, oral traditions and rituals. The everyday functionality of spirits was not an aspect of an animistic religion as colonial narrative suggested. They were a crucial link between people who inhabited the hills and their surroundings. In this way they were crucial constituents of a Khasi place.

The relationship between the belief in different spirits employed with various functions and nature or landscape features such as rivers, forests, stones etc. was far more complex than ‘propitiation’. The relationship was integral to a political identity, to social relationships and religious conceptualisation. Pre-colonial meanings in and of such relationships are hard to determine since oral traditions adapted and changed with the changing political and social contexts over the nineteenth and twentieth centuries. However, in transitional articulations of folk narratives, oral traditions and historical memory it may be possible to uncover logics and conceptualisations of power, authority, land rights and property that contested colonial forms. Everyday articulations of the past were produced in and through an active landscape. Colonial geography was not isolated from or absent in these conceptualisations, but marginal to it. Colonial processes of spatial reconstitution infiltrated the inhabitants’ conceptions of place as much as ideas of western thought and Christianity influenced the articulation of self. However, the Khasi hills in the imagination of its inhabitants constituted a place which did not succumb to

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511 Ibid.107
colonial definitions. This is most explicit in the physical and imaginative spaces that remained outside the scope of colonial subsuming efforts discussed in the following section.

5.2.2 The Place of U Hynniewtrep

The U Hynniewtrep collectively describes the seven clans that the inhabitants of the Khasi hills draw their lineage from. Khasi hills as a place—conceptualised, experienced and lived in by U Hynniewtrep - predated colonial encounter. The genealogy of the Khasis is found in origin myths that are narrated in oral traditions and in folk tales. Origin myths have been studied as ‘cultural constructions’ of the past by particular groups, or as “causation”. Origin myths in this chapter are understood as performing the function, among others, of providing continuity to being in the hills by tracing a past of its inhabitants that preceded the transformations that took place with the inclusion of the hills in the colonial frontier. Oral traditions and histories are constitutive of that transformation. That is, in separating the “historical grain from the mythical chaff” in Khasi oral tradition, there is a clear co-constitution of historical experiences in the nineteenth century and beliefs that may have predated it. In my analysis I have refrained from making any strict distinction between what was colonial and what was purely Khasi, since that distinction is false and ahistorical in examining sources that date from the nineteenth century and onwards. In examining the various interpretations and studies about Khasi origin, I have emphasised narratives of continuity that constitute the hills as a place. In this section, apart from

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513 I refer to the changes in the political landscape from the 1820s with treaties signed between the Syiems and the East India Company, the drawing of frontiers, deployment of Company troops in the hills, making of colonial stations in Cherrapoonjee and later in Shillong as well as incremental missionary activity through the century.

514 This is a particularly evocative phrase by Ajay Skaria referring to Jan Vansina analysis of oral traditions. See Ajay Skaria Hybrid.:1; Also see Jan Vansina Oral Tradition as History (London: James Curray, 1985)
examining colonial records of folk tales I have used works by contemporary Khasi folklorists such as Desmond Kharmawphang’s works among others as well as relied on information collected during field interviews in the Khasi hills.

In the decades following the publication of Gurdon’s book several anthropologists, historians, linguists attempted to validate in different ways through their studies the origin of the Khasis. Such attempts to scientifically establish the “vexed question” of Khasi origin led to several inferences by Gurdon.\(^{515}\) He used various colonial and missionary interpretations as references to suggest the ambiguity surrounding Khasi origin. These ranged from political connections with the Burmese, to nomadic “wanderings” from somewhere in the north up to Sylhet. He also noted that Khasis and other tribes were believed to be part of the “Mon Anam family” which had occupied a large portion of the subcontinent. Among the many possibilities of their origin discussed, one was that the Khasis were part of “the different irruptions of foreign peoples into Assam …from south east to north west as it was the case with the Ahom invaders of Assam who invaded Assam from their settlements in the Shan States via the Patkoi range, the different Burmese invasions, the movements of the Khamtis and once again the Singphos, from the country to the east of the Hukong valley.”\(^{516}\) Over the decades and through various studies it is now established that that the Khasis through linguistic genealogy are part of the Mon Khmer Austro-Asiatic family of languages and thereby to migrations from Indo-China.

This chapter reorients the discussion of Khasi origin to the belief system of the Khasis. In his discussion of Dang oral traditions Ajay Skaria pointed out that there has been a tendency among social scientists to treat oral sources using the standards that judge their validity vis-à-vis written records. This meant converting oral sources “to the equivalent of archival sources and

\(^{515}\) P R T Gordon, *Khasis*, 10

\(^{516}\) Ibid.11
written histories that adhere to the norms of the western professional history writing. One of the pitfalls of this according to Skaria has been a concerted attempt in recent historiography to use subaltern oral traditions to claim for them a place in the narrative of modernity which had constructed subaltern subjects and histories as the quintessential “other”. This tendency is defined as a “participation in the discourse of lack” by claiming validity through history and writing to define superiority over the ‘other’. Encouraging a reconfiguration of this lack, Skaria suggests the affirmation of difference by exploring different forms of historical imagination. In my study I found that even in affirming difference a caveat remains- that of colonial knowledge penetrating Khasi historical imagination in ways that can be identified but cannot necessarily separated.

In spite of the severe force of colonial epistemology declaring all other forms of knowledge less valid and marginalising its loci, the inhabitants of the Khasi hills retained a sense of their continued presence in the hills from a time not dated but one that is characterised with the absence of any ‘outsiders’ in the hills. There are several versions of the origin myth of U Hynniewtrep with certain consistent features. One such consistent feature is the importance of Lum Sohpetbneng or the hill top that was believed to connect the earth to the skies or heaven. Initially the Hynniewtrep were part of sixteen clans or families who used a tall tree or ladder (this varies in different renditions) connecting Lum Sohpetbneng and the skies to come down to cultivate in the hills and return to the land of U Blei or the male God of everything. At one occasion when only seven families had come down the hills to cultivate, the ladder was cut down

517 Ajay Skaria, Hybrid, 2
518 Ibid. 2-3
519 In certain renditions of the origin myth, there is a confluence between that time of freedom and the Hindu age of Satya Yug.
520 A book published in early twentieth century on Khasi folktales by K U Rafy mentions that it is a tall tree that connected the heaven and the hill top. See K U Rafy, Folk-Tales of the Khasis, (London, Macmillan and Co. 1920):8-9 ;However, the Khasi words to describe this is jingkieng ksiar literally mean golden ladder or vine.
by someone with greed. Thus, the seven clans or *U Hynniewtrep* came to live in the hills. This story has deep resonances with the rupture that accompanied the establishment of sedentary agriculture in the plains of Sylhet. Colonial territorialisation of the Bengal plains confined several groups as “hill tribals” reconstituting their social, economic and political relationships with inhabitants of the plains. The idea of a separation between the sixteen clans-seven clans that became inhabitants of the hills and the nine that remained in the skies, points towards a belief that the Khasis were part of a larger group with whom connections were severed. K U Rafy, one of the first to compile and publish a book of Khasi folktales in 1920 wrote, “Sophet Bneng is a bare dome-like hill, about thirteen miles to the north of Shillong, and not far from the Shillong-Gauhati highroad to the East, from which it is plainly visible. Its name signifies the centre of heaven”. The literal translation of the name of the hill is heaven’s naval. These myths not only reflect a contextual history of the hills at the time they were first recorded, they also continue to rescue the hills from the colonial geographic imagination.

