

# **MEETEI LAW AND USAGE**

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# **Meetei Law and Usage**

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## ***Preface***

The work on "Meetei Law & Usage" is the second of its kind. It is the outcome of study on JURISPRUDENTIAL STUDY OF THE INTERACTION OF MEETEI CUSTOMARY LAW AND HINDU LAW, a thesis awarded the Doctor of Philosophy in Law at Kurukshetra University, Haryana in the year 1985.

The book has seven chapters and six appendices and is the backbone of Meetei personal law. Without the knowledge of customary rules and obligations it is impossible to apply the personal law to the persons for whom the law is meant. Hence Meetei customary rules and obligations and their practices will enable the Law courts to apply Meetei personal law effectively.

The book is not claimed final in its authority in the areas where there needs the memories of Meetei local scholars. However its authority will extend upto such areas where the Law courts satisfy at their discretion in the administration of justice. In any place where there is legal conflict between a Meetei and non-Meetei in their personal rights the authority of this book prevails.

The book being the first edition may require much improvement in the second edition. Suggestions and criticisms for improvement are accepted for consideration in the second edition.

( II )

In the conclusion I thank Prof. P.M. Bakshi, Law Commission of India, Dr. S.D. Sharma, Law Faculty of Kurukshetra University, Prof. N. Khogendra, Mr. S Gourahari, Padamshri N. Khelchandra, Chongtham Nganba, Ningombam Mangi Lainingba, Yumnam Tamphajao, Yumnamcha Budhichandra, Dr. Moirangthem Kirti, Yaikhom Nipamacha, L. Ashokkumar, Wangkhem Chingtamlen Khomba, Oinam Bhogeshor, Ng. Kangzia, Dr. Khuman Kh m a, Sougaijam Iboyaiima, Mayengbam Tom ou Keisamcha Yaima, Md. Ayub Khan and many others for their ready help and for the courtesy shown to me during my investigation, examination and discussion. My thanks are also due to many jurists of eminence, whom I had been consulting from time to time.

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April 27, 1988  
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**Sanabam R. Mangang**

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# MEETEI LAW AND USAGE

## CHAPTER I

### FUNDAMENTALS OF MEETEI LAW

Meetei law and usage have their basis in the religious beliefs of the community. A comprehensive view of Meetei law is not possible without understanding the philosophy of Meetei religion, hence an attempt to understand the origin and nature of Meetei law and the examination of religious texts of the Meeteis becomes necessary. Rather, it is a *sine qua-non* *Sanamahism*, the religion of the Meeteis has not only influenced Meetei law, but also, the principles of *Sanamahism* to-day are so blended with Meetei law that it is difficult, nay, impossible to separate the two. However, in all systems of jurisprudence, early history of law is rich with this mixture of law and religion. The Meetei community is rich in its religious culture, which is a living culture, of the community. The Meeteis, in fact, do practise in their daily life the rituals of the religion which are as well constitute their activities of social life.

It may be concluded that *Sanamahism* and Meetei law have their basis in the intrinsic sense of right and justice of the generations of Meetei people. Ehrlich's theory that the centre of law lies in the lives of the people, is visible with abundant clarity amongst the Meeteis. There have

been some sporadic attempts by certain persons for codifying the law of Meeteis, but no such attempt of the Meeteis can bring about viable results unless it is intimately related with the ancient traditions, beliefs, notions and manners of the Meetei community. It is with this in view that the work at hand is a maiden attempt to examine the rich cultural, religious and jurisprudential heritage of the Meetei community which in its richness, is second to none.

### **Origin of Meetei law**

There is no established authority on the origin of Meetei law. Moreover, the primitive communities in the strict sense of the term had no law or law-givers. Their tribal customs were essentially religious customs in the strict modern sense, which regarded as the strongest of laws.<sup>1</sup> Meeteis, who profess Sanamahism, believe in the principle of equality and live under a communistic system where the violation of religious tenets are abhorred and serious misdemeanours are punished by excommunication, with the consequence that the wrongdoer is deprived of the protection of his kinsmen. It is a living law of Meetei social system which is enforced in letter and spirit. The man who is wronged must take the first step in gaining redress. The "wrong" mainly consists in the violation of the accepted practice, essentially religious in nature.

