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Who Owns the Hills?

Ownership, Inequality, and Communal Sharing in the Borderlands of India

Across the uplands of Northeast India, sedentary forms of agriculture are gradually replacing shifting cultivation. In the process, land holdings are becoming “privatized.” As commonly held land becomes inaccessible or disappears, and mechanisms that formerly called for the redistribution of wealth transform, social inequality increases. The location of the Garo Hills at the border with Bangladesh renders the area a peripheral borderland, in which the Indian state exerts its presence. In his historical analysis of upland societies of the Zomia massif, James Scott (2009) emphasizes how the modern state strives to control and “make taxable” all of its subjects. For Tania Murray Li (2014), the development of neoliberal markets is the primary driver of change, as she shows based on long-term research in rural Central Sulawesi (Indonesia). While the effects of both these transformative forces can be clearly felt, in the Garo Hills the ongoing dissolution of communally managed land and the creation of privately owned plots is nonetheless held in check by the persistent social obligation to maintain at least a certain degree of communal sharing.

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On a humid September day, Jiji and her daughter Ratmi had to complete the harvest of their hill rice.¹ It was arduous work. As is customary, in order to avoid damaging the stems, they used their bare hands to wrest the grains from the stalks. It was a meager harvest, they said, but they still managed to fill quite a few bamboo baskets with rice grains. Hill rice grows on the slopes of swiddens: fields that are cleared in the jungle by cutting down shrubs and small trees. The fields are cultivated for one or two years and then (in principle) abandoned. Hill rice is highly appreciated for its taste, and for those who practice the community religion it also plays a central role in many of the rituals that define the annual ritual cycle of swidden cultivation. On this day in September, all the practitioners of the community religion² (known as Songsareks) had to complete their hill rice harvest, and in fact the Christian villagers did so too. That afternoon, Songsareks would sacrifice a pomelo in their fields. Ratmi left the sacrifice to her mother Jiji. Ratmi had decided to get baptized as a Christian and hence wanted to distance herself from the community religion. But for Jiji, it was important to adhere to custom. According to the community religion, hill rice is the offspring of a deity, and the pomelo sacrifice is meant to purge the “pollution” caused by taking the rice grains from the field. Following the sacrifice, Jiji scattered two bundles of rice straw into the corners of her field, cheerfully crying the obligatory “Ahuhu!” In so doing, she ritually “released” her field, revoking the claim that had previously been placed upon it. With its release, the field ceased to be hers. It would be left fallow for some years, after which she or someone else might make a new field there.

Jiji was old fashioned, not only in her adherence to the community religion but also in her approach to agriculture and her usage of land. Surrendering or releasing swidden appears to have been common practice when shifting cultivation was the dominant mode of agriculture in the region. But, in the last few decades, people have become increasingly reluctant to release their swiddens after cultivating them for one or two years. Rather than abandoning their fields, they plant them with cash crops such as cashew trees or areca nut palms. As these orchards gradually take over greater areas, less land is left for shifting cultivation. This results in shorter fallow periods between cultivation cycles. At the same time, the population continues to grow, and more people need to live off the available land. With the increasing scarcity of land that is available for shifting cultivation, young families who do not have orchards and hence depend primarily on shifting cultivation are particu-

larly affected. What triggers this process of sedentarization? How do people deal with the increasingly unequal distribution of land, and what are its consequences?³

This article is part of a themed forum on the consolidation of the “modern” state in Asia’s uplands, and its impact on these (formerly) marginal areas in an economic, social, and cultural sense. Several important studies have analyzed the dramatic transformations that are taking place in the uplands of Asia (Dove 1983; Scott 1998; Peluso and Vandergeest 2001; Murray Li 2005; Fox et al. 2009; Hall 2011). Generally, they see this as a process by which uplanders are giving up their former (by and large) economic autonomy to become subject, as producers and consumers, to a neoliberal market economy. In the process mobile communities became sedentary, administered, and integrated with majority religions such as Christianity and Buddhism. According to Scott (2009, 8), people such as the Garo uplanders have historically been evading the state. Since their territory falls within the confines of the Indian state, but in practice used to remain marginal to it, the state has taken extensive measures to integrate them into its modern administrative, political, and monetary structures in order to make the uplanders’ economic activities “legible,” “taxable,” and “assessable” (Scott 2009, 5). While Scott’s analysis emphasizes the agency, and indeed outright “territorializing” agenda, of the modern state, Tania Murray Li has identified much more elusive economic factors, the “rules of competition and profit,” as the drivers of change (Murray Li 2014, 4). In *Land’s End*, a longitudinal study of changing land relations within an upland community in northern Sulawesi (Indonesia), she argues that in the virtual absence of a modern state, the highlanders themselves were the ones who took the initiative to plant tree crops, which resulted in the privatization of land that had previously been held communally. The production of these crops (mostly clove and cacao) made them dependent on the fluctuating prices of the market. Moreover, rather than producing their own food, as they had earlier done, people now had to procure their daily food with the money they earned. Notably in this latter respect, their livelihoods became much less secure than they used to be, Murray Li argues (*ibid.*, 7–8).

