CHAPTER - I
THEORETICAL BACKGROUND

Law in the society:

Society is not a system of the conformists' actions alone; it embodies the deviants' acts, too. There are both conformists and deviants in a society. Society, through its various agencies, directs the individuals' behaviours, actions and interactions towards the normal pattern of its system. That is to say, society always tries to control and/or to delimit the oddity of deviance occurring in it. The social control is those processes, planned or unplanned, by which individuals are taught, persuaded, or compelled to conform to the usages and life-values of groups (Josep S. Roucek, 1947, p. 3). This control is "to bring about conformity, solidarity and continuity of a particular group or society" (Kimball Young, 1942, p. 894). The society, in order to achieve the purpose, exercises upon the individual members; and its various agencies and institutions are, directly or indirectly, exerting pressures on the members. Some of the institutions simply describe the propriety of individual behaviours while some others compel the individuals thereto. Some of them have mild social sanction and others are coercive in nature. Of the various agents of social control in both
modern and archaic societies, law is one of the most effective agents.

The conspicuous role of law in society is given due recognition in social sciences and as such many modern sociologists and social anthropologists, in particular, have divested much of their interest in the study of law in relation to society in the specialized areas of their discipline, viz., sociology of law/legal anthropology. There are various views on the definition of law when it is conceived in the context of a particular society. Thus, John Austin, distinguishing law ('positive law') from divine law and from rules or custom, expresses that law is simply commands of sovereign. He further argues: "if a determinate human superior, not in the habit of obedience to a like superior, receives habitual obedience from the bulk of a given society, that determinate superior is sovereign in that society and the society (including the sovereign) is a society political and independent" (Austin, 1873). Austin's view cannot be generalized because of its own limitations. All laws are not commands of the sovereign. Certain laws are developed because of certain needs and for general convenience. Laws of contract, of torts are not commands in the real sense of the term. In Raj Kapoor's case (AIR, 1980 ICSS 43), Krishna Iyer, J holds the opinion that 'law in the sense of command to do or not
to do, must be a reflection of the community's cultural norms, not the state's regimentation of aesthetic expression or artistic creation. That is to say, unlike Austin's external command, law is internalized in the community's way of life.

In almost similar fashion, Donald Black (1976) observes that the law is "governmental social control" (ibid., p.2). Again, social control means the social rules and processes which try to encourage good or useful conduct or discourages bad conduct. His definition gives overemphasis on the criminal justice and is limited to governmental social control. Law is, no doubt, an essential part of social control both in civil and criminal proceedings. It is wide enough to enclose the governmental regulations and other social norms. Of course the government is involved in every business of legal enforcement in the modern advanced states. But it is not the only entity playing this game (Lawrence M. Friedman, 1984, p. 20).

The nature of law in the pre-literate, non-western societies was studied by several social anthropologists of whose Malinowski (1926), Schapera (1957), Gluckman (1955), Hoebel (1954), Radcliffe-Brown (1952), Pospisil (1958) may be mentioned. Bohannan (1965) sees law as "doubly institu-
tionalized", as that "body of binding obligations .... which has been reinstitutionalized within the legal institution". Pospisil (1958) defines law as "rules or modes of conduct made obligatory by some sanction which is imposed and enforced for their violation by a controlling authority". Bohannan, then, emphasises legal institutions, whereas Pospisil, the potential sanctions emanating from a controlling authority (Sally Falk Moore, 1978, p. 221). These definitions again give much emphasis on the social bases of law; it may be well-marked that their studies were mainly of pre-literate legal systems.

Any society is possible because of its stable or pre-determined pattern of human actions and interactions. One who is in the society is expected to behave in certain prescribed manners. The expectation is channelled in the society through social norms. These norms may be negative which are poscriptive or positive which are prescriptive in nature. The negative norm is to control human conduct to act in certain manner; for example, one is expected not to trespass other's person and property. The positive norm is to encourage human action in prescribed manner; for example, one has to pay taxes regularly. Through normativeness, we derive a double meaning from reality: the factual order of what is and the normative order of what
ought to be. The human being is born into a society organized on the basis of norms, backed up by sanctions punishments and/or rewards of various kinds and degrees. A value system, the set of themes around which norms are patterned, unifies the members of viable groups through general agreement that certain things and behaviours are desirable, admirable, proper, moral or legitimate and that other things and behaviours are unwanted, despicable, unbecoming, immoral, or illegitimate (Elmer H. Johnson, 1978, p. 89). The legal order, according to Max Weber (1954), is "oriented towards determinable maxims". An order will be called law when conformity with it is upheld by the probability that deviant action will be met by physical or psychic sanctions aimed to compel conformity or to punish disobedience, and applied by a group of men especially empowered to carry out function (Weber, 1947, p. 127). The difficulty, under Weberian definition, concerns the question of what is for these maxims to be "regarded ... as in some way obligatory or exemplary" and how this notion is to be applied in concrete situation (George C. Christie, 1982, p. 82). The definition is similar to the view that "the maxims or norms of the legal order are not very binding at all, that they are little more than the topoi or commonplace seats of argument recognized by students of informal argumentation since the days of Aristotle (ibid.)."
Law, however, is, in the light of the above analysis, certain rules as to human conduct in the social system, that are socially sanctioned. Eugene Ehrlich (1936) expresses that "At present as well as at any other time, the center of gravity of legal development lies not in legislation, nor in juristic science nor in judicial decision, but in society itself". In his work, he shows that the norms and/or customary law observed by the family, commercial institution and religious bodies are of substantial importance in determining people's behaviour and in fact in determining the 'living law'. The 'living law' dominates life even though it has not been posited in legal proposition". Though the codified laws are good source of information, the real law in function should be studied through the direct observation of commerce, customs, usages and all associations, including what the law has overlooked and passed by. "To attempt to imprison the law of a time or of a people within the sections of a code is about as reasonable as to attempt to confine a stream within a pond". Water in a pond is a stagnant pool, not a living stream (ibid., p. 488, 493). "Ehrlich would extend the boundaries of the law beyond the province of the state and would include the ordering of behaviour, as carried out now as well as in the past, within families, religious organizations, corporations, labor unions, and other elements of
the social structure" (Johnson, op. cit., p. 40; see also, Roger Cotterrell, 1984, p. 33-4).

