Land, Personhood, and Sorcery in a Sinhalese Village

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This paper is about people, land, and land disputes in a Sinhalese village in the Western Province of Sri Lanka. Specifically, the paper addresses the problem of what land disputes are about. I intend to demonstrate that land disputes are about social relationships, and that who owns what piece of land is only a way of talking about the social relationship. In order to demonstrate my hypothesis data on land tenure and land disputes will be presented and then subjected to a cultural analysis. What is at issue is the meaning, culturally defined, of land, of persons, and of the relationship between them. We shall look at the Sinhalese definition both of personhood and of land, and then data will be presented on two land disputes and examined in the light of the notion of personhood.

Some recent developments in cultural anthropology (see Geertz 1966, Guemple 1974, and Schneider 1968, for example) have indicated that the concept of the person is a key explanatory variable in sociocultural analysis. In keeping with this orientation I shall treat "the person" as a conceptual construct distinct from the individual on-the-ground.2

The person is defined in Sinhalese peasant society with reference to two imageless abstractions, namely "whole" and "part", on the basis of which it is possible to distinguish two categories of persons: "whole persons" and "part persons". In the idiom of the village community, a whole person is designated as a "citizen" of the village, and the part person as an "outsider". Each kind of person enjoys a particular kind of kinship status and a particular set of rights, duties and privileges in relation to land.

A dispute over land represents the claim of a part person for the rights of

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1 I conducted the research, on which this paper is based, during the year 1971-72 while I was attached to the academic staff of the University of Sri Lanka, Peradeniya. The data were originally collected for a doctoral dissertation. I owe thanks to several colleagues: Gananath Obeyesekere, then Chairman of the Department of Sociology at Peradeniya, for his helpful comments during my period of research, Simon Ottenberg for his useful insights, and Michael Lieber for the encouragement given in adopting the theoretical orientation I have used here, and for help in preparing this paper for publication.

2 Schneider (1973) makes a like distinction between "the kinsman as person" and "the person as kinsman".
a whole person. The claim for equal land rights, regardless of the status differences between citizens and outsiders, is validated by a legal tradition and legal institutions brought into existence as a result of colonial rule. The law is egalitarian and contractual in nature, and all persons are existentially equal and are identical before the law. Thus, two conflicting definitions of the person—one within, and the other outside the village—need to be taken into consideration.

The emphasis on the cultural (conceptual) framework within which disputes are contained is a departure from previous studies of land disputes in Sinhalese peasant society. In particular, this paper takes issue with the conclusions arrived at by Leach in his study of a peasant community in another part of the island: “In the end, it seemed to me that all the complicated arguments about... kinship status amounted to a way of talking about a quarrel over land and water” (1968:310). In Leach’s view, land and water are simply material resources (i.e., objects), and disputes over them reflect the primacy of “economic” over ideological factors.

The position taken in this paper is that land is principally a set of relations which define the rights, duties and privileges between persons with respect to the soil. Land, as a concept distinct from the soil, also serves in disputes as a vehicle through which individuals convey important meanings to one another.

Some aspects of disputes indicate that more than simple “economic” concerns are at issue. For instance, most disputes are conducted at the expense of considerable amounts of time, money and labor, which more often than not, exceed the material (cash) value of the land. Two factors underlie this apparent economic irrationality. One is that villagers regard land as having a kind of durability and permanence which is not shared by goods such as cash, houses, and garden trees. Informants would state, for example, that “land would continue to exist as long as the planet earth exists.” Any investment in land is, thus, a relatively safe and enduring one. Secondly, the continuity of land also stands for the continuity of the person and kinship; thus, land, kinship, time and person are inextricably intertwined to form a single relational scheme.

The relationship between disputes and the scheme of relations defining the person is also reflected in the fact that disputes vary significantly in content and outcome according to the categories of person involved. Whereas disputes among citizens are usually settled within a framework of amity and consensus, disputes between citizens and outsiders invariably end up in courts of law and/or tend to remain unsettled for relatively long periods.3

A critical difference between the two types of disputes is the occurrence of sorcery accusations and suspicions when the dispute involves citizens and out-

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3 The focus of a dispute is a plot of land, and the dispute will involve more than one individual or household. Out of a total of 9 plots, over which disputes have taken place within the last 25 years, 6 plots involved citizens and outsiders; the remainder were concerning citizens. Five out of the 6 “disputes” between citizens and outsiders were taken to court for settlement, out of which 2 have been settled. Again, out of these 6 disputes, 4 contained sorcery accusations or suspicions of sorcery; in 2 there was physical violence, as well.