Another tale of origin inscribes matriliny- the defining feature of Khasi kinship structure-onto the landscape of the hills in particular and the earth in general. In this tale, *meiramew* the mother of three daughters *Ka Ding* (fire), *Ka Um* (water) and *Ka Sngi* (sun) came to earth to meet them and succumbed to illness and died. The three endeavoured to conduct final rites to mother’s body. As per matrilineal custom the youngest daughter *Ka Sgni* was the first to conduct the rites but her fierce rays scorched the earth dry but Meiramew’s body remained unscathed. *Ka Um* was the next to attempt last rites and caused incessant rain and everything submerged in the flood. Once the water subsided they found Meiramew’s body still preserved. Lastly the eldest daughter set everything on fire and that finally destroyed Meiramew’s earthy remains. The endless plains that characterised the earth were believed to have transformed with the *Ka Ding’s*

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521 K U Rafy, *Folk-Tales*, 9

522 *Meiramew* is also understood as everything that constitutes the landscape.
flames into mountains, valleys, gorges. In this landscape trees, shrubs and flowers grew again, water cascaded over hills, and lakes were formed. This tale also suggests a rupture, the death of Meiramew and the constitution and a new landscape. It also emphasises the role of daughters in the reconstruction of the surroundings as well as their social and religious roles. These tales were significant in the Khasi conceptualisation of landscape alongside other oral traditions and social practices.

Oral traditions that perpetuate Khasi conceptions of landscape include a ceremony held annually at the beginning of the agricultural season of rice, when Lukhmi the spirit or goddess of grain is welcomed into the hills. The oral tradition and three-day annual ceremony of keh loh Lukhmi or fetching Lukhmi, the spirit of paddy, practiced in the Northern Khasi hills gives access to conceptions of history through repetition or performance of the origins of settled agriculture in the hills. The important aspects of this three day performative ritual include the act of fetching the spirit of paddy which signifies the recent origins of paddy cultivations in the hills; the walk up to Nongbah, literally meaning capital but considered the first site of settlement of the Khasis; and the performance of egg divination to ascertain what direction Lukhmi will come from each year. Desmond Kharmawphlang has noted that “… [while] it is generally believed that the Ka Lukhmi originally came from the plains (a territorial designation that connotes non-Khasi areas)... the very act of performing divination to ascertain whence the Ka Lukhmi will come- from the Khasi hills or from the low lands reveals how the Ka Lukhmi-woman turned benefactor- has gained acceptance in the cultural milieu of the Khasi hills adjoining Assam.”

This entails the process of incorporating the hill or Nongbah as an essential component of the ceremony thereby ascertaining it past political and social significance and continuing sacred function. Secondly, the very act of repetition and performance in fetching Lukhmi from a site called U Mawsieng

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literally translated as boat-stone ascribed to be her carrier, reflects several dimensions of conceiving, recollecting and articulating the past. For instance, memory of paddy cultivation as a practice that was not indigenous to the hills is repetitively materialised through ritual and oral tradition of fetching *Lukhmi* annually. Secondly, the performance of divination and subsequently in other ritual performances that confirm *Lukhmi*’s arrival and willingness to be present also reflects accommodating and adapting with changing socio-economic conditions i.e. cultivation of rice and settled agriculture for instance.\(^\text{524}\)

These examples of origin myths and oral traditions that reflect the reconstituted and shifting features of a Khasi place are part of narratives of continuity that have produced a sense of belonging and of self. But belonging did not imply only being situated in the material confines of the hills. A Khasi place that resisted cooption in a colonial geography was created by alternatives ways and forms of existence. There were multiple ways of being in the place of Hynniewtrep- as *rngai* also called *syrgi* meaning shadow of ancestors, as *rngiew* or spirits of shamans who could physically traverse two conceptual worlds or realities and others.\(^\text{525}\) These immaterial forms were considered important social agents through which the power of nature was harnessed, and who in many ways gave legitimacy to the socio-political structure in the hills. Legends about the interaction between humans and non-human elements are very common in Khasi folk tradition. Many folktales provide a sense of direct engagement between constituent elements of landscape or *meiramew* leading to existing knowledge and practice surrounding particular places. There are also conceptual or alternative spaces called *ramia* within *meiramew* which can only be

\(^{524}\) For a reproduction of oral traditions related to *keh loh Lukhmi* see Desmond Kharmawphlang, *Khasi Folk Songs and Tales*, (New Delhi Sahitya Academy, 2006):2-27. For a description of the three day ceremonies see D Kharmawphlang, “The Ka”, 122-136

\(^{525}\) I have used translations that are consistent with Desmond Kharmawphlang’s use in his work. However, in my interviews I found variations such as shadow of ancestors are often translated as spirit of ancestors. The *Rngiew* is often translated as guardian or a constant presence in the lives of people. See Desmond Kharmawphlang, “In Search of Tigermen: the were-tiger tradition of the Khasis”, in ed. Geeti Sen and Ashis Banerjee, *The Human Landscape*, (Delhi: Orient Longman, 2001):160-176
inhabited by *rngai* and by the *ka rngiew*.\(^{526}\) *Ka rngiew* according to Kharmawphlang is “…an essence, a power which shapes and determines most of man’s actions, thoughts and motivations. It gives shape to his dreams and visions, and charts the course of his life and is regarded as imperishable and immutable.” This concept is distinguishable from the *ka met* (body) and *ka mynsiem* (soul).\(^{527}\) The concept of *ka rngiew* can thus be understood as a feminine energy that accompanies the person in their lifetime and does not perish after death-an energy that produces specific actions, thoughts and power to transcend the real inhabited space.

This is manifested in the performative tradition of the tigermen. Selected individuals-usually male elders designated as shaman – are vested with a power whereby their *rngiew* embodies the form of a tiger and enters the space of *ramia*. The person inhabiting this alternative space may or may not be asleep. The shaman was believed to have power to physically transform into a tiger in the past whereas now only the shaman’s *rngiew* transform into *Khla Phuli* (tiger) or *San Saram* (four clawed one). Desmond Kharmawphlang based on his fieldwork in northern Khasi hills and long term study of folklores argues that unlike the Malay tradition where transformation into a tiger was considered an affliction, in Khasi tradition this practice is a religious experience. An extract from an interview he conducted in a village of Northern Khasi hills with one such elder demonstrates the understanding of this practice.

Kharmawphlang: What is the reason for turning into tigers?
Maji: For the reason of clinging and holding.
Kharmawphlang: Clinging of what?
Maji: the religion.\(^{528}\)

\(^{526}\) Desmond Kharmawphlang has translated this word as hallucination, illusion or a dream. Although he does caution that these words cannot capture the meaning of *ramia* especially in the context of tigermen. I have therefore used understood it as carved alternative or conceptual spaces accessed through dream or a dream-like state

\(^{527}\) Desmond Kharmawphlang,”In Search”:161

\(^{528}\) Ibid.163
It is pertinent to reconstruct what religion means in the long historical context. The transformation from person to tiger, inhabiting an alternative space is likely produced by an anxiety to protect and preserve what seemed to be under threat. Kharmawphlang refers to instances when the tigermen or the *rngiew* had an obligatory role to protect their territories (variedly interpreted as villages or alternative spaces) if there was an encroachment against “outsiders” both people and other tigermen who did not belong to the particular Hima (polity, village or religious unit). Kharmawphlang states,

U Dsing Marin’s idea of guarding was to protect humans from tigers. U Joid Marki’s was to protect the area from incursions of alien were-tigers who could come to create disturbances in the village. And according to Shanti Barim, the iapnagar tiger deity used to thwart the attempts of alien tigers from entering his domain. Whether the village here is the human or tiger village is unclear, but there are portions of the interviews where there are clear references to the imprisonment of alien were-tigers.529

The power to transform is attributed to particular persons or Shamans determined by their lineage, from a maternal uncle to a nephew. Once the shaman goes into the state where his body is visible and inhabits the physical world whereas his rngiew inhabits the *ramia*, he is guided by the *ryngkew*. *Ryngkew* as noted in the context of sacred forests are guardians of particular places and in the case of *ramia* could be in the form of either a real tiger or a person. The *ryngkew* would lead the *rngiew* in the *ramia* where the latter transformed.530 The necessity of appeasing the *ryngkew* is paramount as much in the alternative spaces of the *ramia* as in the sacred forests. In the often cryptic and metaphorical narrations of such experience, it is often reiterated that a failure to follow in the footsteps of the *ryngkew* (literally in the *ramia* and figuratively otherwise) lead to *ka klim ka khla* literally, committing adultery or a severe transgression of norms.531

529 Ibid. 169

530 Once again I avoid the popular translation of *ryngkew* as deity, since there is no known process of deification involved.