Discussing Professor L.I. Petrojitsky's and other psychological studies of law, Pitirim Sorokin (1928) narrates: "Law is neither 'official nor state orders' which are only a variety of the more general phenomena of law; nor are they the obligatory rules of conduct enacted by the state officials because a state and the state authorities presuppose the existence of law without which their very existence would be impossible or unlawful." "Psychologically law-experience is composed of a specific emotion, which is simultaneously passive and active, and of an idea of certain patterns of action (rules and conduct). This latter element consists of the idea of (a) a subject who is entitled to be given what he has a right to demand; (b) of the subject of an obligation who is obliged or bound to do his duty; (c) of the idea what is to be done by the subject of the right; and (d) what, by the subject of the obligation; plus several other 'ideational images'" (p. 701). Law is imperative, attributive psychical experience, composed of specific emotion plus an idea of a certain pattern of the behaviour of the subjects of right and obligation.
Law, in the present line of thinking, is not a mere statute (as perceived by layers) but a social entity that exists in the society and functioning therein. It is well integrated with other sub-systems of the society. A statute or any provision of an Act is not law unless it is socially recognize and it is internalized in the common psychic life. This is why both the statutes and the customary laws are equally weighted in the societies. Both the kinds of law exert pressure on human behaviour, interaction so that he/she will act in the larger ego-alter expectation system.

In modern Manipur, as being a state of India, there are various statutes amounting to law, some of which originate from the state legislature and others from the parliament. But law or living law at the societal level is not far away from its customary law. In both the civil and the criminal matters, both the state-law and customary law co-efficiently operate as in the other cases of the third world countries. There is, however, a conflict between the two legal systems, of course. Statutes are taken to be superior in the state justice system; customary laws also occupy superior position in shaping human action and conduct in the society. To be brief, there is a plurality of law in Manipur. The term 'legal pluralism' refers to a situation
in which two or more laws interact (Hooker, 1975, p.6). Unlike the legal pluralism in most Asian countries, the present day legal pluralism in Manipur is not a matter of duality of the imposed law and the customary law/native law. It is a matter of experience of a society in transition by which, the traditional customary law co-exists with the new national laws to be shared by the said society as an integral part of the nation. Manipuri society changes from feudal (or feudal-like) structure to modern democratic structure; such a change necessitates establishment of creative mutual adjustment between the indigenous legal system and the legal system of the new national life. Thus, a kind of legal pluralism is involved in the social life of Manipur today. Conflict of laws is inevitable in such a situation, in one form or other. In Manipuri society, customary laws extend upto criminal proceedings in certain cases and adjudication is still carried out accordingly. The state-law, no doubt, supercedes the customary law but there is still the psychological attachment of the Manipuris to their customary laws. The tribal Manipuris are also faced with the same problem of this kind of legal pluralism on their own right; they are discrete ethnic entities and as such they, too, possess their respective customary laws. Their conducts and actions are still shaped by these laws. The Meitei popular saying Leirak Ama Seihek Ama (literally meaning, 'one lane, one song') poin-
ting to the existence of different norms, laws and values for different peoples/groups would reflect this experience of legal life.

The interaction between statutory laws and customary laws in the non-tribal Manipuri (i.e., the society of the Meitei who are the major population of the state) society arrains a new equilibrium so that the conflict in between them has been minimized. This equilibrium does not, however, mean complete loss of either of the two legal sub-systems. The civil and criminal proceedings involving high penalty, fine have come over under the jurisdiction of the statutory laws. The minor issues are still within the ambit of the customary laws. In the criminal aspects, the offences relating to marriage, sex, petty theft are governed by the customary laws and the major offences such as homicide, large scale theft, etc. go under the purview of the statutory laws. The retaining of minor offences in the customary laws are encouraged by the slow and long procedures of the state judicial institutions. This apparent polarization of the two legal systems, at the same time assumes a relationship of continuity because in many cases after the judgement by the customary laws the people move, on the ground of dissatisfaction with this judgement, for better judgement of the state judicial institutions.
In the tribal areas of Manipur, the customary laws get the upper hand till now. Including the cases of homicide, almost all the offences are taken up within the ambit of customary laws. For instance, in Maram Khullen, a tribal village in the north of the state, most of the legal actions and decisions are taken up on the basis of their customary laws; people are expected to follow these rules and deviance from these is treated accordingly. Of course, it is so partly because of the state's failure of enforcing statutory law there and partly because of their psychological attachment to their traditional rules and regulations. State's law enforcers seldom deal with them, except the Army personnel who chase the outlawed underground activists. Similar is the case with the contexts of the other tribal populations of this state in this regard.

It is evident from this general scene that in tribal Manipur the equilibrium of the legal pluralism is less achieved.

The Crime: an area of confusion in Legal Pluralism:

If we define crime from the lawyers' point of view, it is very simple. Penal codes provide a list of acts/omissions and/or behaviours which are illegal and criminals. To be identified as a crime, an act must legally be forbi-
dden (Gibbons, 1973, p.21). Every crime has certain common elements, viz., (i) harm to certain person(s)/group(s); (ii) forbidding law (iii) mens rea (iv) actus reus (v) prescribed punishment. The plurality in law, in certain newly emerged sovereign countries, creates at least sociological confusion in dealing the term 'crime'. The second element i.e. forbidding law is not limited to the statutes or enacted laws; it also covers the customary laws in force. And legal conflict arising out of misunderstanding the above fact is noticed in many countries as in Burma during British period (U Hla Aung in Bauxbaum, 1968, pp. 67-88), or Malay society (Minattur, ibid., pp. 17-39). Such conflicts of legal pluralism in the British, French, Dutch colonies and in the USSR are reported by M.B. Hooker (1975). Max Rheinstein, in his "Problems of law in the new nations of Africa" (in Clifford Geertz, 1963) discusses the problems of legal pluralism and its emerging trend and direction in newly independent African states.

Many crimes listed in the Penal codes are acts which shock the conscience (Friedman, 1984, p. 155). Such shock is not because of the fact that it is crime, rather, it is crime because it shocks the conscience. Crime, thus, consists of an act that offends certain very strong collective sentiments (Durkheim reproduced in Cozer, et. al., 1976, p.
Such collective sentiments are protected by the penal laws existing in the society. Section 509 of the Indian Penal Code takes 'eve-teasing' as an offence because it strikes the Hindu concept of modesty. In Manipuri society, however, eve-teasing is a part of the local socialization system and a means of acquiring mate. The dispute arising from eve-teasing is taken to be an infra-legal case. No Manipuri is expected to take up on such infra-legal disputes.

The 'collective sentiment' varies from society to society. This makes the concept of crime differing from one society to another. There is, of course, certain common offences, such as murder, in all societies but the degree of criminality thereupon varies again. Thus to define crime one should consider the act/omission and/or behaviour in relation to the particular society.