In the Garo Hills, argues Bengt Karlsson (2011, 69), economic drivers are very important, but state policies have also played a significant role. Analyzing land relations from the perspective of political ecology, he shows how the Garo Hills stand out (as do some other upland areas of Northeast India) in contrast to many other parts of Asia for the ways that land is managed and owned by communities themselves. Nonetheless, community management does not appear to impede either the privatization of land or the subsequent increase in social inequality. The Garo Hills are governed by the Garo Hills Autonomous District Council under the Sixth schedule of the Indian constitution. While land cannot be sold to “outsiders” (i.e., non-Garo), this has not prevented its increasingly skewed distribution, with some Garo having large amounts of land at their disposal, while others lose access to land. This process of internal deprivation has its parallels elsewhere in India (Gadgil and Guha 1993, 159) and indeed throughout the uplands of Asia (Fox et al. 2009, 319; Murray Li 2014, 9).

In this article, I focus on the moral implications of changes in the utilization and accessibility of land. Previously, when the community religion prevailed, access

to land was regulated through political mechanisms that were anchored in religious practices. Once the community religion began to lose ground, as it has been gradually over the past hundred years, its stipulations regarding the usage of land have been challenged and often overruled. Former practices and conventions have not simply been abandoned, however, but continue to hold sway; influencing the ways people engage with neoliberal market forces and with the legal framework imposed by the Indian state. How is this reflected in the moral justification of rights and claims to land, and how are these a topic of contestation among the people concerned?⁴

OWNERSHIP AND AUTHORITY

When I started doing fieldwork in the Garo Hills of Northeast India, now more than fifteen years ago, my research focused on changing religious practices and what they revealed about the adaptation, reformulation, and hence “reworking” of cultural ideas in a rural community. I paid particular attention to people’s collective involvement with funerals, which are very important social events among the upland people of Northeast India (Pachau 2014). Along the way, I became acquainted with many other aspects of people’s lives as well.

Quite early in the fieldwork, not long after I had come to live in Sadolpara, the village from where I would do much of my research, one of my PhD supervisors, Willem van Schendel, came to see me. He happened to be in nearby Bangladesh and was traveling with a colleague, Mohammad Mahbubur (Mahbub) Rahman. Their visit gave me an opportunity to reflect on my research work and discuss my initial findings. On the morning of the second day, we went for a walk across the hilly land, which involved traversing various streams that had no bridges other than tree trunks that had been laid across them. I showed them some of the ways in which land was being utilized, including the highly risky “rat hole” coal mining that was common at the time (Das 2014, 82). At one point, Mahbub asked me rather casually: “So, who is the owner of this land?” The question, which was no doubt meant to be fairly straightforward, took me by surprise. As I tried to respond, I realized that the question begged more than one answer, depending on how “ownership” is defined, and how ownership aligns with different forms of usage. During the twenty months of fieldwork that followed, I gradually gained a clearer understanding of people’s relationship to land. In the course of successive follow-up visits over the past couple of years, each lasting several days or weeks, I have been able to observe further changes in the utilization of land over an extended period of time.

According to the Garo community religion the jungle is the domain of deities with whom people are obliged to engage if they want to work the land. This is the case for both agriculture and for the establishment of villages. In fact, all “life” takes place in the deities’ presence. Myths are narrated that describe the primordial existence of the deities and how people managed to establish themselves among them (de Maaker 2018, 36). Based upon the experiences of preceding generations, people know that specific parts of the jungle are the domain of particularly fierce

deities. This renders those areas of jungle effectively off-limits for cultivation. More generally, in accordance with the community religion, creating a field in the forest involves the request of an omen, which should inform the prospective cultivator what yield the deities will grant.

I accompanied a young man when he went to the place in the jungle where he intended to make his new field. In a small clearing at the center of the new field, he hammered an approximately two-foot-long stick into the earth. He split the top end of the stick open in an X and wedged a bundle of leaves between each of the splits. On top of the leaves he placed a few lumps of earth, and then recited: “This is to get rid of the ‘pollution’ (*marang*). I have seen the land. Give me a dream, show it to me in a dream! (*Ia marangna ia. Ha nia, jumangsi, jumang nik*).” The omen called for was indeed delivered in his dream, and proved favorable. All the subsequent sacrifices that the community religion stipulates must be conducted in a field also testify to the ubiquity of the deities, and to people’s dependency on them for a successful harvest. Hill rice is, as I have already mentioned, regarded as the offspring of a deity. According to some recitations, it derives from the “mother of rice, Rokkimi.”²⁵ Without delving much deeper into the worldview projected by the recitations and rituals of the community religion, it is sufficiently clear that the deities are considered the jungle’s primordial inhabitants. Given the prudence with which people are obliged to treat them, this translates into a certain kind of ownership. An omen may be primarily framed in religious terms, but requesting one also establishes a person’s claim to the right to use a field. In other words, claiming new swiddens draws on both, and perhaps equally, a religious and a social register.

