CHAPTER - II
BACKGROUND OF THE PROBLEM IN MANIPUR HISTORY

I

Crime, in the sociological sense, is deviant social action and/or behaviour. Not only for studying the cause of such behaviour/action, but also for identifying it, the ideal pattern of behaviour is an essential point of reference. It will help in showing the nature of the crime as well as its social meaning in better clarity. The ideal pattern, moreover, distinguishes crimes from non-criminal deviant behaviours/acts. The criminal act crosses the limit of norms as well as of tolerance and as such is subjected to penalty. Punishment is meant to protect the ideal pattern with its negative sanction. Thus, crime is the act or behaviour that seriously threatens the ideal pattern. That is why the ideal pattern of behaviour should be considered first before going into the details of criminal act/behaviour.

Considering the above mentioned fact, it is inevitable to locate the ideal "traditional" women's behaviour pattern for the present study. As women's position in Manipuri society shows structural ambivalence, the structured women's roles and their images should also be examined. This will highlight the process of making of "womanhood" in the histo-
rically evolved patri-oriented social system of the people.

In Manipur, two parallel traditions of woman's behaviour are obviously seen. The self-esteem, ego-centric and feminine pride-possessed personality that negates the patri-oriented norms is seen in the myths of Phao-oibi — Panthoibi — Thoiibi line. The women in this line like to project their personalities. Above all, they are pictured as women having self-confidence over their strength of mind and will. They are forceful and consistent, too. On the other hand, another tradition that runs parallel to the above one is represented by the ideals of Imoinu. She is taken as the ideal referrent image of Manipuri women. The Imoinu tradition encourages women to surrender to their husbands, to possess patience and to abandon one's self. Moreover, a woman should be mericful by the standard of this tradition.

The ideal pattern in the patri-oriented Meitei social system is shaped after the Imoinu model. But, the pattern does not bar the feminine economic activities as well as women's instrumental roles, for such activities and roles are historically deep-rooted. The personality of another culture-historical heroine, named Khamnu can also be fitted to this ideal model of the Meitei concept of womanhood.
II

The Ideal Image: Imoinu Ahongbi:

Like Lakshmi in India's Hindu universe, Imoinu is the goddess of wealth in Meitei religion. According to W. Ibohal Singh (1986, p. 307), Imoinu Ahongbi was the wife of Khuiyoy Tompok, the second king of the Meitei who ruled during 154-264 A.D. (this date is under the authority of the local royal chronicle, Cheitharol Kumbaba). She was earlier known as Langmainu Ahongbi. Before her marriage she belonged to the community then called the Langmai. In Khuman Kangleiron, genealogical account of the Khuman, another community of ancient Manipur (edited by N. Khelchandra Singh, 1980), she is accounted as a deity worshipped by the Luwang, another community of ancient Manipur, till the 12th century A.D. During the reign of king Yumoiba of Khuman principality, her sacred place was transferred to Khuman from where it was again taken by the Meitei during the reign of the last Khuman king, Kwakpa.

When they incorporate Imoinu cult in their pantheon, she is worshipped by the Meitei as a household deity presiding over wealth. She is believed to be dwelling in the household fireplace located in the centre of a traditional
Meitei house. There are certain rules of conduct to be observed by a Meitei woman according to the desire of this deity. The "Dos and Donts" of an ideal woman as desired by Imoinu are written in an ancient text called Imoinu Abongbigee Tungnapham (Yumnam Cha Budhichandra, 1981). A portion of the text in its translated version (translation done by N. Khogendra Singh in S.R. Mangang, 1988, pp. 105-16) is reproduced here below for purpose of highlighting the Meitei concept of ideality of their women as symbolically represented by this deity. As will be observed in the following the deity describes the characteristic codes of conduct of an ideal woman while addressing the king.

"O Lord, please hearken, Let me record the manners or ways of life of the female group disliked by me. Those women who change their dress daily to beautify their external appearances even though their mind and heart are dirty; those women who utter sweet words when their mind is impure; those who laugh loudly with all their faces; those who have secret affairs with the opposite sex; those who get excited at the sight of men even if they have their own husbands — these women are hollow and (worthless). I dislike such women ....

O Lord, please hear, Those women who use poisonous words, who are used to intrigue and who disobey and challenge
the words of their husbands — these are the women of bad character .... I refuse to give favour to women who are talkative, rumour-mongers.