Crime is an acute form of social deviance which means disgressing from what is considered normal (Rao, 1983). The deviance is an act which contravines and/or breaks the existing social standards. The standard may be of belief, institution, norm, value etc. In order to amount to a crime, the deviant act should be departed from the legal standard, not from others including moral
codes. It is hard, however, to distinguish an act of immorality from a crime. We can take the duty-right relation in considering an act as a crime or one of immorality. There is no imposition on moral duty but there is imposition on legal duty failing which it is liable to punishment. Refusing a beggar giving rice is immoral but not a crime. Rape, however, is taken to be both immoral and criminal. Moral codes essentially do not have legal sanction. But there is a close link between the two. In many cases, morality is accounted in the enforcement of laws. The penal laws, in many cases, have their roots in the moral codes of the society. The traditional attitude of the common law has been that crimes are essentially immoral acts, inviting a punishment (Smith and Hogan, 1983, pp. 4-7). In brief, it can be said that a moral code can only be enforced/justified only when it has a legal sanction and the latter is subject to the general recognition of the society.

The acts of omission and/or behaviour that will be called crime should be a public wrong. Crime is so because "it consists in wrong-doing which directly and in serious degree threatens the security or well-being of the society, and because it is not safe to leave it redressable only by compensation of the party injured" (Sir Carleton Allen, discussed in Smith and Hogan, 1983). The view tells us of
"ought to be criminal rather than what is criminal" (ibid., p. 18). To Smith and Hogan, crimes are wrongs which the judges have held, or Parliament has from time to time laid down, and are sufficiently injurious to the public to warrant the application of criminal procedure to deal with them. However, in a situation of pluralism, the determination of public wrong cannot be monopolized by the Parliament or any state legislature. The public wrong can be determined by the statutes as well as by the uncodified customary laws (together of which constitute the living law). Crime is a public wrong, determined by the existing legal norms whose violation causes the wrong and the penalty is incurred thereby. Thus a crime is (a) a harm - public in nature, determined by (b) the mores and/or social institution which are internalized as the living laws, and (c) the harm should possess mens rea or criminal intention and (d) actus reus or the actual commission of the act/omission of which there is (e) a prescribed punishment sprung from legitimate authority.

Gender and Crime:

Criminal and judicial statistics are frequently studied in order to see whether changes are taking place in the crime pattern and judiciary system (Nigel Walker, 1971,
These statistics cannot tell about the gender-criminality relationship. Crime index is the number of incidence per thousand population at a given time period. This index cannot explain anything about female criminality. Various authors (Dorie Klein, 1973; Rital James Simon, 1975; Frada Adler, 1975; Otto Pollack, 1950; etc.) deny the crime index as an explanation to the female criminality. These authors expressed various views on the issue—effect of women emancipation on crime, social role on crime rate and many other related aspects. Professor Otto Pollack (1950) has shown that statistics are most unreliable so far as giving an adequate index of female crime is concerned. The low frequency of female criminal, according to him, is because of the fact that their crimes are less frequently reported. 

"Pollack points out that the women's public image as homemaker, child rearer, nurse, mistress and other related roles puts her in good position to commit and screen her crimes from public view. Female criminality is largely masked criminality, as women use deceit and indirectness in committing their offences. The real measure of female criminality must be sought from unofficial sources" (as discussed in Vedder and Somerville, 1970, pp. 44-5).

Barnes and Teeters (1959) also reject the idea of less criminality among females. They, in spite of the statistics
of crime, do not believe the thesis without empirical evidence, "Women are protected in a male-dominated world and are traditionally relegated to the role of homemaker and bearer of children, far from the competition of the marketplace. One could adduce many reasons why women appear to be less criminal than men" (p.62). Women generally do not like to be socially disapproved and therefore tend to observe the prevailing mores to a greater extent than do males.

The lower rate of female criminal (reported and/or convicted in lawyers' term) cannot be shown in terms of numerical strength. This is partly because of insulation of the female sex from the criminal law; partly because of their social image in a given society. Penal laws take action on the female offenders leniently; petty crimes such as theft of low-cost-articles, committed by women do not come in the purview of law in the sense that such acts are pardoned by the aggrieved party. Such infra-legal action is because of (a) protection of women in male-dominated social system (b) inferior social image of female in the male-oriented socio-cultural system (c) consideration of female offenders as a result of the failure of males in the performance of their instrumental roles. Manipuri women play the instrumental roles, to a certain degree, of small scale trade and commerce, agriculture; but their position
in the family, kinship and society is lower because of the fact that they need husbands' consent to their instrumental roles. However, at the macro-level, Manipuri women play instrumental roles equally as men do.

Various authors, so far, place the female offenders as a victim of the broken family or psychological disorder. For example, the works on prostitution described them as "women who have failed to mature into proper adult women (i.e., 'sick' women), as lesbians (i.e., 'ill') and the victims of broken homes (i.e. not responsible). None of the commentators has treated women who sell their bodies as rationally economic women, although virgins who preserve their maidenhood for marriage are seen as behaving 'normally', 'responsibly' and with maturity" (Sara Delamont, 1980, p. 122). The female offenders have their own motivation and their acts are voluntary as other social actions. The study of crime at the axis of women should not escape its task to examine the persons and their action in a mere pretext of 'illness' or 'sickness'. While studying the crime committed by women, the women should be taken to be a rational being capable of their own voluntary actions having their own need-disposition axes. They are perfect social actors occupying distinct statuses in the larger social system.
Identification of the problem of the study:

It is often asked if a woman is born to be dominated. Various answers are made at different levels, viz., biological, sociological, psychological, feministic levels. The biological basis of sex-differences takes into account the differences found in non-socialized, newly born infants and certain biological criteria, such as hormones, growth etc., to explain the adult sex roles. Lionel Tiger and Robin Fox (1972), basing it on the hormone level, try to explain the gender roles. To them, men are more aggressive and dominant and its root is genetically grounded. Smith and Berman (1973) show that the vital capacity of the lungs is increasing rapidly between the ages of the thirteen and nineteen. Male superiority over female is reported by Maccoby and Jacklin (1974), too. They say that males dominate in speed and coordination of body movements; but females are experts in tests involving finger dexterity. Taking into consideration the biological differences, G.P. Murdock (1949) holds the idea of sexual division of labour. Men's strength and women's capacity to pregnancy, according to him, are basic foundations of adult social roles based on difference of sex.
Turning the card of 'weaker sex', Robert Bierstedt (in Bierstedt et. al, 1964, p. 157) says "some basic biological inequity exists between the sexes and that no matter what the cultural arrangements may be, males are more susceptible to disease and early death than females."