531 During my interview with Tambor Lyngdoh (whose uncle was a shaman and his father a traditional healer), he insisted that shamans in the present day are either very old or dead and there are hardly any from
The *ramia*, a space accessed through dreams and only by individuals designated with the power to do so is a living example of a place in the Khasi hills that continued to contest the subsuming into scientifically ordered space. These places were themselves contested reflected in need to protect them from encroaching tigers or people. The strict disciplinary codes and lifestyle led by those with the power to enter these spaces, invested a certain authority to these individuals. Their authority was the alternative to and very distinct from the Syiems’ authority or any other political authority. Not only was this power produced by the knowledge afforded by access into *ramia*, but also from the authority to protect and defend places secret and sacred. The absence of colonial accounts on these places may have been the result of a refusal on the part of the hill inhabitants to divulge or give the colonisers access to such information. However, these spaces were not isolated from the colonized or geographical landscape of Khasi polities, but were dream-like interpretations of ecological, political and social realities.

Caroline Humphrey’s has pointed out that the landscape could be constituted as shamanistic or chiefly as they had pervasive power and authority over the people. 532 Although there are several resonances in the Khasis hills of what Humphrey’s describes of the Mongolian context, there are certain significant departures. Both Chiefs and Shamans were vested with religious power and social agency and Syiems often sought the advice of the shamans for their perspective on the socio-political issues. Both positions were acquired through matrilineage and were dominated by male agents. The most significant difference was that shamans sojourned alone in their roles as protector and defender of *ramia* whereas Syiems relied on primarily the family and village elders or the *darbar* for the sustenance of his agency. The shamans were peripheral to the landscape just as ramia was peripheral to the physical landscape and represented

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532 For an elaborate analysis of landscapes conceived as shamanistic or chiefly see Caroline Humphrey’s “Chiefly”, 135-162
the individual relationship between Khasis and their ancestors, and elements of nature. The space of the ramia also provided unrestricted movement and wandering. In the interview extract reproduced above the clinging on to religion expressed not the performance of a ritual but the exercise of continuity in many respects. Shamans were not agents of religion nor were they vested with the responsibilities to perform religious functions, a role ascribed to lyngdohs. To cling to religion as one shaman noted, was also to protect and sustain a space that was socially and politically as relevant as much as it was sacred. This was a metaphorically idealized space that was prone to incursions and attacks and inflected the contestations of the physical landscape.

In studying oral or performative traditions and orally recounted folk tales and legends it is important to consider the implications of textually reproducing that knowledge or parts of. My attempt is not to objectify a Khasi place or represent the landscape as coherent or invariant. In fact there are myriad ways of being in nature or in conjunction with different elements of nature. There also exists heterogeneity in the worship of physical features. In spite of variations across the hills and over time, what has remained pervasive are the narratives of continuity which undergird kinship structure that order practices related to land. The framework within which people articulate their being in place is that of kinship. Kinship orders the relationship between land, religion and people.

5.2.3 Niam, Land and Kinship

This concluding section analyses the different interpretations of Niam found in writings from the colonial period, ranging from notes by colonial officials, anthropologists and Khasi intellectuals. Niam stands for both custom and religion. It is closely related to the Bengali word Niyom which can be translated as norms or simply as rules governing the everyday. Niam is also the term for Khasi religion that is practiced by those who did not convert to Christianity. Although Niam is usually translated as religion, it encompasses far more than religious values. As noted earlier, Niam was incorporated as sanctioning the Syiem’s authority as well as his
responsibility to preserve, and hence related to his political role. Niam was rooted in kinship structure and constituted various features that were variedly practiced or worshipped by families, groups or across all clans. I argue that Niam emerged from and was deeply rooted in social practice it cannot be understood simply as religion. It encompassed various aspects of the lives of the Khasis that produced narratives of continuity.

Among the first written colonial records that referred to Khasi religion was Robert Lyndsay’s report on the Khasis in the late eighteenth century. 533 It stated that apart from cremating the dead there was not much overlap in practices and rituals related to religion between the ‘plains’ people and the ‘hill tribals’. References to Khasi religion were brief in the subsequent reports and descriptive narratives over the nineteenth century, translating it as animism or nature worship. Missionaries too, made little effort to analyse religious practices in these hills unlike other “mainstream” religions – those of Hindu, Islam, Buddhism, Jainism and variations within these. Khasi religion later recognised as Niam was described using Christian tropes and symbolism. This may have been a result of ideas of the self, influenced by missionaries, passed on to anthropologists such as Gurdon. Moreover, the reliance on descriptions provided by colonial officials whose observations were filtered through racialized categories and civilizational standards distorted the representations of Niam.

Colonial ethnographer P R T Gordon devoted one section to describing Khasi religion in his anthropological treatise. 534 In this section he examined aspects such as ‘ancestor worship’, ‘worship of natural forces and deities’, ‘religious rites and sacrifices’, ‘ceremonies attending death’ and ‘genna’ as well as memorial stones and naming of children. There is no mention of Niam in Gurdon’s analysis. Instead he described Khasi religion as animism. He wrote that the Khasis had “a vague belief in a God or creator, U Blei Non-thaw, although this deity owing, no

533 Board of Revenue Papers, 29 December 1787, No.10, GSA

534 Gordon, Khasis, 105-159
doubt, to the influences of the matriarchate, is frequently given the attribute of the feminine
gender, cf., Ka lei Synshar. The Khasis cannot, however, be said to worship the Supreme God,
although it is true that they sometimes invoke him when sacrificing and in times of trouble. 535
By early twentieth century missionaries of the Welsh Presbyterian Mission, the Baptist and the
Catholic Missions were all working in the hills. Many, especially those receiving missionary
education had converted to Christianity 536. The influence of Christian thought and discourse is
profoundly visible in descriptions of Khasi religion. For instance belief in U Blei as God or
creator as pointed out in Gurdon’s quote above was vague, often understood as feminine and
interchangeably referred to as Ka lei Synshar. The growing ascendancy of U Blei, understood at
present as head of the spiritual realm was in all probability due to the influence of Christianity.

Gurdon’s book provides an example of the use of Christian discourse to explain what the
colonial officials and anthropologists interpreted as Khasi religion. Colonel Bivar, Deputy
Commissioner of the Khasi Jaintia hills in the mid nineteenth century is quoted in Gurdon’s
account. He wrote of Khasi belief in the following: “God in the beginning having created man,
placed him on the earth but on returning to look at him, found he had been destroyed by evil
spirits. This happened a second time whereupon the deity first created a dog, then a man; and the
dog, who kept watch, prevented the devil from destroying the man, and the work of the deity was
thus preserved.” 537 Gurdon’s descriptions further impresses Christian concepts onto Khasi
thought. For instance he wrote, “Tradition amongst the Khasis states that in the beginning
(mynnyngkong ka sngi) there was no sin, heaven and earth were near each other, and man had
direct intercourse with God. How man fell into sin is not stated, but it is certain that he did fall.