.... Women of bad manners and wrong attitudes; women who eat with big mouthfulls — I am against them. I dislike women who are furious and violent by nature and speak stamping on the floor. I turn away from houses of women who outwardly accept the words of their husbands, but in reality take them in other ways.

Women who go to the houses of their neighbours daily and who listen attentively to the motivated words of others are who usually put to shame ... The lives of men who become intimate with women whose husbands have died recently are seriously improverished. I refuse to visit the houses of such women.

O my Beloved, please hear, I turn away from the houses of the women who sweep the floor by swinging the tips of the broom widely or who sweep when someone is eating the meal ....

O Lord, please hear, I turn away from the houses of the women who make the floor of their houses dirty with dust falling from their feet and who walk on the floors producing heavy thudding sound ....
O Beloved, please hearken. I avoid women whose voice is dull, who throw scowling glances, grumble loudly and show their anger pulling long faces ... I also turn away from the houses of those women who are mongers of news and rumours and who are in the habit of disclosing the secrets of their families to the neighbours.

.... Women are forbidden to cut the fruits of creeping plants like pump-kin. They should not collect vegetable from the garden at night ....

O Lord, please hear, Women who are not devoted to their husbands, who do not look after their in-laws properly, who speak ill of their husbands in the neighbourhood, who trample on the clothes used by their husbands, and who kick their sons and daughters by way of punishing them — these are ill mannered women".

Manners of women acceptable to the goddess:

"O Lord, O source of all life, O beloved please hearken .... Women who regard their husbands as divine beings, women whose voice is soft and sweet, women who can soothe the minds of their husbands, women who perform their duties throughout the day and night, women who look after the management of their domestic lives effectively —
they are the women whom I like and who are my friends....

... Women who obey orders and who are not fickle-minded, women who eat only when their husbands eat, women who always speak the truth and whose minds are open and sincere, women whose eyes are meant only for their husbands, women who look after their children with love and effection, and who always think of the welfare of their husbands — these are the good....

Women who move away from the path of old people and do not walk on the shadows of their husbands, women who have no ill feelings towards their neighbourhood, women who do not go to their neighbourhood daily for fire and who keep the family fire-place alive all the time, women who do not go to the neighbours for any shortage in the family and who bear all such shortages silently, women who can bear the harsh words of their husbands and the mocking attitudes of their neighbours and who are calm of mind and steady in purpose — these are women whose houses are visited by me.

.... Women who hide their faces in the presence of strangers and who show their faces in the presence of their husbands, women who try to beautify their internal lives and not the externals, women who are calm of mind and who
thoughtfully look after their houses — I like these women ...."

Such treatise on the ideal behaviours of woman is found also among the Hindu. The qualities of an ideal woman: softness, faithfulness and patience are equally valued in many Indian texts such as Lakshmi Charita. The characters of Sita in Ramayana, Savitri, Sakuntala, Chinta, Nala, Ranti, Dabayenti are the epitomes of such qualities in Hindu society which is a patri-oriented system. The Imoinu-image is the local counterpart of the patri-oriented model of ideal womanhood. The selves of women by this standard are expected to submit to their husbands.

But, the interesting point of observation would be that unlike her sisters in the Hindu societies, a Manipuri woman sustains Imoinu-image only when she performs her expressive roles. This image is limited to her roles in the family, kin-group and locality, beyond which she is expected to engage herself in many economic activities (in production, consumption and exchange), performing the instrumental roles as much as her husband. The instrumental roles refer to the Khamnu-image in which a woman has to struggle hard for earning livelihood. Khamnu was sister to Khamba, minor orphan who became hero in the
Khamba-Thoibi Epic of Manipur. A portion of Hodson's translation of the story is reproduced here.

"Ere he (father of Khamnu and Khamba) died he sent for his friends, Nongthonba and Thonglen, and commended his children to their care, and Nongbal Chaoba betrothed his son Feiroijamba to Khamnu. Then his wife, seeing that her husband was indeed deed, could not live when her lord and husband was taken by death from her. So, she slew herself up in his pyre, and Thonglen took charge of the two children, but they sorrowed and would not be comforted. So he let them go, and they went to their father's house, and were happy there. But there was none to help them, so Khamnu went among the village folk and husked paddy for them while the women gave the breast to Khamba." (T.C. Hodson, 1908: 1975, p. 135).