The community religion continues to be practiced in a few parts of the Garo Hills, but it has lost its former preeminence. The area in which I did most of my fieldwork has many Christian converts, and, since it is most notably the youth who choose baptism, it is likely that some time in the near future the community religion will no longer be practiced in its present form. This has already happened in most parts of the Garo Hills, including all the towns, and most Garo Christians consider Christianity to be an integral trait of Garo ethnicity. However, as I have pointed out elsewhere, the “primordial” entities do not simply cease to exist for Garo Christians. Even though Christian pastors maintain that the deities are subjugated by Jesus and the Christian God, people continue to have doubts about the degree to which such control may be effective. These doubts notably surface in times of crises, for instance when an illness cannot be explained or cured without taking recourse to ideas located within the realm of the community religion (de Maaker 2013, 151).

Nevertheless, one important reason for converting to Christianity seems to be that people seek protection from the deities. In addition, conversion frees them from recurrent obligations to participate in the many invariably costly large-scale rituals demanded by the deities. Unsurprisingly, Christians are not supposed to make any sacrifices to the deities of the community religion. While there are no specific Christian rituals associated with swidden cultivation, Christians are expected to annually offer several kilograms of “wet” (paddy) rice to the church (most people cultivate a small patch of “wet” rice as well). For Christians, the

strong association of hill rice with the community religion renders it inappropriate as an offering to the church. Christian villagers describe their offering of rice to the church as a thanksgiving, which is in line with the Christian notions that the harvest is a gift from God, and that people are merely the custodians of the Earth. This suggests that, for Christians, primordial ownership of the land has shifted from the community religion's deities to the Christian God.

When the Garo Hills were incorporated into the colonial state, by the mid-nineteenth century, the region was granted a relatively high degree of autonomy. This enabled the preceding religio-political structure to be maintained to a considerable extent. The head of a village (*nokma*) gained his position of leadership by virtue of being the prime sacrificer to the deities, in which he represented the localized matrilineage that he had married into. This also made him, in name, the owner of the village's land. Since Garo are matrilineal, land titles as well as religious obligations rested de facto with the wife of the village head, who was the most senior person of her localized matrilineal group (Sangma 1981, 62). The right to land thus extended from the village head and his wife to the members of the localized matrilineal group of his wife. From the early twentieth century onward, village heads have been registered with the government. To this day, this registration requires the consent of at least the most senior members of the matrilineal group. It is also their responsibility to ensure, in time, that the village head and his wife are succeeded. In other words, the village head was (certainly historically) a *primus inter pares*, rather than an individual endowed with absolute personal political power. Nevertheless, the registration of the village heads with a local government body implied the gradual inclusion of what in pre-colonial times appear to have been autonomous villages into an overarching legal framework initially defined by the British Indian state and later by the Indian republic.

FROM TEMPORARY TO PERMANENT BOUNDARIES

As long as land is used for swidden cultivation, owning it does not directly translate into a usage right. Rather, anyone who resides in a village can make a swidden, and it is the responsibility of the village head to ensure that anyone who wants to make a field can obtain one. The location and size of new fields are decided in a meeting chaired by the village head. Such meetings are attended by men only and are followed by a visit to the proposed new fields, as well as the request for the omen described above. Even though no one told me so explicitly, the implication seems to be that the "wild" forest poses a danger to women. Presumably, this is because it is a place where the deities abound and where wild animals roam. Supposedly, clearing the jungle and making the obligatory sacrifices makes it safe for women and children. Even though the matrilineality of the Garo makes women the title holders of land, their absence at these meetings implies that, in practice, they have little or no say about the ways in which the land is used.

I attended several of these meetings concerning the allocation of new swiddens, which involved lengthy discussions about the pros and cons of various locations. The village head wanted people to make their new swiddens at a place that had not

been cultivated for a long time, since it would have good soil and enough space to accommodate everyone who wanted to make a field. Ideally, all the swiddens should cover a large contiguous area. If people cultivate together, it is easier to protect the fields against marauding elephants and other wild animals that will be attracted by the crops once they start bearing fruit. Moreover, at least historically, after abandoning the swiddens, entire stretches of forest would be able to recuperate, contributing to the sustainability of shifting cultivation.

However, in the first of several of the meetings that I attended, it soon transpired that the men who had gathered were not in agreement about the new location for their fields. Some argued that the location proposed by the village head was much too far from their homes (one and a half to two hours on foot), which was not feasible for them. Others did not like the quality of the land at the location, and yet others expressed hesitance because a lot of land at that particular location was known to be inhabited by fierce deities, which made it unattractive for cultivation. While the men talked about their new fields, they made reference to small streams, hill ridges, large trees, the remnants of paths, and large stones as boundary markers. Later on, when we went into the forest, the men easily identified these, most of which were barely visible to me.