535 Gordon, Khasis, 105

536 For more on Missionary activity in the hills see Andrew May, Welsh; Christopher Becker, History of
Catholic Missions in North East India 1598-1890, (Shillong: Firma KLM, 1989); Nalini Natarajan,

537 P R T Gordon, The....:107

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Experts at ‘egg healing’ never forget to repeat the formula ‘nga briw nga la pop’ (I man have sinned). The cock then appears as a mediator between God and man. The cock is styled ‘u khun ka blei wuba kit rydang ba shah ryndang n aka bynta jong nga u briew,’ i.e. the son of god who lays down his neck (life) for me man.”  

Khaki folk lore and oral traditions have inflections of influence by several religions but by late nineteenth and early twentieth centuries when Gordon made his observations, Khaki ritual practices and self-conception were profoundly influenced by the dominance of Christian teaching.

In *The Khasi Milieu* -one of the most prominent and widely used books on Khaki religion- H O Mawrie wrote, “[f]or a Khaki Ka Niam (religion) necessarily complements Ka Rukom (rite); hence the phrase *Ka Niam Ka Rukom*. *Ka rukom* indicates ceremonial aspects of religious observances, which must be according to the norms laid down in *Ka Niam*. The observances may occur in diverse ways and may differ from one part of the land to another but the principles of *Ka Niam* are the same. Observances and practices may differ even from one family to another but such diversity does not affect the religion.” Here Mawrie does not define *Niam*, but suggests that it is a defining framework within which there are variations in practices, rituals and beliefs. Mawrie’s further analysis of *Niam* however reflects overcompensation in

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538 Ibid.:117

539 Describing the confluence of different belief systems that were found in the hills David Ludden wrote, “Upriver in Cachar, a cult site for Kapilasram (or Siddheshwar) retains the memory of an ancient river Goddess who was eventually over shadowed by Shiva…Khaki people in the nearby hills worship many river gods, among who goddess Kupli reigns supreme. Kapilasram seems to encode the incorporation of an old Khaki locality by immigrant Siva-worshipping Bengalis….Siva’s overshadowing of the river Goddess in Cachar represents one local moment in the advance of lowland territorialism, which produced Bengali societies on moving eastern frontiers of Gangetic cultures, by pushing permanent farms into places inhabited by shifting cultivators, who lived in the highlands and lowlands who moved freely among forest and field, mountains and plains, and who hunted and fished , without settling down permanently anywhere. Although mobile lifestyles remained well adapted to the environment’s watery uncertainty, animistic cults and non-aryan practices, including matrilineal kinship, marked shifting cultivators as primitive aliens for the Hindu, Muslim, and European low landers who invested in nature inside expansive territories of sedentary agriculture, urbanism, state revenue, and permanent territorial authority.” See David Ludden ‘Investing in Nature…’: 68-69

relation to colonial ethnographic description of tribal religions discussed below. Mawrie described Niam as a close variant of Christianity with similar religious symbolism and logic and foundations. For instance, Mawrie asserted that Niam is “a relationship between man and God and this relationship is governed by two factors, namely, Ka Nia and Ka Jutang (reason and covenant)…The covenant is an agreement which should be executed by two parties. When man needs an agreement with God, the word of approval of God is necessary and it must come from Him.”541 As a Christian convert himself, Mawrie read Niam as a “covenant”, “commandment or law” which was necessary to abide by to attain protection.542 Not only were the ideas of reason and covenant a product of his outlook as a Christian convert, he seemed to describe the relationship between people and god as one synonymous with the contractual relationship between the colonial government and Syiems. Mawrie’s works attempted to rescue Khasi thought, religion and values from the severity of a backward civilizational status and in the process presented a severely distorted representation. There is a distinction made between Khasi religion and religions of the subcontinent like Hinduism, Jainism and Buddhism while emphasising the similarity with Judaism.543 Mawrie’s book claimed to present a critique of anthropological accounts of tribal religion, in particular P R T Gurdon’s generalisations of Khasi religious practice. Secondary literature such as Mawrie does reflect the profound influence of colonial narratives in interpretations of Khasi religion in the post-colonial period by Khasis. A nineteenth century representation of Khasi religion compiled and written by Khasi intellectuals is discussed below and offers a more nuanced idea of what constituted Niam.

In 1897 Jeebon Roy, a prominent Khasi intellectual compiled and published U Niam Jong Ki Khasi which was the first collection of Khasi customs and social norms in the form of a book

541 Ibid.35
542 Ibid.35-36
543 Ibid.24
defining Khasi religion published in Khasi.\textsuperscript{544} It included fourteen chapters which included descriptions of the structure and relationship between different clans that collectively were called Khasi, specific customs and rituals associated with marriage, birth and death, variations within such rituals, customs while constructing a house, norms and taboos during pregnancy and lastly what was defined as ‘teaching of elders’. One of the chapters was titled “\textit{Shaphang kaba ki knia ki khasi}” literally translated as rituals and rites that constitute a Khasi identity and sums up the purpose of the book. This book was published with the aim to preserve Khasi customs, norms and beliefs that shaped Khasi identity found to be in danger of decay due to western education and religious proselytization by the late nineteenth century. The way the book formulated, and presented these orally transmitted and performative customs, only partly captures their significance. The subsequent English translations have further morphed their meanings.

However, this book is an important source of Khasi thought recorded by a Khasi in the nineteenth century. One thread running through the chapters was the significance given to clan lineage and practices that were essential in maintaining clan membership. \textit{Sa’ng} or prohibitions included marriage between two clans that were believed to be intimately connected not by marriage but by lineage. Matrilineal kinship structure was described as foundational to Khasi identity. The last chapter of “\textit{U Niam Jong Ki Khasi}” was \textit{Ka Jingseng Tymmen} which was also separately published in February of the same year in the newspaper \textit{U Khasi Mynta}, published in a press set up by Jeebon Roy. Radhon Singh Berry another Khasi intellectual is credited with writing it and it was an elaborate version of the book chapter.\textsuperscript{545} A second set of moral codes and philosophy only briefly dealt with by the book was published in March 1897.\textsuperscript{546} These norms and

\textsuperscript{544} Ed. Jeebon Roy, \textit{Ka Niam Jong Ki Khasi}, (Shillong: Ri Khasi Press, 1897)

\textsuperscript{545} Jeebon Roy along with Radhon Sing Berry and a few other men formed the Seng Khasi – an organisation aimed at preserving Khasi religion, custom and culture. This has been known as the Seng Khasi Movement.