Not it is clear that a Manipuri woman has two distinct and unique patterns of behaviour in the totality of her personality. Historically, the equally important instrumental role may be the continuity of past matrility in the society. The market economy has been purely in the women's hands and the major part of the production also shared by women. Khamnu did all the roles assigned to an ideal woman and this picture is seen even in the present social system.
Manipuri women never depend on the mercy of the husbands at least in the earning. But, a typical Manipuri woman would balance the two sets and act accordingly in various social situations. The patri-oriented norms and values are shaped around the concept of this 'Imoinu-Khamnu' complex.

The story of Panthoibi: the Feminist model

In the non-Hindu Meitei world, Panthoibi is a chief female deity. In the text, Panthoibi Khong'gul, her character and how she is resolved in the larger cultural system are described. Though her voluntary actions are not socially acceptable, she is placed in a unique position in the body social. The point of fact is that she represents the 'above-society' class. She is characterised as one indulging in extra-ordinary behaviours/actions which are rather anti-social by the standard of the Imoinu-model of womanhood. In the story she is narrated to be a princess. The text of her story narrates more about her.

As narrated in Panthoibi Khong'gul (translated in modern Manipuri, by Moirangthem Chandra Singh, 1963), Panthoibi was born in Taoroinai and his wife Lai-namungbi. She had seven elder brothers. The then chief of Kanglei, Sokchrongba wished to get her married to his son Tarang.
Khoinucha. With all the formalities of engagement, her consent was asked. Prior to it, she had already fallen in love with Angouba alias Nongpok (who belonged to Tangkhul tribe); but she could not disobey the parents. So, she married to Tarang Khoinucha. She did not take any other materials including slaves except a pot of cooked rice, prepared meat and a small pot of wine as dowry. She was a bad housewife. She continued her love affairs secretly with Nongpok. She went out to talk with the neighbours and spent more times with them, even during the post-marriage period of five days (whereas such act of going out during this period was strictly prohibited by the custom). She liked news of other persons. Again she took bath at different hidens (it is the point on river where people take bath or wash their cloths etc.). She went even to the 'polluted' or 'prohibited' ones.

It was within her tabooed period that she had met her paramour at a hidden. Then she started to go out to meet her secret lover at different places on the latter's insistence. She told him, "I, Tampa (another name of Panthoiibi) have not completed even, the tabooed period in Khaba's house (i.e. her husband's clan was Khaba-Nganba). Khaba does not neglect me, his kin-folk do not discard me. So I shall not able to abandon them. I cannot act against
the will of my honourable father and qualified brothers. If you still love me, let us wait the time when Khaba neglects me".

On the other hand, Khaba suspected her fidelity to him and his kin-group. They did not like her behaviour and actions. She often went out and stood at public places where anybody could see her. She roamed around every lane. She heard the words, spoken by strangers; she looked at them, too. She spent much time on making gifts and chalet. She took fruits frequently and took salt from the tip of salt container. She accepted flowers from others and her ears were always decorated with them.

In Khaba's house she did not pay much attention to domestic affairs. She ill-treated her in-laws. "One day, when she was away from home on her usual affair, he (father-in-law) pretended to be dead just to get an opportunity to admonish her. His wife bewailed loudly. There were all the paraphernalia of a funeral rite and the news of his 'death' spread to the neighbourhood. Panthoibi heard the news and hastened home. She at once saw that it was a clever ruse to bring her home from her tryst. With characteristic presence of mind, she turned it to her advantage and accused her father-in-law of even pretending to
die on account of his hatred for her. She left her husband's home.

On the way, she met with her love who had come dressed like a Tangkhul (a Naga tribe), and eloped with him to home on Nongmaiying Hill" (R.K. Jhalajit, 1976, p. 129).