In theory, I was told, the village head has the right and the responsibility to tell people where they should make their new fields. In practice, many of the men simply refused to follow his counsel, and in the end at least some of them decided to make fields at a place of their own choice. The land there was not owned by the village head but by a minor landowner. These minor landowners are recognized at the village level but are not registered with the government. The fields were made with the consent of this minor landowner, which was why the village head could not stop them. In the end, three meetings had to be held before the men reached some sort of a decision regarding what became the various locations of their new fields.

People almost never farm for a second time exactly the same fields that they have cultivated during a previous cultivation cycle. Several years pass by between cycles of cultivation, and even though people know which plots they have cultivated before, the former layout can never be duplicated. Some people will want to cultivate less than on the previous occasion, while others need more land. New families may have emerged, while others no longer participate. The size of the plots requested is supposed to be self-regulatory. People should not claim more land than they can work. That would result in a field becoming overgrown by weeds, which is said to be shameful for the person responsible. Earlier, and to some degree still, the size of the fields was determined with reference to the labor that was available to a family, and, linked to that, the number of people who depended on its harvest. These days, however, villagers who have a cash income can take on more land than they can work themselves and pay their fellow villagers to work their fields as day laborers. This practice is becoming increasingly common, and, according to my observations, it contributes to the growth of economic inequality within a village. After all, on the days that someone works the field of someone else as a day laborer, they contribute to the profit made by the family that employs

them. But on those days they cannot tend to their own fields, which is likely to reduce their own yield.

Landowners do have a first right to choose new fields, followed by their closest matrilineal kin. But landowners never receive payments or tithes of any sort, since cultivating swidden is simply regarded as a right that applies to all the residents of a village. At one time during my fieldwork, a family from the minority Hajong community was living in the village and were looking after the cattle of many of the villagers. I was assured that the Hajong family also had the right to make a swidden, even though they could not trace kin ties to any of the landowning matrilineages of the village.

Once a new field has been claimed, the land is cleared of all vegetation except the largest trees. For several weeks, the branches of trees and shrubs are left to dry. Often, a significant amount of the wood is sold as firewood. Albeit profitable in the short run, this removes much of the organic matter from the fields, which in the long term has a negative effect on the soil's fertility. By the end of the dry and hot season (end of March), when the first rains of the monsoon have fallen, the dried brushwood is burned. On the following day, the practitioners of the community religion provide a sacrificial meal to some of the deities in the field. That morning, everyone who is cultivating a new field (including the Christians) uses logs to demarcate its boundaries wherever they do not follow clearly visible features of the landscape. Robbins Burling mentions that it is a taboo for anyone to move such a field boundary; people told him that anyone who does so would be blinded, presumably by the deities (Burling 1997, 33).

From what I have described it becomes clear that in the context of swidden cultivation, land usage depends on claims that people advance vis-à-vis the deities and vis-à-vis their fellow villagers. Land use does not depend on fixed ownership titles. When it comes to making swidden, the relationship between land ownership and land usage is not clear-cut. Claims to the right to use land are temporary and situational. Who is able to cultivate which field depends more on the relationship of a household toward the village head and other landowners, and on the strategic alliances that can be forged with other households, than on any form of hereditary or fixed rights.

As mentioned, the last two or three decades have seen people increasingly planting their swiddens with saplings of trees such as cashew and areca nut. After cultivating a field as a swidden for one or two years they then do not release it but sustain the claim that they hold toward it. Areca nuts (also known as betel nuts) tend to fetch a good price, and in that respect they are a reliable crop. The nuts are sold to middlemen and make their way to factories where they are processed into spicy or sweet "mouth fresheners," some of which also have chewing tobacco, which are very popular as a stimulant throughout India. It takes approximately seven to eight years for the trees to start yielding, but once they do so the production can continue for twenty years or more, during which the trees require very little maintenance apart from regularly clearing their undergrowth. A couple of years ago, a disease spread in Garo Hills that resulted in the death of quite a few areca nut trees, but somehow the effects of that have not been as devastating as earlier predicted. Cashew trees have also become popular, notably since cashew nuts have also fetched

a good price over the years. These nuts are also sold to middlemen, who resell them to factories that process the nuts. So far, year after year the area covered by areca and cashew nut groves in Garo Hills is expanding. Although government programs have at times stimulated the creation of orchards, this transformation is primarily the result of choices made by the villagers, comparable to the way in which cocoa and cloves became dominant cash crops in Central Sulawesi (Murray Li 2014, 32).

As swidden agriculture is gradually replaced by orchards, land is occupied permanently. Consequently, the nature of field boundaries also changes: while these were earlier only temporary boundaries, they are now permanent. When the trees planted to create an orchard are still young, they are prone to being eaten by foraging cows and goats, which customarily roam around freely during the dry months. People who can afford to, therefore, protect their saplings by erecting barbed wire fencing, which also serves to physically set their plot apart. Thus, changes in land usage result in formerly temporary field boundaries becoming fixed physical objects, which limit people's access to what is still—in principle—communal land.