\textsuperscript{546} \textit{U Khasi Mynta}, February-March 1897, U Jeebon Roy Memorial Archives, Shillong; This newspaper was published in the Ri Khasi Press established in 1896

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moral codes give access to the profound influence of western thought and Christian teachings and contestations with it.\textsuperscript{547}

The practices and narratives that constituted \textit{Niam} were based on a kinship structure that in turn defined authority, land rights, social values and principles. Disintegrated colonial categories of political and social, customary and religious, need to be understood as part of a single conceptual framework based in a matrilineal kinship system. Matrilineal kinship structured the clans or \textit{Kur} which were based on descent drawn from \textit{ka iawbei tynrai} or grandmother of the root.\textsuperscript{548} Membership in the \textit{Kur} was facilitated by upholding \textit{Niam} and avoiding \textit{Sa’ng}. The responsibility for the same rested on individual families or \textit{ling} which were connected through membership in \textit{kpo\textbf{h}} or sub-clans. \textit{Kpo\textbf{h}} literally translated as belly, womb or uterus refers to a domestic unit tracing descent from \textit{ka iawbei tymmen} or great grandmother. Gurdon described the clans in the following words – “…The clans of the present day are nothing more or less than overgrown families, they are bound together by the religious ties of ancestor-worship in common, and of a common tribal sepulcher, except in cases of clans which have, owing to their size, spilt up into several sub-divisions, like the \textit{Diengdoh} clan; such sub divisions possessing their own cromlechs.”\textsuperscript{549} Other anthropologists like Chie Nakane, a Japanese anthropologist in her comparative study of matrilineal systems of Khasi and Garo societies, explained the function of the Khasi \textit{Kpo\textbf{h}} as a religious or ritual unit.\textsuperscript{550} The nature of the \textit{Kpo\textbf{h}} is seen as a group of

\textsuperscript{547} Radhon Sing Berry’s collection of moral codes have been translated by Bijoya Sawian. See Radhon Sing Berry Kharwanlang, \textit{Ka Jingseng Tymmen (The Teachings of Elders)}, trans. Bijoya Sawian, (Shillong: Ri Khasi Press, 2005)

\textsuperscript{548} Gurdon, \textit{Khasis}, 63

\textsuperscript{549} Gurdon provided examples drawn from oral history of the formation of separate clans and sub-clans. In his example of the formation of the Diengdoh clan he reiterated not only the importance of the female in its formation but also her initiative in trade, iron smelting and setting up markets. See Gurdon \textit{Khasis}, 64

matrilineal kin, usually confined to one domestic family or group of households, linked by direct extension of the main household. A *Kpoh* therefore can be defined as a descent group. Sociologist Tiplut Nongbri also emphasises the religious and social functionality of Khasi structural organisation, although her critical perspective of gender relations provides a departure from previous anthropological works.

Tiplut Nongbri has demonstrated that the most important functional unit among the Khasis is the *Iing*. The *Iing*, literally meaning house, is the lowest order of clan and lineage segmentation. A *Kpoh* sometimes included two or more *Iings*. The practice of matriliny characterised the *Iing* has constituting the children of its members but not their spouses even if they were co-residents. Husbands commonly lived in the house of their wives but belonged to their mother’s *Iing*. The ancestral property of the *Iing* (family) in Khasi society is handed down through the youngest daughter of the family. *Iing* was the locus of religious rituals. The *Kpoh* constituted one or several *Iings* which were “bound together by shared sentiments of genealogical

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551 David Schneider in describing the Nayar Taravad argued that descent forms a unit of consanguinely related kinsmen and a descent group is a decision making group. However this cannot be entirely applied to Khasi social structure. A Taravad holds property jointly, acts as a unit with respect to ceremonial as well as property matters, assembles on certain ceremonial occasions, and has at its head the *karanavan*. Taravad refers to the lineage and matrilineal house hold and also functioned as a property group having a time depth of three to six generations including the youngest members and the common ancestress. The *Kpoh* however did not function as a property group and was characterised by unigeniture which led to a continuous process of disintegration of the domestic unit. Unlike the joint property system of the Nayars, division of property was noted as common practice among the Khasis. A large area held by a clan was divided into holdings of stocks within the family. The mother divided her land among her daughters, usually on their marriage, reserving a larger share for *Ka Khadduh*. All the daughters could sell their portion of the land except for the youngest. In certain cases property was not divided- if it was too small, in which case *Ka Khadduh* received the entire share. It may also happen that the mother may be unwilling to divide the property. In these situations, the resulting position of the family varies according to the degree of separation of property. Tiplut Nongbri points out “The house and the house gardens (ki kper) are always held separately. The terraced rice (pynthor) fields are held sometimes separately and sometimes together. Fields permanently cultivated (ki kper- i.e. manured lands and crops other than rice) would be held separately. Land for shifting cultivation would usually be held in common but areas might be set apart for each branch or stock of the family.” See David Schneider and Kathleen Gough ed. *Matrilineal Kinship* (Allahabad: A H Wheeler and Co.,1972):4 Also, see G. Arunima, *There Comes Papa*, 26-27; See Tiplut Nongbri *Gender Matriliny and Entrepreneurship: The Khasis of North East India* (New Delhi, Zuban 2008) :14
connectedness, joint land ownership, and a shared cromlech where the bones of the death [sic] are deposited.\textsuperscript{552}

Nongbri argues that the function of the \textit{Iing} as a religious unit ensured matrilineal solidarity on the one hand, and the “permanent position” for sons in their natal \textit{Iing}.\textsuperscript{553} Although not explicitly argued by Nongbri, her description of functions of the \textit{Iing} suggests that it was not only a religious unit but a locus of social and politico-economic organisation. Inhabitants of different polities engaged in trade, agriculture or commercial exchanges with other Khasi polities, or with Bengali merchants, European entrepreneurs, and the colonial government in Sylhet, from their location as part of specific clans, subclans or households.\textsuperscript{554} For instance \textit{hats} or markets in the polity of Cheyla poonjee were organised by members of four founding clans and proceeds from these markets were also divided as such. Families that constituted an \textit{Iing} were economic units responsible for their agriculture and the \textit{Ka Khadduh} who inherited the ancestral house was responsible for the maintenance of any member of her \textit{Iing} who was dispossessed or needed shelter. Each of the members were also responsible for the adherence of social practices including inheritance and various rituals associated with birth, death, marriage and divorce, that together ensured membership in a \textit{Kpoh}.

Three stones that traditionally surrounded the hearth in the \textit{Iing} represented \textit{Ka Iawbei}, or the first grandmother / ‘primeval ancestress’, \textit{U Thawlang} the first father of the clan and, \textit{U


\textsuperscript{553} Ibid.: 368

\textsuperscript{554} Tiplut Nongbri, \textit{Gender}, 8-14; Although Nongbri is making a different argument in her book, she uses colonial records to provide historical context that capture the intrinsic relationship between kinship and politico-economic organisation. This was further compounded by the fact that there was an absence of an entrepreneurial community or class like the Marwaris or Jain merchants who were important commercial stake holders in colonial India. See W. W. Hunter, \textit{A Statistical Account of Assam}, Vol.2 (London, 1879): 236-241
Suindia the first maternal uncle. In spite of the muting nature of social structure in the hills, particularly with respect to gender relations, continuities with a pre-colonial past are most significantly drawn through descent and lineage, in particular with the lawbei. Kinship was an importance reference for political purposes such as inheritance of Syiems as well. As noted in the previous chapter, petitions from contending parties in succession disputes evoked the importance of being related to particular lineages, or against the importance given to one lineage over another. Whatever the position was of the respective claims in the Cherra succession dispute the Syiems’ legitimacy emerged from kinship and lineage. This was complicated through processes that depoliticised the Syiems’ authority and simultaneously stripped the ling, Kpoh and Kur of their political meaning. Similarly, the importance of lyngdohs or priests of different clans emerged from the role of the first maternal uncle. Maternal uncles were responsible to oversee the Ka Khadduh’s responsibilities as inheritor of ancestral property, as well as, conduct religious ceremonies in the ling along with Ka Khadduh and the clan lyngdoh. Ka Khadduh or the youngest daughter had social and religious responsibilities with respect to the ling and thereby the Kpoh and Kur.