It is clear now that Imoinu-image was violated by Panthoibi. She acted against the concept of modesty that prevailed in the society. All her deviant actions caused the Khaba Kin-group outraged and they spied on her behaviours. Inspite of every deviant act, they could not control her because she belonged to the stronger Meitei clan. She took undue advantage of this kin-based relation. It is also written in Panthoibi Khong'cul that her seven brothers who had played a good role in her marriage with Tarang Khoi- nucha, helped her to meet her paramour, Nongpok. Her eldest brother, Yoimongba advised her, "Hey Tampha, he (Nongpok) is the right person for you, a child born to a king. So obey what Angouba (Nongpok's another name) says". In this context, she said her brother, "My brother, I cannot deny you, and my beloved Angouba is the master of my soul. So I shall go out frequently so that they will neglect me". This shows that her brothers did not take her 'extra-marital' relation as immoral or criminal; rather they stood to protect her.
The acts and behaviour of Panthoibi (and other feminists like Phou-oibi, Thoibi) seem to be deviant if one looks purely from the patriarchal outlook. The matrilineality in the society (it will be dealt in the latter part of this chapter) regards, however, such acts as having certain pro-social psychological values. These acts and behaviour encourage women to develop their independent self, esteem and personality. Though Imoinu and Panthoibi-model are interacting from opposite directions, they are dialectically synthesized in shaping the modal personality structure of a Meitei woman. This explains why a Meitei woman has two contradictory characters, expectations in herself. It is, again, because of this dialectical relation that the Khammu-model can operate in the Meitei society.

**Deviant Girls: the Fate of Khongjom-nubi**

Pre-marital sexual relation negates the ideal pattern and virginity is a point for good bargain in marriage. So pre-marital relation is socially discarded and the girl who indulges in such relation is withdrawn from the normal social network. She is publicly humiliated. The myth of Khongchomnupi Nongarol symbolizes the fate of deviant girls who commit pre-marital sexual acts. In the text of Khongchomnupi Nongkarol, the six stars in Pleads constellation
are symbolized by six deviant Luwang (a Meitei clan) girls. Again, the cicadas are represented as the children born to that immoral union. The background story runs as follows:

One day six Luwang spinster friends, namely Luwang Punshi chanu, Khomthok Maraliphapa chanu, Tongchong Nurapi, Ying'ngel Nurapi, Nganurol Lāsikam chanu, Leima Yangtau Ataupi went to buy fishes from Atam Soi. They took salt and other materials to barter for fishes. They met their six lover Haokus (a term might have been used to mean backward classes, not necessarily for tribes as used in modern Manipuri). "Their lovers said, 'To-day we have not caught big fish, not even small fish. Stay (to-night) here'. They replied, "We cannot. Our fathers and brothers will beat us with fists and tear our hair if we do that'. Still their lovers insisted, 'fair girls, even if we die, let us die together. See the yonder hut used for weaving nets. In it, let us spend the night together'. Courted earnestly in this way, the girls yielded and spent a wanton night in the hut on the shore of the lake. Their lovers said in the morning, 'If your fathers and brothers chastise you, let us ascend heaven together on the fifth day from today'. As anticipated, the girls' fathers and brothers turned them out from their homes for their improper conduct and for having

They could not bear the shame and so committed suicide. The concluding portion of the story is linked with many usual mythical tools; the purpose of the myth is to strengthen the social solidarity. Here, we see, the deviant acts of the Luwarg girls were taken as anti-Imoinu code of conduct. The myth of Pleiads constellation thus reminds the society of the fate of those deviants.

Similar tragic ends of such pre-marital relation are seen in many stories of myths such as Ithai Karengba. There might have been polyandrous and matrilineal social systems before the formation of larger Meitei society. In order to suppress the norms and ethics of the then social systems, the later Meitei society might have developed the Imoinu-concept in which women were subordinated to the male folk.

If we examine the stories of Phou'oibi, Panthoibi, and Thoibi, we can see the pictures of changing women's image that ran parallel to the Imoinu-image. In the story of Phou'oibi, she was the goddess of wealth (paddy) and she was infatuated with one strong and sincere man, Khungsu
Pakhangloi of Chakpa group. For a reason of ordeal, they could not get married; she then got a short affair with Akongchamba of Moirang principality. Thus she had a number of lovers. So, R.K. Jhalajit (Op.cit., p. 109) says that Phou'oibi Waron (the series of Phou'oibi's lovers) "is a book of legends and narrates the strange story of Phou'oibi's fickle love". He, however, takes the story as an allegorical one. The story might be of pre-Meitei formation where women of some groups played dominant and leading roles in their respective social systems.

