
Governing the North East Frontiers

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When the East India Company acquired the Diwani of Bengal in 1765, the present-day Meghalaya state became the immediate frontier of the Company, until Assam was fully annexed over the next century. The inhabitants of this frontier were, describes Alexander Mackenzie (1884: 245), Secretary to the Government of India in the Home Department, “the first of the Assam mountain tribes with whom we came into contact,” who were at that time “semi-independent.” The oppressive practices of the zamindars and the retaliatory raids and murders from these hills led to the formulation of a non-regulation pattern of administration by David Scott, who was the magistrate of Rangpur from 1815 to 1821 and was responsible for the Garo frontier. Under Regulation x of 1822, “the Garo Mountaineers, and other rude tribes on the North-Eastern Frontier of Rungpore” were exempted “from the operation of the existing Regulations.” Giving a definition of the directional name—the “North-East”—Alexander Mackenzie (1884: 1) explains that

the north-east frontier of Bengal is a term used sometimes to denote a boundary line, and sometimes more generally to describe a tract. In the latter sense it embraces the whole of the hill ranges north, east, and south of the Assam Valley.

Two decades later, George Nathaniel Curzon (1907: 6), delivering “The Romanes Lecture” on 2 November 1907, describes their relationship: “The most arduous struggle in which we have been engaged in India in modern times was waged with Frontier tribes.” And “[a]s the first among the hill tribes that the British came in contact with, the policies and laws adopted to deal with the Garos were later extended or replicated in other hills of the frontier and beyond,” including the Khasi, Jaintia and Naga hills (Haokip 2022: 434). Within a century,

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Placing the Frontier in British North-East India: Law, Custom and Knowledge by Reeeju Ray, *Oxford: Oxford University Press (2023); pp xxi + 200, ₹1,295.*

with the expansion of the plantation and extractive economy, there was an “immense increase in the number and diversity of the Frontiers that have been adopted to protect the possessions and to control the ambitions of States” (Curzon 1907: 48). The non-interference policy in this so-called “uncivilised frontier district[s]” was continued till 1866, when the Garo Hills district, and later on, the Khasi Hills district, was founded with the passing of Act xxii of 1869. This was primarily in response to a series of raids and plunders committed in this frontier during the 1840s and 1850s by tribes to the “south of the Assam Valley,” which the book under review mainly focuses on.

Frontier Governmentality

Reeeju Ray’s work not only affirms “frontier governmentality” but also shows that despite “an official sanction of legal pluralism through indirect rule” in the British Empire, “there was a hardening of state structures and assertion of colonial sovereignty.” Frontier governmentality assumes that:

Far from not being governed, the peoples of the hills and peripheries were very much ruled, through state sanctioned ‘customs’ and ‘traditions.’ This was another form of subjugation and governance rather than the absence of it. (Hopkins 2020: 7)

It argues that the ambiguity of the law and the state apparatus in these hills “was a strategy of governance” and a “defiance of the very colonial spatial processes” resulting in the separation of subjects and the frontier tribes. The overlapping of political boundaries and sovereignties, which was the norm in

this frontier at the time of the advent of the East India Company and which “characterised the indigenous polity of this region” (Misra 2011: 56) was never understood. Nevertheless, as Ray has shown in this study, the “ambiguity and jurisdictional confusion in fact helped to further entrench colonial power in the frontier hills.” The strength of this work lies in the intricate discussion on the law’s movement in Khasi-Jaintia hills “through contractual agreements, regulations, boundary-making, jurisdictional disputes, and formulation of custom, authority and knowledge.”

In the initial chapter on the “Frontiers of Law,” the author looks into how raids by Garo mountaineers into the lowlands of Rangpur, the threat posed by the Burmese occupation of Manipur and Assam valleys, the massacre in Khasi hills, and other episodes compelled the mapping of the hills and the determination of boundaries. The agreements signed between the Company and the local rulers enabled law to travel across the Garo, Khasi and Jaintia Hills during the early decades of the 19th century. Later on, “[t]he revised agreements enhanced the colonial monopoly over resources in the hills.” Indeed, the non-regulation policy under Regulation x of 1822 merely “suspend[s] the operation of the existing rules for the administration of civil and criminal justice,” but rules through an appointed officer in conjunction with the village headmen.

Border-making

The next chapter titled “Games of Jurisdiction” intricately looks into how the Company’s jurisdiction was extended into the frontier. The imperial sovereignty at the frontier was initially seen as imprecise and ambiguous, but these were, as Ray claims, strategic “responses to encounters with the incommensurable and varied forms of authority and ruler-subject relations in the frontier hills.” Many areas in which the British wanted to settle boundaries cannot be clearly demarcated ethnically, which was against their obsession with well-defined boundaries based on ethnicity.