The ancient Meetei scriptures contain the basic principles of Meetei law.<sup>2</sup> There is a grain of truth in Maine's view that early law is an integral part of religion.<sup>3</sup> Likewise, the Meeteis, professing Sanamahism, had their own system for enforcing, supporting and explaining Meetei law. It is because of the fact that the religion became the backbone of law and usage, because Sanamahism is a religion which is generally the way of life or belief based on a person's ultimate relation with the Universe or God. Any group of

people needs rules of behaviour, without which no community can afford to live together. With the development and growth in the society these rules are supplemented by secondary rules<sup>4</sup>. Among Meeteis the Sanamahı religion, was also the rule of life. It is the rule of behaviour developed among the Meeteis for preventing erring members of their community from harming the other members of the community, and therefore Sanamahism became the rule of life, the collection of duties, which may be called law. It is supported by the definition of religion given by James Martineau<sup>5</sup>. According to James Martineau, "Religion is the belief in an ever living God, that is, in a Divine Mind and Will ruling the Universe and holding moral relations with mankind."

**Impact of Sanamahı Deities on Meetei law and usage :**

The following characteristics of Meetei religion need discussion in order to ascertain the basis of Meetei Law "

First, Sanamahism is a belief in supernatural beings (Gods), secondly, it is a means for distinguishing between sacred and profane objects, thirdly it focussed its ritual acts on sacred objects, fourthly, it is a moral code believed to be sanctioned by gods, fifthly, it is characteristically religious feelings which tend to be aroused in the presence of sacred objects and during the practice of ritual and which are connected in idea with the gods, sixthly, it is prayer representing different forms for communicating with gods, seventhly, it is a world view or a general picture of the world as a whole and the place of the individual therein, eighthly, it is a picture showing some specification of an overall purpose or point of the world and an indication of how the individual fits into it, and lastly, it is more or less total organisation of one's life based on world view. It is this in this aspect that may impel one to infer that Meetei community has a system of

rules which though religious, has the potency of developing into a universal system of rules. Belief of man is the life food of every religion,<sup>7</sup> and in a developed society could become the basis of the legal Code of society.

[i] The Meetei people observe custom and usage not only for secular reasons but also because they believe that obeying the customary rules will strengthen their spiritual aspect as well, since the rules derive their authority from their religion.

[ii] The second characteristic of Sanamahism is the distinction between the sacred and the profane, which directly influences the choice of approved and unapproved acts, rules and behaviour governed by customary law

[iii] The rituals of Sanamahism have enriched the formalities of customs and usage of the Meeteis. It is not difficult to see the direct impact of these rituals of customary law. For example, the rituals relating to sonship, marriage, and death, have a direct impact on the rights of the son, matrimonial right and succession.

[iv] Moral Codes have also influenced Sanamahist law as in other systems of jurisprudence.

[v] Religious feelings have a direct impact on the aspect of the obedience of customary rules. It is the internal attitude of the Meetei people towards the customary rules, that impels them to obey the customary rules. Such internal aspect towards the rules is regarded by Hart to be the only force for the observance of the rules.

[vi] The prayer aspect of Sanamahism has a direct link with the adjudication aspect of Meetei law where a prayer is made for redress under custom and usage.

[vii] The concept of looking at things in its entirety is a most remarkable idea of Sanamahism, which has a parallel in the Indian metaphysics of *Shankaracharya*. This aspect has strengthened the belief of the Meetei people

that the law under which they are living is not an isolated phenomenon but is an aspect of the whole social system and a part of the wider view of humanism. This ideology has the merit of putting Sanamahism at par with any developed philosophy, and illustrates the validity of the proposition that ideas are not limited in time and place.