The socio-political structure in the hills was as much a part of Niam as religious propitiation. Practices related to land and kinship draw continuities with a pre-colonial or “extra-colonial” past. Self-conceptions of the inhabitants were deeply tied to a sense of being located in the hills. Thus, Niam encompassed both the sense of place and a sense of self. This relationship embodied in Niam is articulated through narratives of continuity. As this chapter has discussed such narratives are recovered from sources mired in colonial systems of thought and knowledge.

555 Tiplut Nongbri, “Trans Himalayan Matrilineal Systems”, Contributions to Indian Sociology 44, 1 & 2 (New Delhi: Sage, 2010): 161. Nongbri also points out that the emblem of the hearth has been distorted in recent representations which replace the stone representing lawbei with the Syiem. This she argues in part of the onslaught against the matrilineal system by patriarchal interest groups that depict matriline as regressive and promote a change to patrilineal system among the Khasis. See Tiplut Nongbri, ‘Trans Himalayan…’: 172

556 Memorial from U Borgusain to the Secretary of State for India in Council, in Foreign Department, External Branch A, Cons. Nos. 35-38, May 1906, NAI
It would be misleading to attempt a rereading of history of the period in question here without acknowledging the mutually imbricated nature of colonial and indigenous knowledge. Yet, patterns of kinship relations and responsibilities, co-constitution of self and environment, and using the landscape as a medium of communicating with ancestors, and inscribing the past, provide an initial segue into histories constitutive of, but undetermined by colonial knowledge.

The interaction between and accommodations with religious traditions of inhabitants of neighbouring regions, itinerant monks and migrating populations needs to be emphasised in order to arrive at an analysis of religious belief systems in the hills. David Ludden suggested that Khasi religion was a product of socio-political and economic changes produced by waves of territorialisation, first in the 1600 and then again in 1800. Historicising the forgetting of certain aspects of the past in the histories of eastern and north eastern India, Indrani Chatterjee’s work on monastic traditions in the Himalayan region addresses the enduring and reconstitutive character of nineteenth century knowledge production. The waves of incoming and persisting traditions of monastic orders in this landscape infused various politico-economic practices, social and moral beliefs. This produced a geographic unit through monastic networks of economic and social organization. By bringing Ludden and Chatterjee’s works into conversation a more nuanced picture of this space emerges.

By locating the Khasi and Jaintiah hills within this reimagined space it becomes easier to identify the purported “forgetting” of aspects of the politico-social make up, and variations within, and shifting influences of a long history of encounters of social, economic and religious kinds. However, subjectivities, self-conception, and conceptions of the past cannot be reduced to being products of specific encounters or events. These ideas emerged from the specificity of

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557 Indrani Chatterjee engages with a ‘post nationalist’ geographical sensibility in historiography on this region, encountered in earlier chapters, by posing the geography of monastic governments spread across a trans-regional space that included Ladakh, Kashmir, Inner-Asia and beyond. See Indrani Chatterjee *Forgotten.*
Khasi hills as a place articulated through embodied spatialised activity. Since landscapes and its constituents were active historical agents, and elements of nature were attributed social functions, narratives and practices that constituted Niam can be understood as located in and emerging from the particularity of place.\(^{558}\)

The genealogy of social practices and narratives that constitute Niam continue to be “forgotten” in this analysis. This chapter has identified the reconstitutive character of nineteenth century knowledge production. I have demonstrated the fundamentally local nature of imperial knowledge that assumed dominance by producing the hills and its inhabitants as marginal. I have emphasised that just as colonial scientific knowledge was deeply local, indigenous knowledge from sources dating the nineteenth century and onwards cannot be neatly separated from the former. However, the attempt here has to be to reconstruct and read against fragmented and incomplete categories of political, social and religious. The separation of these categories enhanced the sovereign status of the colonial state in the hills, by stripping political meaning from the socio-religious practices. The autonomy of the hills was thus curbed by drawing a distinction between nature and culture, as well as, culture and politics. Culture has continued to dominate most studies on tribal communities. Even overtly political action such as rebellions and other forms of resistances has been dubbed as “cultural” to the present day.\(^{559}\) In the Khasi hills social practices around land and forest continued to claim the autonomy of self and place from imposed colonial and national structures of knowledge. Social practices constitutive of narratives of continuity have continued to be pervasive forms of resistance to co-option in totalizing histories and colonial geographies.

\(^{558}\) See J E Malpas for a larger discussion of how personal and cultural narratives are linked to embodied, spatialised activity and articulated vis-à-vis place. J E Malpas, *Place*, 175-198; Also see Chapter 1 for a larger discussion of the concept of place and its use in this chapter.

\(^{559}\) Prathama Bannerjee, “Culture/Politics”, 130
Conclusion

Hills have historically, and perhaps globally, been associated with socio-political forms that mark a distinct “non-civility” in relation to plains, cities and towns.\(^{560}\) Hills have also been understood as interruptions to civilizational forces, as places of refuge for those who sought to evade taxation and assimilation into imperial political economies.\(^ {561}\) In the north east frontier of India, centuries of accumulated knowledge emanating from inter-imperial networks produced the idea of legal primitivism of hill polities. This dissertation argues that the production of such anomalous legal zones was achieved by separating politics and culture on the one hand, and culture and nature on the other.

This dissertation has examined the vague and patchy dispensation of justice in the Khasi hills, the non-existence of codes or legislations defining inhabitants as legal subjects, and processes that confined them as “hill tribals”. I have argued that the autonomy of the non-British subjects was perpetually at peril of arbitrary legal restrictions. The processes of governance and representation were generated by the colonial government’s need to control the frontier without provoking any resistances which would cost financial expense and demonstrate their limitations further. Representations of the hill tribes through knowledge-production during the course of the nineteenth century was used to domesticate the subjects who had relative autonomy from paying taxes to the colonial government, or from acknowledging the supremacy of the British Crown over their respective Syiems. Local beliefs were marginalised as they were relegated to the realm of superstition by proselytizing missionaries, scientists and administrators who wrested large sections of the people from “barbaric” “animistic” beliefs. Yet, clan based social organisation and practices inextricably connected to a sentient geography continued to operate, albeit within reconstituted conceptions of self and surroundings.

\(^{560}\) See Lauren Benton, *A Search*, 222-236

\(^{561}\) See James C. Scott, *The Art*
The establishment of contractual and diplomatic relations with the Syiems in the Khasi hills constituted the first official incorporation of these hills within a colonial politico-legal framework. The Company’s attempts to extend its agrarian and revenue-generating frontier in Sylhet foreshadowed these treaties. These contracts emerged out of colonial commercial and military concerns, and acknowledged the sovereignty of the Syiems in all matters of governance except in the dispensation of justice for “crimes”. The treaties placed colonial government representatives in the hills, for instance, the Governor General’s Agent to the north east frontier came to serve in a mediatory role in disputes or political negotiations between two or more Syiems. With the construction of roads, military barracks, outposts marking the hill-plain boundaries, survey operations, and the regulation of trade and commerce, the hills were incorporated into the colonial frontier and distinguished from Sylhet and Assam plains. The hills acted as a bridge between the two revenue generating British territories. The hills also became significant in formulating imperial sovereignty in extra-imperial spaces.

The incorporation of the north east into a colonial state space was achieved not only through diplomatic treaties, annexations, and military conquests. Geographical narratives, and cartographic processes domesticated the unknown, threatening frontier into a governable space. In the second chapter, I draw a link between geographical explorations, travel narratives and revenue survey operations to show their commensurability in producing a frontier imagination. The conditions in which these treatises, journals, and reports were produced bear witness to the deeply local nature of ideas that were converted into scientific and objective interpretations. At the same time, the official narratives contain evidence of the instability, incompleteness and sheer contingency that marked such efforts. Additionally, the material consequences of such knowledge, translated through policies and legislations, and evident in boundary disputes, reveal once again the disjunction between new ideas and old practices. Jurisdictional boundaries were
superimposed on revenue-related boundaries between the hills and plains, as further attempts were made to stabilise colonial power.