The Lyngam people were a case in point in the attempt to demarcate the boundary between the Khasi and Garo hills. They are said to be the mix-ethnicity produced by intermarriage between the Khasis and the Garos. They posed a challenge not only in placing on either side of the district but also by virtue of their inherent nature of nomadism. This nomadic nature, in the literature on non-state peoples, is a part of the “adaptations designed to evade both state capture,” including taxation (Scott 2009: 9). Thus, several coercive or even violent measures were adopted by low-land states to sedentarise such societies. The colonial state’s inclination to determine boundaries with ease by following natural markers often ran counter to the geographical distribution of groups, which was visible in the Khasi-Garo borderland as much as in other parts of the North-east frontier. For instance, “the natural land-marks” that define the boundary between Burma and Manipur, which was decided by the British Commissioners in 1834 but “never laid down on the ground” (Mackenzie 1884: 207), and even the later boundary commissions that finally attempted to settle this stretch of boundary, divide ethnic groups today into two countries and across two sub-continent. The normal tribal polity in the form of the villagers’ recognition of more than one political or religious *syiems* and the payment of blackmail, as colonial officials insist, assists them in the submission and incorporation of the frontier communities, as the British were unfamiliar with such system of overlapping jurisdictions. The settlement of boundary disputes between the hill and plain, and the violence associated with such border-making, argues Ray, is at the heart of the “governance strategy” of the East India Company.

In the chapter on “Colonial Governance and Customary Authority,” Ray demonstrates how the colonial policy of non-interference in customary affairs was not practicable by looking into the jurisdictional disputes between the *syiems* of Nongstoin and Rambrai, and also between the *syiems* of Myllem and Khyriem in the Khasi hills. There were myriads of jurisdictional relationships between

villages and the *syiems*, ranging from shared to interchangeable ones, sometimes resulting in disputes. The claims of customary jurisdictions were set aside as conflicting, resulting in the arbitrary imposition of decisions which often led to the entrenchment of colonial sovereignty. Despite the change in colonial governance after 1857 towards an indirect rule with more sensitivity to local customs, “the colonial state emerged as a paternalistic but dominant political authority.” Ray claims that “indirect rule was also a mode of organising power, fragmenting resistance, and creating, conserving, and subordinating tribal political institutions.”

Colonial knowledge on the frontier people was often associated with different tropes of primitivism. In this, the inhabitants of the North-east frontier were represented as hill tribals by the British, by looking into the relationship between space or landscape and people in the frontier. The colonial production of knowledge relied heavily on “local knowledge to build, develop, and legitimise all forms of colonial knowledge that were crucial for the Empire,” as Ray points out in the next chapter on the relationship between space and people. Yet, the doubting of local knowledge for its accuracy, by branding the bearer of such knowledge as “savage” and “half-civilised people” is not uncommon, not only during the Victorian era but throughout the entire colonial period. This colonial predisposition on the knowledge of the frontier tribes is a form of epistemological violence. Despite the fact that such local “knowledge has increasingly gained attention among policy makers, development practitioners, academic, and other scientific communities in recent decades” (Haokip 2023: 72), even today, it struggles to overcome its earlier label of being unscientific and is still discounted by a large number of people.

Language and Identity

Ray continues with the discussion on the efforts of standardisation of vernacular languages by missionaries, particularly the Khasi language by the Welsh mission in the next chapter. Many frontier tribes

spoke different dialects in the hills they occupied, with little or no mutual intelligibility even among themselves. For instance, the Baptist missionary in Manipur, William Pettigrew, who worked among the Tangkhuls, standardised the Hunphun/Ukhrul dialect as Tangkhul language through the publication of a primer and later translated the Bible into Tangkhul language. In many frontier areas, the standardisation of languages led to, as Ray pointed out, “the crystallisation of ethnic categories.” Such ethnic identities today become the point of mobilisation for greater political autonomy within the Union of India.

In the discussion on place-making, Ray brings out the myriad issues with matrilineal societies mainly in the Khasi hills. In such societies, the author identifies the “authoritative claims based on custom and religion,” which “reinforce patriarchal spatiality” and these “patriarchal interests representing Hindutva ideology have aligned with ethnocentric interests.” The indigenous politics that has been played through matrilineal kinship within and also outside the Khasi society is examined. However, such politics in relation to the “others” is inadequately analysed, perhaps due to a conscious choice. Meghalaya has a sizeable population of ethnic groups other than the majority Khasi, Jaintia and Garo tribes. These include several indigenous or tribal communities such as Hajong, Rabha, Koch, Synteng and Mikir, among others. When the Subcommittee on North-East Frontier (Assam) Tribal and Excluded Areas of the Constituent Assembly visited these hills, there was no attempt to elicit their opinions on their future. The Constitution (One Hundred and Twenty-Fifth Amendment) Bill, 2019 that was introduced in the Rajya Sabha proposed that the governor

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nominate two women and two unrepresented tribes to the Autonomous Councils. However, the Meghalaya government was opposed to these nominations of marginalised groups, despite the proposed amendment being “still short of the expectations of minority tribes in such districts or territorial areas” (Haokip 2021: 364).

This volume is a much-needed addition to the understanding of law and governance in colonial North East India. However, its limitation lies in its uncritical view of how the law travels, particularly in the deafening silence of the subaltern’s view. In the case of “Chandra’s Death,” Guha (1987: 141) construed that “a matrix of real historical experience was transformed into a matrix of abstract legality so that the will of the state could be made to penetrate, reorganise part by part and eventually control the will of a subject population in much

the same way as Providence is brought to impose itself upon mere human destiny.” Looking into some aspects of how “[t]he imperial/colonial law ... had a clear hegemonic task to perform” (Baxi 1992: 257), will highlight “the failure of the Raj to incorporate some of the most vital issues of indigenous social conflict within its hegemonic judicature” (Guha 1987: 150).

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