

Khasi Adoption and Guardianship

Adoption

The Khasi notion is that on the birth of a child a *mihpli* (representative) comes into being, and thus he (the child) succeeds to the properties of his parents and the existence of the family continues.¹

Further, Khasis reckon the *jait* from the mother. The children belong to the mother, the mother to her mother and so on, tracing descent to the primeval ancestress of the *jait* known as *Ka lawbei*. Thus, from the ancient mother or ancestress a large number of wombs (*kpoh*) and families came into being. The *jait* Diengdoh, whether they are known as Diengdoh-bah or Diengdoh-kylla or Diengdoh-shngainlang, descended from the common ancestress and that *jait* Diengdoh can never be extinct as long as there is a female descendant. Even in the case of extinction of one of the *kpoh* or family, some one of that *jait* is taken to the extinct house or family.² This is known amongst Khasis, as adoption. According to the Khasi notion, a daughter is necessary to house a family, not only to continue the lineage but also to offer oblations to the ancestors. The person adopted gets all the privileges of a natural born daughter. Certain ceremonies are necessary for the adoption.

Requirements of a valid adoption

The person adopting should be lawfully capable of taking in adoption. A male having no female in his family may take the daughter of his *jait* to come and live with him in his family. The person giving in adoption must also belong to the same *jait* and lawfully capable of giving. The person adopted must be of the same *jait* and capable of being adopted.

1. Khongphai. *Principles of Khasi Law* 51 (1974)

2. *Id.* at 51-52

Consequences of adoption

On a valid adoption, the adopted girl is transferred from her natural family into the adoptive family, and, in that family, gets the status of a daughter and all rights and duties from the date of adoption. She will generally lose her rights, including the right of inheritance, in her natural family. But adoption does not sever the tie of blood between the adoptee and the members of her natural family, and any property vested in the adopted daughter by inheritance, gift or otherwise, before her adoption cannot be divested.

It is essential that the mother should hand over her daughter to the adoptive mother, who should receive her.³ No particular form is prescribed for this ceremony.

Rap-iing

According to Gurdon, both Khasis and Pnars observe a custom known as '*rap iing*' (an abbreviation for *ia rap iing*, literally, to help the house). This is practically adoption. If, in a family the female members have died out, the male members of the family are allowed by custom to call (*khot*) a girl from some other family of the same *jait* to act as *ka rap-iing*, and to perform the family religious ceremonies, and therefore to inherit the family ancestral properties. The female so introduced into the family then takes her place as *ka khun khadduh*, or youngest daughter, and becomes the keeper of the house (*ka trai iing*). "The adoption of a female obviates the family dying out (*iap duh*), which to the Khasis is a very serious matter, inasmuch as there will then be no one qualified to place the bones of its members within the family tomb (*kaba thep shyieng mawbah*), and to perform the requisite funeral ceremonies"⁴.

Ceremonies

Amongst the Khasis, no particular ceremonies are performed at the time of adoption; but some of the Pnars observe a religious ceremony which consists largely of a feast to the clans-folk, at which liquor, rice, dried fish and ginger are partaken of. Before the feast commences, each clansman is provided with a small *gourd* (*u klong*) filled with liquor; a little of the latter is then thrown on the ground from the *gourd*, and prayer is recited that God will bless the *pynrop iing* ceremony to be propitious, and that males and females (of the clan) increase in numbers so that the clan may become great and respected, and that intelligent male and female members may spring up.⁵

3. *Ibid*

4. Gurdon, cited by Khongphai, *ibid*.

5. *Id.* at 53-54.

In the case of a family being *iap duh* (extinct), which is very rare (owing to *rap iing*) family property, according to Khasi custom, passes to the *syiem*. Therefore it is in the interest of the members of the family to adopt a female, when such a necessity arises.⁶

Kohngphai refers to an interesting instance of adoption. Ka Sontila Synrem married an Englishman, Richard Nathaniel Highmore, but had no issue. Both of them took in adoption Ka Bressi Synrem, aged about ten years, being the eldest daughter of Ka Kwentila Synrem, the younger sister of the adoptive mother. Ka Kwentila (the natural mother of Ka Bressi) had got one son and three daughters and, after having taken into full consideration the benefit and welfare of her eldest daughter and without payment of any consideration or reward, she allowed her eldest daughter to be adopted by her sister and brother-in-law, who are in England. There was a deed of adoption to that effect in March, 1968.⁷

Guardianship

As regards guardianship, the parents are the natural guardians of the children, but, in matrilineal societies, the mother has a preferential right. The custom that children belong to the mother has been given judicial recognition—as would appear from the decisions rendered by the District Council Court every year on petitions for guardianship certificate. After the mother, the nearest female relative, with whom relationship is derived through the mother, becomes the guardian—such as the sister, mother's mother and other *kurs*.

6. *Ibid.*

7. *Ibid.*