Debates on jurisdiction occupied a significant portion of colonial correspondence on the Khasi Jaintiah hills. By the second half of the nineteenth century, changes in imperial attitudes throughout the colony were reflected in changing policies vis-à-vis Khasi polities. Contrary to the 1858 mandate of Queen Victoria which promised non-interference in affairs of the princely states and pledged to uphold customary laws and practices, changes introduced in the Khasi hills demonstrate different intentions and results. For instance, treaties were transformed into *sanads* in the second half of the nineteenth century. Among other changes, the change in terminology was significant because with the change in the form of the *sanad* the colonial state assumed the right to confer authority to the Syiems to rule over their subjects.

Reconstituting custom had severe implications on the nature of political subjectivities and ruler-subject relations. The authority of the Syiem was the culmination of overlapping, or a seamless understanding of political, religious and social (kinship based) functions. The reconstituted customary authority of the Syiem stripped her of the political role distributing the same in male elders of the different villages. This confirmed the colonial state’s position of dominant political authority. The matrilineal kinship system that invested socio-political and economic authority to women was also transformed. Significant changes in gender relations were underway from the eighteenth century onwards affecting proprietary and land rights of women across the frontier space. In the Khasi polities, women’s’ social and economic roles persisted, albeit within an increasingly patriarchal framework. Disputes on succession rights to Syiemships from the mid nineteenth century demonstrate the steady displacement of women’s political roles. The invisibility of women in colonial correspondence is counteracted by petitions from different contenders to the Syiems’ position who emphasised the political importance of females of ruling families. Subsequently, the existence of female Syiems became the stuff of legends. The Syiem
was framed as male, customary, non-territorial, and readily replaceable. She was stripped of political rights, which in turn, invested the colonial state with a dominant sovereign status, by introducing new notions of custom. The refashioning of custom had the most profound and lasting changes in the hills.

The epistemological implications of colonialism, for inhabitants in the hills, emerged from both intellectual processes undertaken by the imperial agents, and governmental policies and legislations. The construction of the inhabitants of the Khasi and Jaintia polities into “hill tribals” corresponded with their confinement in the hills. An association between people and landscape that characterised all forms of colonial knowledge on the Khasi hills separated the categories of culture and nature. Scientific approaches represented the landscapes, plants, rocks, and people as quantifiable data. The hills provided rich “fields” for scientists – botanists, geologists, anthropologists and linguists- who connected local knowledge with global circuits of knowledge, and rendered the space and its people as marginal. Meanings attributed to their socio-politico-religious formations by colonial knowledge connected them to a universal abstract “primitive”, on the one hand, and invested new cultural meanings to their location and identity on the other. Such cultural meanings formed the basis of ethnic definitions across the colonial, and later, the nation state space.

Oral traditions, folk tales, songs, poems are significant sources for reconstructing local conceptions of the past. I have examined such sources to demonstrate that Niam, generally understood as religion, demonstrates the inseparability of political, social, economic and religious functions. Colonial knowledge attacked and transformed such encompassing conceptions into separate categories. This inseparability remains, however, in social practices around land and forest, shamanistic practices and oral traditions. Such aspects of living history demonstrate the profound effects of colonialism on the geographic, and imaginary landscape of the hills. Simultaneously, they bear witness to the ways in which local practices, and episteme continued to
challenge and resist colonial categories, and representations. I have argued that the past is inhered in the present through a sentient geography, in shamanistic practices, in alternative spaces like the *ramia* and through communication with deceased ancestors. Such relationships between the past and present, between human and non-human historical actors can be understood as a continued resistance to colonial transformative processes. It emerges from this study that a strict division between colonial and indigenous knowledge is rendered impossible. Colonial knowledge posing as scientific was indigenous, local and idiosyncratic. Similarly, oral histories and folk tales, and Khasi belief systems that are categorised as indigenous knowledge interacted with new ideas and accommodated or rejected the same to suit their changing environment. Oral histories have engaged with written histories for over a century, and in the present such interactions inflect the relationship between old and new interests. This is particularly noticeable in a range of contemporary local knowledge produced on the early nineteenth century historical figure Syiem Tirot Singh, which includes poems, plays, documentaries, and even animated short films.562

I have argued that legal pluralism kept the illusion of political autonomy alive, while colonial knowledge-production crept into the crevices of landscapes, inside homes, between customs, and into the minds of the inhabitants. This study has shown that imperialism in the north east cannot be understood as a homogenous process, and that it confronted the varied tribal subjects in different ways through military oppression, settlement, representation, semi-autonomy, jurisdictional structures and legal impositions. I emphasise the localised nature of colonial knowledge production that assumed a dominant status as it was accumulated, and transferred to imperial laboratories or printing presses in metropolitan centres, and transmitted back to the hills. Inhabitants of the hills confronted the changes and impositions in creative,

562 Among the plethora of popular literature on U Tirot Singh, the most recent is an animated film that follows the lone hero narrative I have discussed before. See *U Syiem*, (2013, Shillong: Cosmic Clusters), online. Stable URL: http://www.youtube.com/watch?v=shaUuMAWfZg; Also see, Remi Phankon and Reginald Nongkynrih, U Tirot Singh Syiem and U Kiang Nangbah-Patriots, directed by S. Sweety Diengdoh, (2011, Meghalaya Film makers Association), CD
evasive and rebellious ways. Legal and economic imperatives of the nineteenth century, that produced the hills as a frontier through diplomatic contracts, commissioned and non-commissioned knowledge, had pervasive effects, lasting well into the twenty first century. Political developments in the twentieth century brought about a host of different debates, legal reformulations, identity assertion and articulations of space and place. A thorough examination of the twentieth century processes have been outside the scope of this dissertation.

In 1934 colonial administrator Kieth Cantlie published *Notes on Khasi Law* as a “solution to legal problems.”563 The persisting difficulty faced by judges in the courts of Sylhet and Assam due to the lack of codes or materials for references in civil cases prompted the government to commission a book on Khasi law. Interestingly, codification was still not in the cards, but this book came close to standardising customs for different cases of civil dispute. Cantlie, invented problems that would arise in situations of inheritance, marriage and divorce, disputes on property and so on, an postulated customary solutions for the same. His following statement captures the arbitrariness of the entire process. He wrote, “[t]here being no guide, the only method possible was to invent a problems [sic], find out how each would be decided, and then to build a connected theory on these decisions.”564 Cantlie’s collection of fabricated cases and legal solutions provide a glimpse of the workings of a colonial legal system which, even in the 1930s, was unable to formulate its precise role vis-à-vis inhabitants of the hills. The conclusions in chapter three on the legal reforms that separated the European and British ruled subjects from non-British ones can be further elaborated and enriched with additional twentieth century sources.

The twentieth century also brought to the fore Khasi English educated intellectuals looking to articulate their identity in relation to the anti-colonial national determination. A close

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564 Kieth Cantlie, *Notes*,5
friend of Kieth Cantlie, who advised him in great detail on the book discussed above, was David Roy. He was a Khasi official serving the colonial government. He wrote an essay titled “Whither the Khasi Hills” and located the Khasi hills as a “distinct entity in India.” By tracing Khasi origins by examining linguistic lineage he sought to distinguish the Khasis from other “tribal” communities in the north east. Written in 1946, this essay echoed the aspirations of those Khasi elites – largely Christian converts and English educated in government service – who found the integration of the hills into the Indian union a feasible and welcome option. J.J.M Nichols was another prominent Khasi intellectual and political figure in the period before and after integration. Twentieth century political transformations provide significant insight into the implications of the crisis of sovereignty in the hills, and will be part of my subsequent research work.