But, the question of male-female dichotomy cannot be explained only at the biological level. The biological phenomenon is interlinked with the socio-cultural system and man is not only a biological being but also a social being. This leads to the next question as to how far socio-cultural system moulds mankind to differentiate male and female in the society. And another challenging question that arises, after observing inadequacy of biological explanation, is of the psychological dichotomy of man and woman. Is woman psychologically passive? Prior to the sociological discussion, the psychological explanations given by Sigmund Freud (1856-1939), Lawrence Kohlberg and social learning theorists may necessarily be examined in brief.

In his psychoanalytic theory, Sigmund Freud focussed on three principal erogenous zones - the mouth, the anus and the genitals. It is these zones where excitatory processes take place and tensions can be removed by some action such as stroking or sucking. His idea of woman is shown
while discussing the phallic stage (which follows that oral stage and the anal stage). Prior to it, both boys' and girls' love-object was mother. But at this stage, at about four or five years of age, the boy gets his genital pleasure with the mother and he likes his mother for himself. He starts to masturbate from this stage. This stage leads to the oedipal phase where he loves his mother and competes with his father. The masturbating boy while perceiving his sister as being castrated develops a sense of castration anxiety. The threat of castration to the boy seems to originate from his father.

To a girl, while at the phallic stage she starts masturbation with her clitoris (Freud, 1933, p. 118). When she sees her brother's penis, she perceives herself as being castrated. This develops a sense of penis envy. 'Thus the little girl's recognition of the anatomical distinction between the sexes forces her away from masculinity and masculine masturbation on to new lines which lead to the development of feminity' (Freud, 1959, p. 194). According to Freud, females have two sexual organs - the clitoris (equivalent to penis) and the vagina. The 'new line' leads the woman to the perception of vagina as the primary sex-organ. Now the woman equates penis with child and she likes, being driven by the penis envy, to have a child (which is the substitute of the male penis) by her father.
Thus she develops the electra complex in her relation to the opposite-sex parent. Thus the passive and dependent nature of the woman is explained by Freud in the terms of libido.

Another psychological explanation comes from the cognitive-developmental theory. Lawrence Kohlberg maintains that during the first two years of age a child begins to perceive the concrete objects. It differentiates the objects from their attributes on the basis of the bodily differences. Towards the end of the second year, it learns the 'gender label' and at the third year it labels gender to others on superficial characteristics. Children of four to five take the gender to be changeable along with other aspects of body. To them all the species are changeable. Once the child realizes that the gender is unchangeable, it develops the 'gender identity', with the identity it likes to do his respective things. The male/female things are determined by sexual stereotypes. At about six or seven a girl learns that once a girl always a girl. "The stereotype of masculine aggressiveness has a body-image basis because it is linked to the child's belief that males are physically more powerful and more invulnerable than females" (Kohlberg, 1966, p. 101). Kohlberg further says that the stereotypes of aggression derive "not only from body
concepts, but also from highly visible differences in extra-familial roles" (ibid.). Such roles show male activities involving violence and danger.

The female body-image is around nurturance and child care. "The girl's sex-role identification is based on identification with the complementary (father) role than is the boys. While the boy defines his masculinity in terms of competitive achievement and acceptance in male groups (i.e., being "one of the boys"), the girl defines her feminity in terms of male acceptance and approval" (ibid., p. 163). This is because of the fact that"... power and prestige appear as one major attribute of children's sex-role stereotypes, aggression and exposure to danger as another major attribute and nurturance and child care as a third. Associated with the recognition of child care as a reminine function is the differentiation of maternal, inside-the-home functions from paternal, outside-the-home functions" (ibid., p. 99).

The third psychological explanation is obtained from the social learning theorists. A child learns the things on reward and punishment and to develop a "habit hierarchy" through reinforcement (Bandura and Watters, 1963, p. 21). This is not limited to the childhood, the adults are also
behaving according to the basic principle of reinforcement. This 'reinforcement history' of each individual determines how he acts. W. Mischel, however, does not reject the role of the cognitive processes. "Men and women, as well as boys and girls, do think. They experience wishes, fears, and hopes; and even dreams. The present social-learning view does not deny such intra-psychic activities" (1966, p. 62). The thinking is an area of 'higher-order conditioning' derived from the relatively simple responses.

With higher-order conditioning, our thoughts, feelings and anticipations are developed. While encountering different persons, certain labels are attached to them. Even our own behaviours are evaluated in terms of these labels. This is, again, higher-order conditioning that develops the sex differences and the labels serve as cognitive mediation that links between the previous experience of certain behaviour and future performance.

The gender-label is one of such cognitive mediators. This predicts the person on the probable outcome of his action. The cause i.e. the previous experience, is still reinforcement contingencies. Thus, to Mischel, "... the child's behaviours and values are determined not by his social-learning history" (ibid., p. 63). A girl observes
the behaviours of both parents and then follows their behaviours according to her own reinforcement contingencies. Her behaviour is more similar to her mother since they are subject to female reward patterns. She will be punished for the acts that resemble those of her brother and father.

Taking cross-cultural comparison, Margaret Mead explores the present problem. She studied three societies of Arapesh, Mundugamor and Tchambuli. In Arapesh, the individuals are peaceful, co-operative, responsive to the needs of others and passive in most social relationships. This is common to both men and women. Maternal attitude is observed among men as their wives are very young and he is responsible to rear his bride. Except a few males who are trained, all other males are not aggressive. Thus Arapesh males and females fall under the western concept of female role.

The picture of the Mundugamor is just opposite to that of the Arapesh. The ideal character of both sexes is violent, competitive, vengeful, jealous. Pregnancy is usually unwanted. Family hostility is very common. Men often seek another wife while the first wife prepares for birth. The child is not attended. This shows the western concept of masculine in both Mundugamor males and females.
The Tchambuli women more or less resemble western men. They are expected to be competent household heads, practically, they control home and real estate, though some patrilineal practices are noticed. Men, on the other hand, spend much time in artistic endeavors. They are passive and dependent upon females. Tchambuli man is the westerners' stereotype woman.

From these three tribes, Mead (1935) concludes that sex roles are determined by the existing culture. "If those temperamental attitudes which we have traditionally regarded as feminene - such as passivity, responsiveness, and willingness to cherish children - can so easily be set up as the masculine pattern in one tribe, and in another be outlawed for the majority of women as well as for the majority of men, we no longer have any basis for regarding such aspects of behaviour as sex-linked ... Standardized personality differences between the sexes are of this order, cultural creations to which each generation, male and female, is trained to conform" (pp. 259-60).

Now it should be held as a truism that the definition of 'woman' is something more than one based on sex. A female human is not a single attribute of womanhood; certain socio-cultural attributes intrinsically are assigned with it in
addition of sex. Hence, in as much as society and culture varies in space and time, the term 'woman' has different connotations in different societies. As a corollary there- of, the social images and roles of women are accordingly assigned and the social expectation on the women's actions are, therefore, determined by the overall social and cultural system.