STATE EXPANSION

Prior to its inclusion within the colonial state, the Garo Hills region seems to have been populated by more or less autonomous villages. Conflicts between villages occurred frequently, leading to strategic alliances that were created by leaders who proved themselves at competitive feasting events (Sangma 1981, 65). Even though overarching political structures existed, the Garo were certainly not enmeshed in a formal legal framework that included impersonal rules of law (Marak 1995, 61). In that respect they seem to have fit the bill of the archetypical “self-governing” uplanders portrayed by James Scott (2009, 3). “Legality” was rooted, it seems likely, in customary principles formulated by socially and politically influential people. These principles continue to be of great importance, if only because all arrangements with respect to marriage, divorce, and inheritance are subject to them. Rather than fixed “laws,” these principles provide guidelines for interaction. Whenever a serious conflict occurs, a meeting is called in order to settle it, at which senior kinsmen and, to a lesser extent, women, voice the principles that they consider relevant. Given the oral transmission of these principles, they allow much more potential for interpretation than do the written and codified laws of a modern state.

Customary principles derive their authority from being voiced by senior kinsmen and women, whose knowledge is said to have been passed down from “grandmothers’ and grandfathers’ time” (*atchu-ambini somoi*). As such, these principles have been proven by time, and they are not only the assertions of the people who voice them but also reflect the wisdom of the ancestors. As well as being socially approved, customary principles are upheld by sanctions administered by the community religion. For instance, when someone acts against such a principle, their conduct is likely to be denounced as *asi-namja*. Such a transgression is said to trigger the risk of “supernatural” sanctions such as being bitten by a snake or another dangerous animal. Etymologically, people told me, the expression refers to two

siblings, named Asi and Malja. Story has it that the pair went to their swidden on a day that was, according to custom, not allowed, and harvested certain crops before the obligatory first fruits had been offered to the deities. As a result, Asi was killed by a tiger, and Malja was “taken” by a water spirit (*Asiko matchaa chikka, Maljako buga ra’á*), both of which are equivalent to deities in this context. In other words, their transgression was met by a sanction from the realm of the “supernatural.” The expression *asi-namja* is also used by Christians, indicating that quite apart from literal meanings, all customary principles are backed up by cosmological sanctions.

The incorporation of the Garo Hills into the modern state began in the mid-nineteenth century, when the region became part of British India. This resulted in its gradual subjugation to the laws of that state, a process that continued after India attained independence. In the Garo Hills, the creation of maps that fixed the boundaries between villages played an important role in this process. Karlsson (2011, 137) shows that this mapping appears to have been sparked by a “peasant” rebellion that was staged in the early twentieth century. At the time, Sonaram Sangma (nowadays recognized as one of the first political leaders of the Garo) headed a movement to resist the classification of particular parts of the Garo Hills as forest reserves, that is, land for which the colonial state claimed an exclusive right to timber. This implied the expropriation of this land from the villages that had used it before, on the basis that much of it was “wasteland” (Saikia 2011, 36). Obviously, such claims failed to take account of low frequency use for shifting cultivation, the use of the forest for hunting, as well as entire villages relocating from time to time, as is common among shifting cultivators. The colonial authorities repressed the rebellion led by Sonaram Sangma, and he himself was jailed for being a “troublemaker.” But the events did result in efforts to identify which land belonged to villages, and which did not, and ultimately led to the mapping of village boundaries. This did not involve a survey of the surface of the land itself, which was apparently not feasible with the limited technical means available at the time. The mapping of village boundaries as it was conducted in the Garo Hills is, to my knowledge, relatively exceptional. The colonial government did not do so for the adjacent lowlands of Mymensingh, in which the Garo were also in majority (Hossain and Sultana 2006, 144; Bal 2007, 13). And neither has such a survey been conducted in, for example, the Chittagong Hill Tracts, which has as of late significantly weakened the position of the upland population vis-à-vis Bengali settlers (Adnan and Dastidar 2011, 37). I have heard that similar mapping was undertaken in central India, but I am not aware of any cases elsewhere in the Northeastern region, or in the adjacent hills of Bangladesh and Burma.

The mapping of village boundaries also involved the registration of landowners in a register maintained by a dedicated government body: the Garo Hills Autonomous District Council. This served to extend state legislature to the village level, altering the political balance within villages. Village heads, whose authority had formerly depended solely on the support they could rally from their kinsmen, was now legitimized by state recognition. The land titles of minor landowners, however, were not generally entered into the District Council’s register. These minor title holders simply do not exist as far as the District Council, and thus the state

legislature, is concerned. That these “minor” landowners continue to be acknowledged at the local level (at least in the village where I conducted fieldwork), while lacking “formal” legal backing, creates the potential for serious conflicts about land ownership. In Sadolpara, minor landowners’ lack of legal recognition is already a major source of conflict, which deeply divides the village community.