The dominant trends that emerged from the shifting, and differing colonial assessments of the Khasis – as primitive, aggressive, morally upright, imbricated in custom, inextricably related to their locale – have had profound implications on the relationship between these communities as national subjects and the Indian nation state. Moreover, the complex, unresolved crisis of sovereignty has produced tense ruler-subject relations. Prathama Bannerjee has pointed out that the figure of the Indian adivasi or aboriginal stands out as the radical modern political agent in India. This “double-bind” of the adivasi as “primitive” and at once modern is a product of collapsing culture and politics. The rebellious state of the tribal has been understood as a “tribal state of being”, according to Bannerjee, and contributes to depoliticise adivasi identity.

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567 Prathama Bannerjee, “Culture/Politics”.
The term *adivasi*, however, is not applied to describe tribal communities in the north east like the Khasis, and their history of subjection and subjecthood within colonial and national states is also distinct.

The term *adivasi*, Banerjee states, has been used by Indian nationalists to subsume tribal communities or aboriginals into the nationalist scheme thereby further legitimising the claim to a nation. At the same time, the term has been used in defiance of the colonial anthropological categories like tribe and aborigine. Unlike social groups who assumed the name *adivasi* to assert their originary rights to land and forest, the communities in the north east such as the Khasis have asserted their autonomy in different ways, acknowledging their migratory history. Identity assertion movements in the north east have been marked by different political agendas, demands and even conflicting interests within groups. Debates about self-determination, preservation of traditional institutions, and forming multi-ethnic alliances between Khasis, Jaintiahs and Garos have been ongoing in forums organised by the United Nations. Bengt Carlsson states, with specific reference to the north east, that indigenous people have established themselves as a collective subject. The indigenous identity, he argues, is a global political identity. However, more nuanced questions of social significance are glossed over in favour of an emerging global indigenous identity, that needs to be located historically and contextualised. The relationship between the emerging global indigenous identity and specific historical contexts that produce conflict-based identities needs to be examined in the context of the tribal identity in the Khasi Jaintiah hills. I have provided one instance of local legislation that has had a significant impact on rights of female subjects in the hills, and engendered debates on custom and tribal identity.

Colonial and national ideas of property, gendered rights and the ruler-subject relationship have culminated in an important legislation in the present day – the 1997 Khasi Autonomous

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District Council (Khasi Social Custom of Lineage) Act, ratified by the Governor on 23rd February 2005. This legislation states that children born of a Khasi tribal mother and a non-tribal father cannot claim to be a Khasi, and therefore, would not be entitled to a scheduled tribe status. This means that the matrilineal custom of inheritance would not apply to children born of non-Khasi males. The Khasi Autonomous District Council, an institution created to preserve Khasi customary and traditional practices, proposed amendments to the bill. The amendments asserted the restriction of marriages between Khasi women and non-tribal men as well as the revocation of the customary practice of Tang Jait, an initiation rite, whereby non-Khasi women married to Khasi men were ascribed a new clan status which was then inherited by their children. Many local organisations - such as the Synjuk ki Rangbah Shnong (an organisation of the Headmen of different localities), the Khasi Students Union, and the most vocally patriarchal Syngkhong Rympei Thymmai formally instituted in 1990 (based on the same principles of Iktiar Longbriew Manbriew formed in 1961, a body devoted to changing the matrilineal system to patrilineal one) - all endorsed the proposed amendments forwarded by the District Council. The attempts to change the matrilineal system of lineage and inheritance into a patrilineal system by the SRT have been resisted by several women’s organisations and the Seng Khasi among others. This legislation is among developments show the collusion between the state and patriarchal interests mirroring the trajectory laid down by imperialism in the hills.569

Another stark example of employing women as border-guards of ethnic identity is in the instance of Khasi women being abused for wearing salwar kameez, which was considered “too Indian”, during the conflicts between certain groups including the Hynniewtrep National Liberation Council (HNLC), Federation of Khasi-Jaintiah and Garo People (FKJGP) and the Indian state in the 1990s. Several questions need to be addressed in order to locate these present

569 For an analysis of the transformation of a matrilineal system into a patrilineal one see G. Arunima, There Comes Papa: Colonialism and the Transformation of Matrilyn in Kerela, Malabar c.1850-1940, (New Delhi: Orient Longman, 2003)
day social developments. How did the spatial production of this region as the north east frontier and the construction of its inhabitants as tribals create and sharpen gendered hierarchies and intensify patriarchal interests? In what ways do the meanings invested into this frontier space by the colonial state get reproduced in the Indian State’s imagination and policies in its borderlands? How do gendered and exclusionary articulations of identity by groups like the Khasi Students Union among others complicate the ideas of collective indigenous political mobilisation?

The body, social roles, and matrilineal privileges of the tribal Khasi woman were central to how the hills have been defined in the colonial and post-colonial period. In my future research I will examine the period from the 1920s up to the turn of the twenty first century to address such questions. In the 1920s significant changes were visible in the confederation of Darbars or Khasi traditional politico-judicial forums that met to discuss the future of the Khasi states vis-à-vis the larger political climate in the colony.\textsuperscript{570} The debates in these conventions, in the legislative councils, and between Khasi intellectuals who were in favour of joining the Indian Union and Syiems who were not, give access to the future policies and frameworks set in place for governing the hills. Poets from the early twentieth century like So So Tham reflect the undercurrent of resistance to being subsumed by a colonising geography. In 1928 he wrote in the prologue to his collection of poems,

Sa Shisien pat kin win ki khlaw
Once more the forests will clamour
Sa Shisien pat kin khi ki maw
Once more the stones will tremor.\textsuperscript{571}

Tham’s poems, particularly his collection \textit{Ki Sgni ba Rim U Hynniew Trep} (Golden Days of the Seven Huts)- is a significant piece of Khasi literature from the early twentieth century that combines stories from the oral traditions, with descriptions of the changes in the socio-political

\begin{footnotesize}
\begin{itemize}
\item [571] U So So Tham, \textit{Ki Sgni ba Rim U Hynniew Trep}, trans. Shlur Manik Syiem (Shillong: Shlur Manik Syiem 2006). The translation of this verse is mine.
\end{itemize}
\end{footnotesize}
structure. His poems represent a particular articulation of place, at once infused with memory and shaped by the upheaval of change. Tham’s poetry is also integral to understanding the history of ideas in the hills. Ideas found in these poems resonate with historical memory, everyday resistances, and continue to break down colonial categories of past and present, human and non-human, culture and nature. The focus on ethnic conflicts and violent identity, assertion movements, that dominate the literature on the region, deflect from a more pervasive and powerful form of resistance that inheres in the constitution of the place itself – in memories, in narratives, and in social practices.

The following poem about Tirot Sing’s dissociation from his land by Desmond Kharmawphlang, published in 1988, demonstrates the rupture, as well as, deep and continuous association between the people and their land:

The sun writes its first few lines of poetry in the morning-
The sounds and light of earth thread around and sink into the hilly retreats of peace.
To us, the bond of blood is a reminder
of the long trek of our wandering race,

And now centuries after,
we gather into an arm of resistance.
I grew up to the smell of coarse grain drying in the sun
And the taste of dried fish on hurdles,
And dreams were shaped by the rural lanterns lit up at dusk.

Now in exile, not mine,
I weep the bitterness of broken births-
Return me to my land.
Give the grass a chance to grow again.572

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