The tradition of the women having strong personality and pride continued upto the epic of Khamba-Thoibi. In the epic, Thoibi is depicted as having strong personality, self-esteem and pride. Against the will of her father, the lone brother of a Moirang king, she loved Khamba, a poor orphan who was brought up by his sister, Khamnu. Inspite of various odds, she managed herself to marry with Khamba. Miss A. Ibenhal, in one local quarterly, MACHA LEIMA, took Thoibi as veteran feminist who fought against the 'feudal' (the term is still controversial in the academic circle of Manipur) patri-oriented norms. It was Thoibi who could project her personality against the Imoinu-model. She liked to determine her own fate herself rather than to surrender it to her father or husband.
II

MATRILINEALITY IN MANIPUR

Matrilineality in ancient Manipur can be traced out. Superficially the existence of woman's markets in every corner of the state may be a good example of its past existence or the women's instrumental roles in production may also be treated as an evidence to it. Projecting backward, certain social institutions of the past which are still existing in the Manipuri society provide more evidences to the historicity of matrilineality in the society. The dating of such tradition is, however, difficult because the tradition must have been prevailing prior to the formation of the larger Meitei society. The kinship principle of *Pendinnaba* prohibits the marriage between the parties having common great grandmother. "*Pendinnaba* is kin relationship holding between descendants, belonging to two or more exogamous clans, yet of a woman married to two more husbands of different clans affiliations one after another. This kind of relationship is locally taken to be a consanguineal one though it is traced through the female. It is, therefore, a matrilineal type of kinship relationship" (Ch. Budhi Singh in Pandey, 1985, p. 109). According to Ch. Budhi Singh, there were two types of such relationship, viz.,
Pee-tinnaba and Leinung Pendinnaba. The Pee-tinnaba, emerged in late historical period, is short living ones and is observed for six or seven generations. "Leinung Pendinnaba is ... a system of perpetuating relationship among the individuals concerned. As the phrase implies Leinung Pendinnaba relationship gets established on the basis of probably the primeval marital events centering round six historically noted Pents (primeval great grandmother) namely, Liklabicha, Huimuleima, Leichiksi, Nguruol Khuyoi-Chanbi, Leinung Ngansabi and Chinhuroi Leichik-nganbi" (ibid., pp. 109-10). It is therefore clear that the Meitei marriage rule of Pendinnaba is a historical continuity of the past matriliney of the people. The point is strengthened by the ultimogamiture rule of inheritance in the Meitei society, which is followed also in many tribes of Manipur. This rule of inheritance is "a modified matrilineal system, an element actually different from the patriarchal system" (Y.L. Roland Shimmi, 1988, p. 27). This explains why Pakhangba, the youngest son of the Father-creator in creation myth of the Meitei succeeded the throne against Sanamahi, the elder son.

In Khuman Kangleiron, account of the Khuman clan, there are reports on daughter's son becoming the chief of the Khuman. A royal lady of the Khuman clan, namely
Ngamuthumbi married with Punshiba, the Chief of Luwang clan. A son, Senba Mimaba was born to them. Then she was divorced and returned home in Khuman principality. Senba Mimaba became the chief of Khuman in the late 12th and early 13th centuries. Just before Mimaba, the Khuman chief was Punsh Yumoiba. He had a young son named Yoithong'ngai. The old chief could not govern the principality, so Senba Mimaba was given the responsibility till Yoithong'ngai attained the age of majority. The organizational arrangement with matrilineality touch is obviously observed in it.

Among the Meitei, it is believed that the first king of the Meitei state was Nongta Lairel Pakhangba. He reigned, as reported in Cheirtharol Kumbaba (the Royal Chronicle of the Meitei), from 33 to 154 A.D. But W. Ibohal Singh (1986), using Mathematical hypothesis, calculated the possible reigning years of Nongta Lairel Pakhangba as 980-1020 A.D. Whatever may be the possible dates, the interesting point in the present context is the parentage of Pakhangba. There are two theories on parentage of Pakhangba; firstly, his father was Sentreng and his mother was Yakhu Yabi/Leinung Yabirok; secondly, his mother was Liklabicha Nongtangnu and father was Luwang Langmaiba (of Luwang clan) (see G. Kabui in Pandey, 1985 and W. Ibohal Singh, 1986). Among many other texts on Yabiroka, Khagemba Yumbi narrates: “Leinung
Yabiroka, a Yakka girl who was polyandrous and who became the wife of three individuals in turn gave birth to Nongta Laien Pakhangba" (as translated by W. Ibohal, Op.cit., p. 263). In Ningthourol Lambuba, similar character is depicted: "The Grand-mother or Madam Meitei Queen Lei-nung Chakkha Yabirok, is known polyandrous, handsome and beautiful, the cream of the Leihou (a tribe), and the Leimu (a tribe), the Chakkha who is polyandrous and who becomes wife of three kings successively, by thy name" (Ibid., p. 264). Though she was polyandrous, Sentreng was taken to be father of Nongta LAIREL Pakhangba. Here we can remember the notion of the social father who is not necessarily the biological father as reported in many polyandrous societies including the Nayar of South India.