[viii] The idea of specification is the idea of the relation of the universal and the particular. Here this question is not new in Sanamahism only. Ancient thinkers like Plato also dealt with this idea. This ideology of Sanamahism imparts to the law and usage of the Meeteis as organic character.

[ix] Lastly, the world view ideology of Sanamahism is indicative of the potential development of Meetei law.

Thus the principles of Sanamahism have directly influenced the development of Meetei law. This influence can be observed even by a casual observer of Meetei custom or usage and the philosophy of Sanamahism.

#### **Deities classified and its purpose :**

The Meetei deities have been classified into three or four groups.<sup>8</sup> Such classification in the opinion of the author is only of two viz household deities and local deities (*Umanglai* and *Yumlai*).<sup>9</sup>

Amongst the deities *Umanglai* and *Sanamah* are the greatest ones. *Umanglai* literally means 'forest god', which indicates that the *lai* belongs to *Umang* which is the symbol of identification of the whole Universe whereas *Sanamah* means 'gold liquid' or 'liquid omnipresent'. The Universe is a forest and the god of the Universe is called *Umanglai* or Universal Lord. *Sanamah* is the god of mankind which indicates that *Sanamah* is a family God. Both are, however formless gods. In their inner-most philosophical aspect they are one and identical with each other. The shrine of

Umanglat lies always in the grove of every village or locality and the shrine of Sanamahj lies inside the south-western corner of every house of the Meeteis.

#### **Yek System :**

The ancient texts suggest seven *yeks* and nine *salais* which is a peculiar clan system of the Meeteis. The seven *yeks* are, *the Mangang, the Luwang, the Khumon, the Angom, the Moirang, the Kha-Nganba and the Salai Leishangthem*. According to some texts these are the seven *yeks* not *salais*. Every *yek* has a distinct colour of its own and each is recognised by the colour it possesses. The *Salais* are nine in number.<sup>10</sup> At the time of creation Lord *Salailen* reproduced from His body seven fair sexes called *Lainura* who all married to *Pakhangba*. The seven wives had seven sons, one each for each wife. These seven sons are the seven *yeks*, of which *Pakhangba* is the father of seven *yeks*. Again these seven *yeks* make the Meeteis.

Like the Hindu and the Greek deities<sup>11</sup> most Meetei gods were activated through their relationships with female deities. These female consorts to the deities are called *Leirema* or *Leimarel*. Other well-known gods of the Meeteis are said to be relatives of the supreme god. Even Lord *Sanamahj* is the son of *Salailen Shidaba* and *Leimarel Shidabi Panthoibi* or *Thoibi* is the consort of *Ningpok Ningthou* or *Khamba*. They are worshipped widely amongst the Meetei community. All these gods originated from one supreme God whose name is mentioned in the Holy books of Meetei religion. *Eepuros Apokpa*<sup>12</sup> or *Eepung Loinaba Apokpa* is the Supreme God.

The religion has developed through many centuries and has no single founder or creed. Rather, it consists of a vast variety of literature of beliefs and practices. There is no organisation to support the hierarchical existence of religious authority. It is a mere commitment to



the duties of an ideal life known as 'Leechat'. The literal meaning of this expression is the ways of life to be followed. It is this aspect which contributes to the growth of Meetei law.

The Meeteis include both the original hill and plain peoples of Manipur. Manipur was originally called in different names and *Kangleipak* or *Meeteileipak* was one of them. The so-called Nagas of Manipur are the hill Meeteis and the so-called Manipuris of to-day are the plain Meeteis of ancient *Kangleipak*.<sup>14</sup>

The Meeteis believe all the living beings, including the sounds which we hear everyday are the evidence of God's existence. All the beings are governed by the Universal Law and this universe is owned by the Universal Lord who is the ruler of the universe.