Registration with the District Council has granted village heads with a right to the land that is much more individualized than traditional management practices warrant. In other words, even if custom dictates that a village head should not take any decisions without the consent and support of at least his wife’s most senior relatives and in-laws, state law allows him to do so (Sangma 2009, 55). Obviously, this has provided village heads with a great deal of power vis-à-vis their close kin and in-laws. It also allows for all sorts of power play among members of a village head’s matrilineal kin group. By imposing its legislature, the state has come to pose as a new ultimate owner, alongside, but also transcending, the deities of the community religion and the Christian God. Failure to act in accordance with the laws of the state is not punished by the deities but by the court of the District Council and can result in fines or imprisonment.

Some village heads have used, and abused, the power endowed upon them by the District Council. While a village head is not entitled to sell land, he may designate it as a permanent long-term lease. A village head can issue what is called a “No Objection Certificate,” with which a lessee can request the District Council to convert the leased land into *patta*. A *patta* is registered at the District Council and its holder taxed annually. The right to a *patta* can be sold, and it can also serve as a deposit for a loan. The creation of *patta* thus individualizes the control of land, alienating it from the management of the larger village collective, even if the *patta* itself is located on land that formally continues to be owned by a village head. For instance, when the North Eastern Hill University (NEHU) decided to create a new campus in the Garo Hills, it bought a total of six hundred acres of land from the heads of three villages (Fernandes et al. 2016, 47). Even though the price paid per acre was nominal, a large amount of money was involved, which the village heads apparently did not share with their fellow villagers but kept for themselves. One of the village heads became a coal trader, while another simply invested his share of the money. The third, however, lost a significant amount of his share of the money to one of the many insurgent groups that are active in the Garo Hills, which extorted him when they came to know about the transaction. The person who was in charge of the negotiations on behalf of NEHU told me that it had taken a long time to convince the village heads of the deal, and that they had only conceded when the university agreed to provide a number of jobs as caretakers and so on to the villagers affected. The point is that even though the village heads did try to seek compensation for the people who lost access to land as a result of the transactions, according to the applicable property laws they could keep the money gained for themselves, since they are the titular owners of the land and were the only individuals empowered to issue “No Objection Certificates” in relation to it. In other words, the registration of rights to land with the village heads has empowered them to take decisions that may at times go against the interests of the

wider kin group that they are supposed to represent, and to whom—historically at least—the land titles seem to have extended.

Within villages, the creation of orchards induces the privatization of land on an even larger scale. When people do not release a field once they have cultivated it as a swidden but instead transform it into an orchard for cashew trees or areca nut palms, they effectively make an indefinite claim on that land. People who hold such a claim (which nearly everyone in Sadolpara does these days) can try to turn their orchard plot into *patta*. In Sadolpara, Christian families have usually been among the first to request *patta*. Many Christians can at least basically read and write, and due to that, more than Songsareks, they have been able to take advantage of the opportunities that holding *patta* offers, such as taking on an agricultural loan. Christian families, I was repeatedly told, had more opportunities to save money, since they could not and needed not participate in the costly redistributive celebrations called for by the community religion.

Formally, a holder of *patta* has the right to sell it (the *patta*, not the land), but in rural West Garo Hills this as of today does not mean that he or she can sell it to anyone who would be legally qualified to buy it. As I understand it, any sale of *patta* does need to take the interests of fellow villagers into account, even if this is not stipulated legally. Not to do so would be regarded as antisocial behavior on behalf of a person who attempted such a sale, to the detriment of his or her social relationships with kin and other fellow villagers. During my fieldwork, one man earned himself a particularly bad reputation when he tried to sell a stretch of *patta* without informing his wife or her close matrilineal relatives. The *patta* had been registered in his name, which seems to be common practice for the District Council, perhaps illustrative of the patriarchal approach to gender so characteristic for government in much of South Asia. Yet even if the man was legally entitled to conduct the sale of the *patta*, the fact that he had attempted to do so without the consent of his wife and close matrilineal relatives was regarded as unscrupulous antisocial behavior and resulted in his no longer feeling welcome in the village. As is clear from this example, there is a growing tension between the collective claims and usage of land by villagers, the capacity of the village head to grant *patta*, and the “private” rights that holding *patta* entitles households to.

ETHNICIZED POLITICS

The penetration of state-backed interpretations of ownership and usage also has consequences at a higher level of scale. Garo Hills is part of the Indian state of Meghalaya, which was created in 1972 as a federal state with a “tribal” majority. In India, “tribe” is an administrative and sociological category that almost unavoidably adheres to stereotypical understandings of human evolution. Communities labeled as tribal are from such an evolutionary perspective “‘juveniles’ of the evolving human society,” and they are characterized by “technology, material culture, ideology, beliefs and practices” that are regarded “simple and direct” (Srivastava 2008, 31). In Meghalaya, institutionalized privileges are held by Khasi, Jaintia, and Garo, “tribal” communities that by law qualify as “indigenous” to the state

(Haokip 2013, 304). The benefits are substantial and encompass reserved government jobs, relief from income tax, and preferential access to schools and colleges, as well as the obligatory inclusion of a significant number of “tribal” representatives in legislative councils such as the state parliament. The latter is particularly important, since it implies control over the disbursement of state funding, including finances for substantial developmental efforts aimed at the rural areas. Considering that Meghalaya has a predominantly rural economy, such funding (most of which derives from India’s central government) is an important resource, and control of its disbursement translates directly into political influence. Consequently, the ethnicization of the state government and its administrative bodies has been conducive to the development of a political atmosphere in which the struggle over state resources is primarily fought on ethnic grounds (Rycroft and Dasgupta 2011, 8).