It is evident from the above ideas that man-woman relations cannot naively be generalized at the global level. Broadly speaking, the woman in matriarchal societies has different social position from her sisters in patriarchal societies. There are regional/local variations in these two types of society. The movement of women is much restricted in the patriarchal tradition with a negative sanction rooted in myth, norms and values; however, the matriarchal societies allow women to go more or less freely within their respective social space; and this tradition has been therein since long. Thus, the concept of 'dominion' at the sex level is vague.

The deviant acts of women are also related, though negatively, to the overall picture of social and cultural system. Thus a study of female criminality should be attempted in the light of functioning of the total system.
Such a study will be meaningless if it takes women in isolation from the specific contexts of social and cultural systems in which they live. She is also a part of the given society. Her crimes cannot be explained on the global perspective only on the radical feminists' slogan of 'male-domination'. The female criminality in the Euro-American societies could perhaps be attributed to the question of male-domination ideology of such societies. Yet such correlation can, in no case, be universalized, especially in the contexts of matriarchal societies. It finds its roots in the strains in the structure of social action and social conditions within a system. A crime is a social action which is generated as and when it per se corresponds to the inherent inconsistencies of the system as well as its inverterable movements over time.

Thus a study of crime in general and of female criminality in particular cannot be based on the crime index of a particular society. In many nation-states, women are protected because of their roles of wives and mother. Moreover, the systemic anomie that generates the criminality cannot be revealed by the statistical numbers of crime occurrence. The present study will look into the total system, both its internal and external dynamism, to locate the systemic inconsistency that leads to the women's crime.
The Manipuri woman has two social images - (i) the warm, tender, affectionate being, (ii) the destroyer, tabooed, dirty being. These images motivate women differently in different social situations. The women's action is expected not only in kitchen but also in many extra-familial situations.

**Theory:**

Talcott Parsons, in his *The Structure Of Social Action*, takes human being capable of making choices of courses of his own action. An action involves (1) actors who are capable of making voluntary striving; they are not mere persons who respond to external conditions (2) goals which one strives for (3) the choices between alternative means (4) situational constrains coming from both biological and environmental conditions which set bounds to the selection of means and the accomplishment of ends; and (5) sets of norms and values that channelise the actors' choices of both means and ends. Later, he (1949, p. 229) notes that "The structure of social system cannot be derived directly from the actor-situation frame of reference. It requires functional analysis of the complications introduced by the interaction of a plurality of actors". The foundation of social system (or of one of its sub-systems)
is the actor (ego) who is motivated to play roles expected by others (alters) in the network of social interactions.

For the social interactions, the individuals internalize the social values and norms. Again they are assigned their corresponding roles. In a stable system, the role-partners are expected to perform their respective roles. So, ego looks the alters for their roles and vice-versa. Thus, the social system is integrated with the cultural system as well as personality system. The process of internalization of social object is to make human being 'being human' in society.

Discussing Talcott Parsons in his *The Structure Of Sociological Theory* (1978), J.H. Turner notes that the former takes "institutionalization as both a process and a structure" (p. 47). Taking the same as process, it "can be typified in this way: (1) Actors who are variously oriented enter into situations where they must interact. (2) The way actors are oriented is a reflection of their need structure and how this need structure has been altered by the internalization of cultural patterns. (3) Through specific interaction processes, which are not clearly indicated, but which by implication include role taking, role bargaining, and exchange, norms emerge as actors adjust
their orientations of each other. (4) Such norms emerge as a way of adjusting the orientations of actors to each other, but, at the same time, they are circumscribed by general cultural patterns. (5) In turn, these norms regulate subsequent interaction, giving it stability. It is through such a process that institutionalized patterns are created, maintained and altered" (p.47).

The social system, on the other hand, is integrated with the personality system. Such an integration is done with the mechanism of socialization and of social control. These mechanisms mould the personality structure in consistent with the structure of social system. Socialization enables the individuals to internalize the cultural patterns such as values, beliefs, language into the personality structure and to deposit the motivational energy in roles. This canalizes the individual motives so that there shall be a stable interpersonal tie. Again, it washes out the strain, anxiety and tension, arisen out of the functioning of social interaction.

The personality, to Sigmund Freud and his followers, has three major systems, viz., Id, Ego and Superego. The Id is the most primitive part of the personality. It is present in the pre-socialized individuals and consists of
the basic biological impulses (drives). It operates on the pleasure principle. The Ego is the part corresponding to the perceived self, the controlling self that holds back the impulsiveness of the Id in the effort to delay gratification until it can be found in socially approved ways. The Ego is converted from the Id on the reality principle by its proximity to the outer world. It functions (a) to satisfy the needs, (b) to adjust the Id to the demands of reality, (c) to enforce repression and (d) to coordinate the antagonistic strivings of the Id and the Superego. The Superego is the conscience, controlling through moral scruples rather than by way of social expediency. It is an uncompromising and punishing conscience. The Superego is the internalized representation of the values and morals as taught to the child. The relationship of these three systems may be represented by the following diagram:

**GENERAL BIOLOGICAL ENERGY:**

<table>
<thead>
<tr>
<th>I - Eros/Life drives</th>
<th>II - Thanatos/Death Drives</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Libido impulses</td>
<td>(B) Ego impulses</td>
</tr>
<tr>
<td>Guided by pleasure principle</td>
<td>By Reality principle</td>
</tr>
<tr>
<td></td>
<td>By Nirvana Principle</td>
</tr>
</tbody>
</table>

Death and Aggression impulses
Expressed by self love, love of others, uninhibited pursuit of pleasure

By satisfying needs of the body in a socially approved manner, use of sublimation and repression

By destructiveness towards others and toward self

Located in unconscious

In conscious and unconscious

In Unconscious

Repressed by Id

By Ego and Superego

By Id

James D. Page (1947, p. 179) expresses "Ego impulses play an insignificant role in Freudian psychoanalytic theory ... Major importance, however, is attached to the sex and aggression". Psychoanalysts recognize three stages of psychosexual development of an individual, viz., infantile sexuality, latent period and genital stages. The infantile sexuality stage is further divided into three phases - oral, anal and phallic phases.

The oral phase lasts upto first year of age. The erogenous zone is the mouth. The phase consists of sucking and biting phases. The erotic pleasure in this autoerotic period is derived from the sucking, swallowing and biting movements of the mouth organs. The most essential feature of it is the attachments to one or a class of 'social objects'. The mother is the prototype in such a way that ego's para-
mount gratification interests are 'fused' in their relation to the social object (See Parsons et.al. 1956, p. 43).