All the gods are believed to have settled in a golden temple called *Sana Konfu Inungkuru*. The names of the gods are in hundreds.<sup>14</sup>

#### **Sanamahı, the Prominent God :**

*Sanamahı* is the original god of the Meeteis.<sup>15</sup> *Sanamahı* is associated with *Leimaren* his mother whose husband Lord *Salaien Shidaha* is believed to have been in existence. *Sanamahı* has no form except a representation made of bellmetal coin, which is placed on a shelf made of bamboo, in the *Sanamahı* corner or *Kachin*.

Many households do not have the coin, and the shelf is simply left empty, but is still regarded as the household shrine of the *lai*. The daily *Sanamahı* ritual is performed in the evening after sunset. The prayer for prosperity and longevity or sound health must be uttered without sound during the devotion to *Sanamahı*.

The Meetei religion is not a faith of image worship. From time immemorial, the *lai* of the *yeks* and *Yumjao lai* continue to be worshipped in the usual way as at present.

The great conversion of the Meeteis to Hinduism has not disturbed the Meetei deities. Even *Sanamahis* started worshipping idolatry in early seventeenth century.

The Sanamahı concept of *Salailen Shıdaba* reveals that Sanamahı is the only God who is the father of all mankind, including the Lord himself.<sup>16</sup> This concept is supported by a commonly used verse of long standing in Meetei society as an appeasement to their father Salailel the Immortal, the verse is given below :

' *Heı Eepa Salailel Nangi İluı  
Karubeena chikle, hı dak amatang  
Thadabıraku*''

English translation by the author

' Oh Father Salailel, Your Dog  
Karubee has bitten me medicine only one  
Throw down ''

The philosophy of Meetei *Puyos* has it that when there was no sun star and the planet, only one God in the form of ether existed. From His glories Father Salailel and Mother Leımırel Shıdaba came out. The Lord in his message convinced Salailel that He would be born to the latter as 3 days old son and the name became Sanamahı. Afterwards Sanamahı created the earth, all living beings and the man at last.

#### Commentary on Meetei Philosophy :

The *Sakok Salai* is regarded as the only holy book by its commentators.<sup>17</sup> The transcendent conception of Being itself is called "*Eepuroı*" Eepuroı is the dhora (axle), the Universe is chakra ( wheel )

The stars the sun, the moon the galaxies and the meta-galaxies flew up out of the *Sannajing Koubru* the Cosmic Embryo the cosmic source of the 'gravitational collapse phenomenon' the cosmic Hands of *Eepuroı Apokpa* changing Himself into *Fepa Soraren* and *Eema Leımaren*

*Shidabee* and *Lainingthou Sannamahee* which are nothing but the boundless ocean of space-time energy

Sanamahı must have been connected with the Meeteis from the beginning. Idolatry is not a tenet of Sanamahı religion. However, owing to Hindu influence, the first idol of Sinimahi appeared in the sixteenth century. The idol was destroyed in the eighteenth century. When Hinduism was declared as state religion, the idol was re-installed.<sup>18</sup> Now it is under the administration of a lawfully constituted Board, namely Sanamahı Temple Board.<sup>19</sup>

*Tayang Malang Shidaba* is the other name of Sanamahı. His duty is to survive the day and to protect the night. The earth is the boat, the universe as the ocean, and the cosmic lives are floating on it.

Mankind is the central pivot of all the moving beings and is also the common body of all non-existence. He is the master of both mind and thought or the soul. The soul is called *thawai* and itself is Sanamahı. Men always have a meditation on Sanamahı for a continuing existence on this earth.

Given birth and causing death are the reverse forms of life cycle of human beings. If there is birth, there shall be death, because the two are up and down of life cycle. After death, the soul becomes God, and after birth, the soul becomes Man. Man is merely the retreat of God.