The Garo Hills region has been reaping the sour fruits of this conflation of ethnicity and politics, with political groups asserting their ethnic belonging to demand rights and resources that they simultaneously deny to people belonging to other ethnicities. In this respect, Garo Hills is far from exceptional within India. The premium placed by the Indian state on “tribal” belonging (in the guise of preferential discrimination) has imbued the label with such significance that it has become highly beneficial for political actors to position themselves ideologically within its confines (Middleton 2013, 13). In the Garo Hills, one of the more extreme spin-offs of this has been the emergence of numerous insurgent groups; currently more than a dozen. Some of these have made (and continue to make) much more extensive and explicit political demands than others, but ultimately they all call for the creation of a Garo homeland, or a “separate state” (which would, nonetheless, remain within the Indian federation). Even though many Garo seem sympathetic to this cause, which has also been formulated as a demand by some of the mainstream political parties (Khan 2014), that does not necessarily translate into direct support for the insurgent groups. While some people regard the groups’ members as opportunists who present themselves in politically fashionable terms in order to make “easy money,” at the same time most people are reluctant to completely denounce the armed insurgents’ principles.

The ethnicization of politics has also affected the borders between states within the Indian federation. The boundary of the state of Meghalaya, which did not exist before 1972, has become a significant political issue. In neighboring Assam, Garo do not enjoy the same benefits as the Garo who live within the state of Meghalaya.⁶ Some political activists therefore propose that “Garo majority” parts of Assam should be included within Meghalaya, so that Assamese Garo may gain the same treatment. Political groups that claim to represent the Rabha community, which resides in the same contested area, dispute this Garo claim. Political conflict has ensued, which turns ugly every now and then, as in November 2013 when six Rabha were killed by members of an insurgent group known as the Garo National Liberation Army (*The Indian Express* 2013).

To complicate matters, the Garo Hills region is also located at the border with Bangladesh. This border, which came into being with the partition of British India in 1947, constitutes a rather artificial boundary between the Garo Hills and the

adjacent plains of Bengal. The proximity to the border has proven advantageous to the insurgent groups, enabling them to seek refuge from the Indian security forces on Bangladeshi soil (van Schendel 2005, 281). Due to its location at the periphery of Indian territory, the Indian state has made particular efforts to ensure Garo Hills' administrative and political consolidation. This has resulted in a wide range of measures aimed to promote development in the uplands, many of which have been inclined to discourage cultivators from shifting cultivation, and thereby indirectly fostered the privatization of land.

The most significant way in which the insurgent groups manifest themselves is by levying "tax" (or extorting money) from non-Garo persons living in the hills. However, this "tax" is also demanded from affluent Garo who are seen to profit from the current situation. These latter Garo, almost without exception, derive their wealth from the influential positions that they hold in the state administration, and their consequent personal involvement with the disbursement of funds. Meghalaya continues to top corruption rankings in India, at least in popular perception, which has an enormously disruptive impact on both the people who are believed to profit from it and those who cannot (Mawrie 2016; *The Times of India* 2014; *The Shillong Times* 2014). Considering that the insurgent movements direct their efforts not only against ethnic "outsiders" but also at affluent Garo, their emergence can perhaps also be understood as a reaction to the growing inequality within the Garo community. The privatization of village land deprives people of an asset that was previously commonly shared: the right to create swidden. Access to this asset had to be negotiated with the deities. The village head made sacrifices to them, on behalf of (and supported by) the entire village, which provided him with the legitimacy to be regarded as its (titular) owner. Particularly for people who have received a couple of years of schooling, swidden agriculture is no longer regarded as an attractive occupation. Nor is much regret expressed about the decline of the community religion, although the latter has significantly reduced the redistribution of wealth through competitive feasting. State funding, which comes from the central government, and which Garo themselves do not contribute toward insofar as they do not pay income tax, is also regarded as a kind of common good. It should therefore perhaps not come as a surprise that those who are involved in the insurgent movements are often those who have been excluded from lucrative access to the state, and therefore target, among others, those who do enjoy such access. In other words, the fact that the erstwhile right to shared assets is no longer upheld may arguably lend a rather inarticulate sense of legitimacy to the extortion of those within the home community who are seen to monopolize those assets.

CONCLUSION: THE CHANGING MORALITY OF OWNING AND SHARING

In this article I have shown that the process by which Garo uplanders' land is being transformed from a collectively managed asset into private property is driven by various factors. The state has not forced villagers to privatize communally held land, but it has endowed the heads of villages with personal ownership rights, dispensed funding for the development of sedentary forms of land usage, and fos-

tered the emergence of an elite that utilizes state funding for the advancement of political projects. In the political discourse that is characteristic for the region, the state (often seen to be embodied by the security forces) easily appears in opposition to “local” ethnic political actors. Yet, as I have shown, in Northeast India the state has become deeply engrained within local political and social constellations.