At the anal phase which expands from one to four years of age, the former stabilith is upset. Now the erotogenic zone shifts to the anus. The satisfactions are associated with his toilet habits. The movement of bowel is the prime source of pleasure that consists in handling the experience. The child becomes conscious of himself as an independent individual. He/she becomes to develop a sense of narcissism. It is, again, in this phase that the child is imposed of autonomous self-control. The pleasure principle begins to be controlled by the growing reality principle i.e., the Id begins to be checked by the Ego. His relation to his mother is beginning to be differentiated with a more autonomous role. This situation leads to a shifting from 'oral dependency' to 'love dependency'. This is the first love-object or object-attachment in the Freudian concept. Still the mother is the prototype object. Here his role is specialized in the expressive rather than the instrumental direction. Here, Parsons (1956, p. 69) says, "Precisely because of his inferior power position the child, if he is to develop an autonomous role," must do so. The mother controls all the external situations in this two-member system. So, this phase is marked by the primary positive
source of frustration because of the child's demands for autonomous performance.

As the child enters the phallic phase beginning from four and lasting up to six years of age, the practice of masturbation starts. The libido is localized in the genital organs. The presence of penis is taken by a boy as possession of superior equipment. But observing the girl around him penisless, the boy fears of being castrated and thus develops the castration anxiety. On the other hand, the girl takes herself as being castrated and a sense of penis envy is developed. She stops masturbating because she perceives female masturbation is, like her organ, of second-rate. This leads her to turn away from her mother out of shame, anger and disappointed. Her anger to mother is for giving her birth without any penis. To substitute the castrated penis, she likes to have baby from her father. Thus the Electra Complex is developed. On the other hand, the boy identifies himself with his father and likes to attach to his mother. His libido object shifts from self to mother and develops the Oedipus Complex. "For Freud, the Oedipal transition is of paramount importance in the socialization of the child, as it is the primary renunciation of libidinal gratification and, therefore, a major step toward the management of reality"
(Murphy, 1971, p. 70). Moreover, in this phase, the Ego shall be differentiated from two-unit personality structure to four-unit structure. The instrumental-expressive dimension shall be bifurcated.

The father, in the Oedipal phase, is functionally equivalent to the mother in pre-oedipal phase. The love-categorization is divided into two parental objects - mother and father. Based on this fact, Parsons (1956, p. 83) argues "the differentiation of personality by sex does not involve a difference by presence or absence of certain critical motivational factors, but a difference in the organization what are qualitatively the same factors or types of units".

At the end of the phase, the child relinquishes all infantile sexuality. The Ego is well established now. At about six years of age up to twelve starts the latent stage. Emphasis is given on the intellectual growth and social and moral development. Genital stage follows from twelve onwards.

The overall process can be summarized. "The individual, viewed as an organism in an environment, is originally just biological instincts seeking satisfaction (Id); but it soon learns from parental reactions that not all instincts
are readily satisfied and that some, apparently, are not to be satisfied at all. Thus there is gradually imprinted in the individual's unconscious representation of socio-cultural norms (Superego) which function as a kind of conscience (Censor). Through a process known as sublimation, the instinctual desires are expressed in ways which authority-figures (parents and 'parent substitutes') approve, and thus the chaos of instincts gradually are organized into an Ego. The mature Ego, then, depends among other things, upon a more or less successful integration of instinctual urges and societal sanctions" (Byrne and Maziarz, 1969, p. 247).

The motivational force of many human behaviours is, according to Freud, the conflict between the Id and the restraining influences of the Ego and the Superego. The desires of the Id, being a powerful force, must be expressed in a way or other. So an individual of strong urge to do something which is liable to invite punishment is developed by the Ego. One may express it in some disguised form. For instance, the aggressive impulses may be displaced in the form of games and sports in order to avoid condemnation by the Superego.

Another mechanism of reducing anxiety is repression. In Freudian terms, it reduces the anxiety in such a way
that the conscious impulses are pushed to the unconscious. Unconscious is a storehouse of impulses, passions and inaccessible memories. This method of reducing anxiety is otherwise termed as defence mechanism. Anxiety is a signal which warns the Ego of impending danger and mobilizes its defensive apparatus. The repression is caused by the internalization of the values and morals of the society (i.e. the Superego) which are taught to the child. Such internalization is effected on the parents' reward and punishment.

The Freudian structural components of personality are examined by Talcott Parsons (1956) in the action frame of reference. For Parsons, the Id centers in the nurturance need-disposition. This motivational sub-system has direct genetic relation to pre-socialized organic needs and to earlier stages of personality development. The Superego comes to the conformity-need-disposition. Its association with father-object is clearly in the Freudian line. The Ego is the autonomy-need-disposition. Its reality principle belongs to the adequacy-need-disposition. Internally the security-need-disposition relates to the "integrating function in personality itself as a system". The insecurity is the source of Ego-anxiety. Externally, however, it the affiliative-need-disposition, the focus of which is attachments and loyalties (See Parsons and Bales, 1956, pp.84-86).
Thus Parsons delibidinized Freud’s Psychoanalysis.

"This can be seen in the intellectual process by which Parsons translates the dark and ranging thrusts of the Id into the sociable, amiable and warm qualities of 'affect', a word with all the semantic connections of 'affection', 'affable' and even 'affectation'" (Murphy, 1971, p. 73-4).

Returning to our main line of discussion on the integration of social system to the personality system, it should be pointed out that the mechanism of social control cannot be neglected. This mechanism stands to organize the status and role in the social system in order to reduce the strain and deviance. The strain provokes four main types of reaction (a) anxiety (b) fantasy (c) hostility and (d) defensive measures. Thus, the strain, if not controlled, will either eventuate in deviant motivation or a secondary strain may be introduced into the system by the pressure on it of the established deviant motivation (Parsons, 1951, p. 298). There are numerous specific control mechanisms including (a) institutionalization which makes role expectations clear and unambiguous while segregating in time and space contradictory expectations; (b) inter-personal sanctions and gestures which actors subtly employ to mutually
sanction conformity; (c) ritual activities, in which actors act out symbolically source of strain that could prove disruptive, and which at the same time reinforce dominant cultural patterns; (d) safety-valve structures, in which pervasive 'deviant' propensities are segregated in time and space from 'normal' institutional patterns; (e) reintegration structures, which are specifically charged with coping with and bringing back into line deviant tendencies; and finally, (f) the institutionalization into some sectors of a system which has the capacity to use force and coercion (Turner, 1978, p. 50).