Another theory on Pakhangba's parentage is that his father was Luwang Langmaiba and his mother was Liklabicha. There are various texts that contradict among themselves. But, Liklabicha was also pictured or reported as being polyandrous. In some texts such as Theerel Meiram Leeba and Meihourol Lathup Latam, it is so described that the father of Pakhangba was Luwang Langmaiba who, however caught Puleiromba to be the father of Pakhangba when the child was born. Thus Puleiromba became social father of Pakhangba though he was begotten in the womb of Yabiroka
by Luwang Langmaiba (see W. Ibohal, Op. cit., pp. 263-78). The accounts differ among themselves but they show very clearly that in the society at least certain sections of the population were polyandrous in the past.

The polyandrous society might have been absorbed in the larger Meitei society where patrilineality was being in force. But the practices had been transformed into another form before it was totally modified or assimilated into the larger system. The new form was Levirate. The Lai-Haraoba songs (the songs of 'marry-making of Gods' festivals) reflect the transistional phase of Levirate. A song sung in the festival runs like this: "Chingya Catpa Leikemba, Tamya Koiba Kongsangba, Ha Keida Tagaba, Iteima Phung'ga Sangbida Tarare, Tarare De" (free translation — all around the four corners, does he go, What will his destiny be? It will be his elder brother's wife). Another such song is very popular and the theme is more or less similar to the first song. "Lourida Chatpi Phingang In'bi, Tadagi Matu Iteima, Ing'khonnung Sambannu Nambul Wai Sennu, Warak Heijang Nambolbi Heijang Unthabi, Sabina Kari Heinoda, Sanou Heirang'khoi" (free translation — with red cloth do you go on the field-path, O brother's wife (i.e., Iteima), What is the fruit of that fully covered and whose shape is biconvex? Brother, it is the Heirang'khoi). Heirang'khoi, a
fruit, is used to mean breast allegorically because of its shape. These songs and many other accounts in texts such as *Leithak Leikharol* suggest that levirate marriage might have existed in the stage of pre-Meitei social formation.

In *Poiropen Khunthokpa*, it is described that Poiropen migrated from Khammung Sawa to Tai-pang-pan. The cultural practices of Poiropen's tribe are also revealed in the text. Thongaren, the then chief of Khammung Sawa asked his younger brother Poiropen to migrate to a place where there was no disaster, disease and unnatural death. On it, Poiropen said, "As I am widower and my children are minor, it will be hard to migrate to Tai-pang-pan". Hearing Poiropen, Thongaren asked his chief queen, Laikhurembi to accompany Poiropen. She denied it because she had a wide mouth, oblique eyes and her breast was no more charming. Then the chief asked his second wife, Leinaotabi, who readily accepted the proposal. Poiropen and Leinaotabi with many persons of different ways of life migrated from Khammung Sawa. They, at last, settled in Manipur valley and were assimilated into Khuman and Luwang clans. Throughout the journey, as reflected in *Poiropen Khunthokpa*, Poiropen addressed Leinaotabi as 'Iteima' (elder brother's wife) though he shared bed with her and they gave birth to sons.
The levirate tradition, as other matrilineality elements, had been eliminated with the development of patriarchalism in the larger Meitei social system. The Imoinu-model had been advocated so that pre-Meitei social formation feminist tradition could be dominated by the patri-oriented norms and values. But at the organizational level, certain elements of matrilineality were existing till recent time. The plurality of ethnic groups and their traditions created a situation in the larger society in which both matrilineal and patrilineal elements could be observed. This explains why Manipuri women play equally both instrumental roles as men and expressive role as other women in patriarchal societies.