As I have shown, the imposition of state-led notions of legality, and their adaptation to local contexts, has far-reaching consequences for the people concerned. State laws do not so much replace customary arrangements as transform them. The people who, in their daily lives, encounter these laws (as well as the development projects imposed, the offices created, and the types of knowledge generated) are not just passive recipients. Rather, they actively acquire what comes their way, interpreting laws, policies, ideas, and knowledge within the context of their own everyday social relationships. At the same time, this input transforms the people addressed, challenging them to redefine themselves and their experiences of the world around them.

The state imposition and legalization of village boundaries has had consequences for the local political structure, having made the authority of a village head more dependent on external legality than on the consensus of the people among whom he lives. More entrepreneurial villagers soon discovered how the state legislature could allow them to gain permanent control over large portions of land, at the cost of those who did not have the economic leverage required for such acquisitions. The adoption of these permanent boundaries has thus transformed the kinds of social relationships that are maintained within a village. More or less simultaneously, the adoption of Christianity has reduced the need to engage in redistributive ritual, thereby facilitating, allowing, and justifying the accumulation of wealth by individual households. Transformations in the legal and political parameters that defined people’s lives have thus stimulated changes in cosmology and outlook, and vice versa.

The turn toward Christianity has provided people with a certain degree of protection against the whims of the community religion’s deities, while at the same time allowing them to cease practicing the many costly redistributive rituals called for by the community religion. I have not come across any evidence that missionaries ever explicitly promoted the household as a property-owning unit, yet this has been an outcome of the adoption of Christianity. It involved not so much an act of overt persuasion but rather what Jean Comaroff and John Comaroff have subtly described as the gradual “internalization of a set of values, as an ineffable manner of seeing and being” (Comaroff and Comaroff 1986, 2). As a consequence, conversion to Christianity has allowed households to amass wealth, and in Sadolpara most of the wealthier villagers were Christians. The developmental efforts of the Indian state, which, among other consequences, have led to the construction of roads, have encouraged villagers to increasingly participate in the market economy. With a growing need for cash, people have become more inclined to cultivate cash crops, which—for those who are able to make orchards—makes them less economically dependent on shifting cultivation.

This movement away from shifting cultivation became possible because people abandoned the community religion. By becoming Christians, the ultimate own-

ership of land shifted from nature toward the Christian God. And, when people began to identify themselves as citizens of the Indian state, the legislature of which could defend their property rights, it can be argued that by extension the state became an absolute owner as well. At the same time, by adopting Christianity, people at least theoretically gained the option to stop cultivating their swiddens. While the decline of the community religion has thus, in a way, “freed” people from their traditional obligations, Christianity has defined new modalities of sharing, in which redistributive feasting has not been entirely abandoned but no doubt occurs less frequently than previously. Former cosmological sanctions may not have much credibility for people who have distanced themselves from the community religion, yet the social taboo on what is considered antisocial behavior remains, as is evident from the example given in the fourth section of this article. Some economic transactions may be upheld and endorsed by the laws of the state, yet still be considered socially unacceptable. What degree of sharing is compulsory, and what can be avoided, depends on social consensus, embedded and anchored as it is within cosmological values. Those who engage with neoliberal markets are faced with the challenge of how to strive for a reasonable profit without being perceived as egocentric or greedy. The latter could come at the cost of damaging the very social relationships that are central to Garo sociality.

AUTHOR

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NOTES

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2. I use the term “community religion” to refer to the complex of practices, ideas, and myths that make up the religious epistemology that was dominant prior to the widespread Christian conversions among the Garo. I use “community religion” rather than “religion” (or “Garo religion”) to avoid the suggestion that these practices and ideas have been codified to the degree of religions that are organized hierarchically, base their teachings on texts, and employ professionals such as priests, pastors, or muezzins.

3. This article draws on research that I have conducted in Northeast India from 1999 onward. Substantial data was collected in the early 2000s, when I lived for nearly two years in the

Garó Hills while I conducted my PhD research. Some of the material has been referred to previously in the book chapter “On the Nature of Indigenous Land, Ownership, Access, and Farming in Upland Northeast India” (de Maaker 2018).

4. I am grateful for the valuable comments made on an earlier version of this article by the two anonymous reviewers for Asian Ethnology as well as for the comments and suggestions that I received from Deborah Tooker, the co-editor of this themed forum. I would also like to acknowledge Pip Hare, who edited this article for English.

5. Derived from a recitation at Jamegapa by Jiji M. Sangma, September 2, 2000.

6. In Assam, the Garó have been categorized as a Scheduled Tribe since 2002, which does not, however, result in the same benefits as apply to Garó residents of the state of Meghalaya (Khan 2014).

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