From this it is obvious that the two mechanisms of socialization and of social control are directly concerned with the requisite of integration. This is the function of the social system. In the Parsonian scheme, there are four system requisites, viz. latency, integration, goal-attainment and adaptation. Latency concerns with pattern maintenance and tension. The pattern maintenance deals with the problem of how to insure the actors in the social system display the right characteristics (motives, needs, role-playing, skills etc.). The tension management is to deal with the internal tensions and strains of the actors in the social system. The latency, in broader action system, is the functional requisite of cultural system. Integration
is to coordinate and maintain viable interrelationship among units and is the function of social system in broader action system. Goal attainment deals with the establishment of priorities of system goals and with mobilization of resources for their attainment. This is performed by personality system. Adaptation involves the problem of securing from the environment sufficient facilities and then distributing these facilities throughout the system. This is of organismic system. The action system has these four functional requisites and is denoted by L I G A (Latency-Integration-Goal-attainment-Adaptation). Each of these subsystems also has L I G A.

The above structure of social action is of stable system. But no socialization and social control are perfect and hence deviance and social change are inevitable in the functioning of the system. The deviance in general is often discussed in the sociological literature. "Sociologists approach the task of explaining crime and delinquency by asking three kinds of questions" (Cohen and Short, Jr. in Merton and Nisbet, 1961, p. 67): The first question is a psychological one. "Why did this individual commit this crime?" The second question is one of macrosociology. "What are the properties of social system - their organization, their cultures, their technologies, their economies

The proposed thesis studies the crimes committed by women in Manipur society in the light of the action framework in order to explain the crimes at the macrosociological level. Here a crime is taken as a social deviance from the legal norms, not from the moral standard or any other norms. The deviance may be, again, looked at as a unit act: positive action or negative act like refrain from doing certain actions. So we can safely say that a crime is a negative act of deviance from the existing legal norms. The legal norm should, on the other hand, be the real existing law
which what Eugen Ehrlich (1962) termed 'living law'. The living law exerts pressure on all sorts of human behaviour in every element of the social structure. So, while studying the crimes, we should not forget to consider different living laws found in the contexts of societies having legal pluralism. The plurality of law defines crime differently or punishes criminals differently. An act of crime in a law may not be a crime under certain living laws or the act may be taken to be petty in a legal norm while another takes the same as felony.

Now, the deviant act of crime should be examined with reference to the broader action framework. Deviant acts in general and crimes in particular are parts of the deviant actors' motivational process which is just opposite to that of social control. A crime is always rooted in the motivated tendency of the actor who likes to behave ultra vires the institutionalized normative pattern. Observed from the other angle, it can be said that a crime has a tendency to disturb the existing social interaction system and the equilibrium thereof. The two motivational tendencies should be observed in interactive terms. An interaction system always tends to continue unchanged. So, the ego has a cathetic attachment to alters. This attachment is very sensitive; any change in the ego-alter expectation system
will directly affect the other role-partner. Any disturbance in the system will lead to the latter's frustration. This situation where there is a failure in fulfilling the ego's expectation shall cause a strain upon him. He faces a problem of adjustment thereafter. The strain may take either of the three possible forms:

1. Ego's expectations in the interaction system are part of his own system of need disposition which, in some sense, presses for gratification;

2. These expectations are organized to include an attachment to alter as a cathected object, and

3. The value-pattern governing the relationship has been internalized and violation of its prescriptions is directly a frustration of some of ego's need-dispositions (Parsons, 1951, p. 252).

The adjustment problem of the ego to the developed strain shall be crucial to the ego vis-à-vis alter. If it is serious and the strain touches the ego's strategic area of orientation, his orientation shall be restructured in three possible ways. "He can first restructure his own need-dispositions, by inhibition and by one or more of the mechanisms of defense ... secondly, seek to transfer his
cathexis to a new object and relieve the strain that way and, finally, he can renounce or seek to redefine the value-orientation pattern with which alter is no longer conforming" (ibid.).

These resolutions of strain may be effected with the process of learning (ibid.). In their 'Values, Motives and Systems of Action' (in Parsons et. al, 1951) Parsons and Shils discuss the five cathetic-evaluative mechanisms of learning. Reinforcement-Extinction is the most general relation between the gratifying-depriving features of the outcome of a behavioural process, and the strength of the tendency to repeat it under appropriate conditions. The underlying general law is that in general receipt of gratifications will tend to strengthen the pattern while that of deprivations will tend to weaken it (Parsons, 1951, p. 209). Inhibition is another mechanism and is "simply the process of learning to refrain from carrying out the action motivated by a given need-disposition, in the presence of an appropriate opportunity for gratification, regardless of what happens to the 'affect' involved" (ibid., p. 210). Inhibition is an inherent quality of learning itself and it enables to change previous need-dispositions. It is "in one direction the process of breaking through motivational inertia". The third mechanism, i.e., substitution is "the process of
transferring cathexis from one object to another. Substitution obviously involves inhibition, in the form of renunciation of cathexis of the old object, but in addition it involves the capacity to transfer the cathexis and to 'learn' that new object can provide gratifications which are more or less equivalent to the old" (ibid.). Imitation is the fourth type which means "the process by which specific items of culture, specific bits of knowledge, skill, symbolic behavior, are taken from a social object in the interaction process" (ibid., p. 211). Imitation is not the necessary continuance of an existing model. The fifth mechanism is identification that means internalization of the values of the model. "It implies that ego and alter have established a reciprocal role relationship in which value-patterns are shared. Alter is a model and this is a learning process, because ego did not, at the beginning, possess the values in question" (ibid.). Thus the resolution of the strain in the system and the equilibrium may be brought about either by changing the state of the system or by restoration of the old system or a compromise solution.

The frustration caused by the failure in the interaction system may generate serious problem to ego's adjustment to social objects and to normative patterns. The ego then shall develop an ambivalent attitude. The ambivalent
motivational structure may lead the ego either to repress one side of the structure or to find a way to gratify both sides. The latter is generally related to the social structuring of deviance. In this ambivalence, if the alienative need-disposition (i.e. negative component) is dominated by the conformative need-disposition, it is compulsive conformity; otherwise it will have to be compulsive alienation.

As a crime is an act of deviance, it falls under the category of alienative dominance which, following Parsons, can be further differentiated into two: Activity and Passivity. The active emphasizes on the "primary stress on goals, as its achievement pole of pattern variable of ascription-achievement would lead one to expect" (ibid., p. 258). The "passive emphasis puts stress on means" (ibid.). The active alienative dominance is rebelliousness while the passive one is withdrawal. At the alienative dominance level, the two directions of deviance may further be differentiated on the bases of social objects and normative pattern. Thus, rebelliousness will be differentiated into aggressiveness toward social object and incorrigibility, while the withdrawal into compulsive independence and evasion. In the active case of alienative dominance, ego will have less concern with the alter's favours and will tend to act aggressively toward alter, "regardless of the risk of alienating
alter". This is ego's focus on social object that should be alienated in order to express his own need-dispositions. But in the passive case, i.e., focusing on the social object, ego's alienative dominance may be expressed in avoiding the "exposure to uncongenial expectations on alter's part". This is ego's compulsive independence, the extreme case of which is the breaking of the relationship altogether by withdrawing from it.