III

SOCIAL REACTIONS TO WOMEN'S CRIME IN HISTORY

The deviant acts were those acts, in the women's context, which were in contravence with Imoinu-model of behaviour. The deviant acts, amounting to crime i.e. the acts or behaviours which deviated from the existing more, were subjected to penal laws. The penal laws varied from time to time in accordance with the evolutionary stages of the Meitei social system. The earlier taboo-based penal
law was replaced by the corporal punishment in the Meitei kingdom. The private vengeance such as blood feud was checked with the introduction of public disposition of wrongdoers. Moreover, the tribal level taboos were codified or transformed into state laws (written or unwritten). The taboos were the foundations of the customary laws of later Meitei social system in the kingdom. In many legal institutions, primitive penal laws continued in a way or another. The oath and ordeal that prevailed in the kingdom had originated from those of primitive societies where legal institutions, on failing adjudication, left the parties to unpredictable tests. Such meta-legal tests are reported as occurring till recent past. For instance, in the alleged adultery of one Sijagurumayum man of Bamon (local word for Brahmin) caste and one Wahengbam Ningol (a daughter of Wahengbam lineage of the Meitei), the accused Brahmin denied such an act. The case was decided by the ordeal of "Sanalupa Lak'naba" 1 (trying to pick up gold and silver coins) in front of Sri Sri Govindaji. The decision went in favour of the Brahmin (Cheitharol Kumbaba, 1884 A.D., p. 465).

Likewise the detection of a child's paternity was done as reported in One Kong'grailatpam (a Brahmin man of the lineage of this name) Vs. one man of the Apunjam lineage (ibid., 1887, p. 474). The tribal level of administration of justice, based on public opinion and in an informal council of elders,
was still continuing at the Leikai level adjudicature in the Meitei kingdom till the colonial period of Manipur history. At the Leikai level the justice was administered on the basis of public opinion and convention.

Throughout the history of the Meitei kingdom (in the period of 33-1891 A.D.) three legal norms were prevailing. The first norm was the decree and royal declaration which were binding to all the subjects of the state. A decree or declaration, enforced as legal norm by an order of the king, was announced, either verbally or in written or both, to the public. Among many others, the Declaration on Women's Dresses and Etiquette of 1873 and that on Prohibited Degree of Marriage of 1874 may be mentioned. The second legal norm was the conventional one sanctioned by the existing custom. The norm was in force at Leikai level and whose custodians and enforcers were the adult male members of a Leikai. Sing-lup, a compulsory association of Leikai members, also played as legal institution in certain petty offences as well as on immoral acts. There were no written code; public opinion formed by the convention and custom was the test of justice. Two Leikais might not punish same offence with same penalty. The third legal norm was the one followed in the established courts i.e. Cheirap, Garod and Pacha. Some of the laws were codified as seen in Loyumba Shinlen, the first constitution
of Manipur framed during the reign of King Loyumba (1074-1122 A.D. according to Cheitharol Kumbaba but 1310-1336 A.D. according to W. Ibohal, Op. cit.) and Loinga-Shinglon (the code of conduct, completed during the reign of King Chingthangkhomba (1763-1798 A.D.). Many other laws were unwritten. All these laws were binding to all the persons in the state.

In the kingdom, there were three sets of established courts, viz., Cheirap, Garot and Pacha. Above all, the highest appellate authority was the king who should decide the case in a royal sitting. Cheirap was the chief court. It consisted of 13 members including the Yubaraj. The Garot/Garot was essentially a military court, which tried military personnel or the cases where one of the parties involved was a military personnel. However, it is often found that other cases of both civil and criminal nature were also taken up in this court. The court had eight members. Pacha/Paja was a special court to try cases relating to women and their problems. Previously, the head of the court was the principal queen but during the reign of Garibniwaz (1705-1744 A.D.), the court was placed under an office of Pacha Hamba. "The methods employed by the Paja in the decision of cases of disputed paternity were simple, and resemble those in vogue in ancient Arabia (Hodson, 1808:
1975, p. 92). From Paja the undecided cases could have been transferred to the Cheirap (see N. Iboibi, 1976; Hodson, Op. cit.). The court of Paja/Pacha was abolished in 1891 by the British rulers.

There was another set of courts which tried religious matters. Brahman Sabha tried cases relating to Hindu codes while Maru Loisang dealt with the matters relating to custom, convention and administration of Umang'laiss (sylvan deities).

It can be observed from the Cheitharol Kumbaba, the royal chronicle, that there was no rigid rule of penology. Different penalties might be given for the same offence. The trial authority had wide discretionary power in giving penalty. It can be briefly noted here that banishment to Loi (outcaste village) areas were given to female criminals for the offences of adultery, abortion, breach of kinship rules; Khun'goinaba (branding and exposure to the public) meant for forgery of coins, murder and attempt to murder, pre-marital abortion and incest. Flogging was imposed for adultery; and exposure to sun (Phouba) for defamation, adultery etc. Transportation of criminals to isolate them from society was meant for such offences as breach of marriage rules, murder or attempt to murder, abortion etc. Thus, the
penalties were not given uniformly to all criminals; these were rather chosen by the trial authority from time to time.

The penalty in general was deterrent in nature. The tribal Manipur, too, did not leave the crime at clan-level. It developed the trial institutions as council of elders whose decision was binding to all the members. Both the Meitei and the tribal societies in Manipur gave corporal punishment to crimes against person, property or fame, though feud was seen occasionally in inter-tribal scenes. The traditional council in tribal Manipur was supreme authority that worked as executive and judiciary body. It consisted of the Khullakpa (the chief) and his council. The composition of the council varied from tribe to tribe. The Manipuri, in general, in the Meitei kingdom instituted the penalties of (a) flogging (b) mutilation (c) branding and exposure to the public (khun'goibaba) (d) imprisonment (e) transportation (f) banishment to Loi areas (g) exposure to the sun (Phouba) (h) termination of services (i) fine (j) forfeiture and confiscation of property (k) excommunication (l) capital punishment etc. But, the female criminals were punished only with branding, transportation, banishment, fine forfeiture and confiscation of property and excommunication. They were exempted from other forms of penalty.
To the female criminal, the highest penalty was
Khun'goinaba i.e. branding and exposure to the public.
R. Brown (1873, p. 93) said "women are not confined in the
jail; their usual punishment is shaving the head and expo-
sure in the bazars, the offenders being walked round them
on successive days. They, in event of not answering freely
before the court, may be tortured with thumb screws. They
are also, as a punishment, chiefly for loose behaviour,
made prostitutes of occasionally". There is no account or
source to corroborate the last sentence. It is doubtful that
making prostitute, may it be any form, might serve the
penal function in the society. Quoting the Royal chronicles,
T.C. Hodson (Op.cit., pp. 88-9) described the Khun'goinaba,
"She is made thoroughly naked, only a small bit of cloth tied
round her waist, she is shaved off her hairs and her bare
head and face are painted with lime, ink and turmeric
colours, broom-sticks are tied on her back with a drum, one
man will pull her on the front by a piece of rope tied on
her neck, and a large crowd will gather on her back beating
the drum, at the same time, her crime will be proclaimed to
the public, and thus she will walk through several streets
and bazars". Such a punishment became obsolete by the end
of seventeenth century as reported by T.C. Hodson. But it
was not altogether vanished from the penal scene of the
society.
The women's exemption from the severe corporal punishment was because of their positions in the society. They were either mothers or wives to men who would have to protect them as per the Imoinu-model. In spite of their instrumental roles in economy, they were placed lower than the men in the larger social system. The inferior position of women had been considered in the penal system and the social conscience was "women and children needed social protection" in the patri-oriented society. The selfless, soft and weak image of women was encouraged and the socialization was done in the line. Such socialization directed the social institution to create norms where women were protected from the crude legal actions. The immunity was rather a manifestation of Imoinu-model. In India, on the one hand, women are made free from penalty on adultery charges because women were considered victim of the male sexual aggression in early days. This is because of the historical fact that there was a custom of child marriage in the society. The Manipuri adulteresses, on the other hand, against their inferior position, had to be punished because such an act of adultery threatened the Imoinu-model, but the model protected her, at the same time, from the severe corporal punishment. Thus, because of her position in the social structure, she enjoyed certain privileges in matters of penalization but not altogether exempted from the criminal laws.
FOOTNOTE TO THE CHAPTER -II

1. *Sana-Lupa Lak'naba* is an ordeal taken in the temple of Govinda or the sacred place of any house (kept in the south-west corner of the house). The accused and the complainant are asked to pick up a coin out of the water in which coins of gold and silver are kept. Any person administers the ordeal. The God, it is believed, will favour the just person in picking up the gold coin. This ordeal is originated from the pre-Hindu Meitei belief system.