If the focus of the conflict between the ego and alter is on the normative pattern, the alienative dominance in active case is to "develop a compulsive achievement drive for himself". "Where the alienative component is dominant, the active type is the 'incorrigible', the one who flouts rules and laws apparently 'for its own sake', whose attitude is 'try and do anything about it'. The passive type, on the other hand, tends to evasion of conformity with the normative pattern, to do his best to avoid situations in which the expectations can be implemented, or sanctions applied" (ibid., p. 260). The paradigm may be represented by the following diagram:

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>PASSIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rebelliousness</td>
<td>Withdrawal</td>
</tr>
<tr>
<td>Aggressiveness</td>
<td>Incorrigibility</td>
</tr>
<tr>
<td>toward social</td>
<td>Compulsive</td>
</tr>
<tr>
<td>objects.</td>
<td>Independence</td>
</tr>
</tbody>
</table>

(A part of Parsons' paradigm).
The normative pattern that is emphasized in determining the direction of deviance, is however, not an active agency. As it is an object of cathexis, it cannot be "a source of direct and immediate gratification, it serves gratification interests only indirectly through organizing and stabilizing ego's own personality system and through influencing the gratifications he receives in interaction with the situation, notably, of course, the alters in it" (ibid., pp. 263-64). So, "deviance in the direction of emphasis on normative pattern at the expense of social objects .... would relate to over-emphasis relative to the norms, on the affectively neutral need-dispositions, while social-object oriented deviance would be over-emphasis on the affective ones" (Parsons and Bales, Op.cit., pp. 145-6).

The motivational dimension and the need-disposition of ego's direction of deviance may be compounded by "the factor of role conflict". Parsons sees the beginning of the role conflict" in the difficulty of living up to both the expectations of one alter who interprets a norm in the direction of a 'perfectionistic' compulsive conformity pattern, and those of another who is also in close interaction with ego, and who stretches the same normative pattern to the verge of active rebellion, both of them expecting active reciprocation from ego" (1951, p. 280). There are other
inherent causes of role conflict in the interaction of actors with plurality of roles. Involving different patterns of roles and orientations will cause a serious problem in the actor's adjustment. As the allocative ordering of any given actor's role-system is delicately balanced in such situation, "any serious alteration in one part of it may encroach on others and thus necessitate a whole series of adjustments. The deviant motivation component relative to one set of role-expectation, therefore, will have a tendency to upset the balance; it is, however, notable here that the conflict may be imposed upon the actor by the malintegration of the social system. A close look at the total social system is thereby inevitable. The external frustration agents, internal conflict or both should be studied in order to know the real nature of the conflict of the internalized role-expectations and the ambivalent motivational structure.

III

Field setting and research methodology

The state of Manipur has two broad cultural groups of people: the more structurally differentiated Meitei and the less differentiated hill-dwelling tribal people. For the purpose of representing this universe of dichotomous socio-cultural settings, two districts of the state (out of eight
districts - 3 in valley and 5 in hill areas) are taken as cluster samples in the present study of the Manipuri women's criminal behaviours. The sample valley district is the Thoubal district that is predominantly inhabited by the Meiteis; the other two districts in valley are Bishenpur and Imphal districts. Though there is a cultural homogeneity in the Meitei society, it is observed that the Thoubal district shows a stable pattern of women's criminal actions whereas in the other two districts the fluctuation of the pattern is frequent.

The hill district, selected for the study is Senapati District where the Maram tribe inhabits. This tribal ethnic group extends its negative legal sanction to all the specific crimes, namely, prostitution, adultery, theft and homicide which are the parameters of the study. The pattern of the occurrence of the specified forms of crime can not consistently be observed among most other tribal peoples of the other tribal districts of Manipur; here it may be pointed out that the said observation is based on the ethnographic accounts left by the British administrators.

For the present study, the following hypotheses are put forward, the verification of which will throw light on the nature, casual links of women's crime in general and
the crime generative pattern of the society in particular. They are:

1. Crime is generated by the structural inconsistency of the orientations of human actions – value, norm, motivation.

2. The generation of criminal acts is manifested in the social system because of the general failure in the system of social expectations between the ego and the alter.

3. Crime is not always anti-social acts at the means-ends plane; criminal-means are adopted by certain individuals while attempting to attain more valued social goals.

To examine the insights of criminal behaviour and its actor in the direction of the hypotheses, the present work deals with only the four specific crimes of prostitution, adultery, theft and homicide. These specific crimes are so defined by the living laws of the particular societies (not necessarily in terms of the Indian Penal Code provisions). Both the Meitei and the Maram take these specific crimes into account in their respective criminal jurisprudence.

The present work rests on both the primary and the secondary data. The primary data are mainly collected from
the field-sites, employing the traditional ethnographic field techniques. The primary tool is the non-participant observation of the criminal behaviours, settings and the interaction pattern of the criminals with the alters. Unstructured interview of both the criminal and the other informants helps much in collecting information of different actions in social situations, childhood experiences, background settings of the actors. Case-histories of some criminals are taken so that they may reflect the series of their social actions in their life-spans.

Rapport-creation with the criminals, however, is the hardest part of the study. So certain role-performance is highly indispensable. It demands, besides the intelligence, the strong emotional and sentimental integrity of the researcher. The socio-drama techniques are, on the part of the researcher, employed without creating any disturbance in the social setting and rapport-relation with the criminals. Though it is an expensive performance, it helps in collecting data on criminal world-outlook and its social transformation.

The secondary data are gathered from various sources, such as British administrative accounts, administrative and judicial files that throw light on the socio-legal system of the state in general and of the groups under study in parti-
cular. The historical reconstruction of legal institutions, legal attitude and social systems is partly based on the local accounts such as Cheitharol Kumbaba (the Royal Chronicles), Loiyumba Sinlon and Loiyumba Sinyen (the texts deal with the division of labour), and many other ancient texts, locally called Puyas. Interviews with local experts on these ancient texts conducted in an unstructured manner helps much in translating and interpreting these puyas.

The materials collected from different sources are qualitatively analyzed in the general Parsonian paradigm of social actions. The orientations of actions and their changing scenes are analysed in the American structural functional theoretical framework to find out their weight on the individuals' deviant social actions. The logical construction of their inter-relationships gives a clear conclusion in experimenting the above mentioned hypotheses.