The philosophy of Meetei religion is based mostly on Sanamahı cult. Parents are the visible symbols of God for mankind. Through the service of parents, there shall be realisation of God. Every human being is the shadow of his parents. They are the destroyer as well as the preserver of the present generation. The abode of the parents is called *Poknapham Lamdam*. The Meetei sages regarded *Poknapham Lamdam* as the only religious identity of mankind. *Poknapham* is more important than the language and script of

religion, because it is the only source of Meetei religion, otherwise the religion of all religions

The Meeteis believe that all human beings on earth are sent by God parents. They are descendants of almighty God. Man cannot torture MaꞤ. Torture is considered a sin. Torture is condemned.<sup>20</sup> The only teaching of Lord SanamahꞤ to mankind is 'Love to each other'

#### **SanamahꞤ concept of Love :**

With reference to the works of *Thirel Puya Kanglei Pung Mayol Sangpum Langpum Puya* and *Kangleipak Lamching Thousinkon* love is to be understood in the light of the concept of God and Man.<sup>21</sup> The ancient Meetei law was mainly based on the elements of love consisting of love of father, mother, brethren and God. The love of God dominated the other loves. However violation of any law of love was penanced.<sup>22</sup>

#### **Law of Nature and Meetei usage**

Lord SanamahꞤ is the source of Meetei custom. To follow the law of nature is to overcome the following seven events<sup>23</sup>

- 1) Ill health, disease, weakness, tiresome,
- 2) Lack of confidence,
- 3) Lack of ideal friendship,
- 4) Bad environment of the society,
- 5) Poverty ridden life,
- 6) Idealness, uneasiness, and
- 7) Dependency on others, absence of freedom

*Dharma* does not belong to the Meeteis.<sup>24</sup> The Meeteis have their own *Leechat*. Meetei law is a part of their *Leechat*. It developed through several Meetei kings. The present law and usage of the Meeteis are the product

of the ancient. Their law relates to their custom, usage, behaviour, yek-salai and ritual ceremonies. There were religious institutions for educating the laws of ethics to the masses but these were destroyed at the instance of mass Hindu conversion in the eighteenth century.<sup>25</sup>

Several authorities state that Meetei law originated with the law of seven-yeks, and nine salais. The *Laining-thou Nongshaba* is the symbol of religion which has been associated with the Meeteis for the last four thousand years. The symbol represents the laws of truth, beauty, protection, preservation and destruction.<sup>27</sup>

#### Nature of Meetei Law

**Nature of Society** Meetei law comprises their custom, usage and practices based on Meetei culture and tradition. Law is linked with tradition, and without it all sections of people could not be touched effectively by the living laws.<sup>28</sup> Meetei law touched all sections of the society except the *Mayangs*. The society emphasises the family as an economic unit besides its compulsory duty of procreation, with the exhibition of a strong in-group feeling dominated by traditional mores for social control and marks by simplicity and uniformity.<sup>29</sup>

**Social Organizations :** Meetei law may be of (i) extra-judicial having the force of law, or (ii) judicial. Extra-judicial nature relates to rites, whereas judicial relates to court decisions.

#### Extra-Judicial Nature ( Meetei usage ) :

**Kokthokchamthokpa :** There are various laws relating to rituals. The *Kokthok chamthokpa* ceremonial function is performed at the completion of 5 months pregnancy of the Meetei women, in which the father is to be declared with rites performed by the priestess called *Maibi*.

**Epan Thaba** The *Epan Thaba* ceremony is performed on the sixth day after the birth of the child. The father of the child and the mother have to perform the rites on the basis of the instructions given by Maibi. Before doing this ritual, the whole family should be purified first by the rite of *Yumsengba* <sup>20</sup>

**Chaumba**: It is the starting of feeding to the child, which the parents cannot avoid under any circumstance.

**Laiming Louba** ( or having the sacred name ) is the rite which is regarded as the most important religious obligation to the Sanamahí faith <sup>21</sup>. The father of the boy or girl or a Sagei Piba or a religious teacher shall give the sacred name to the boy or girl, when he or she attains the age of 12 year.

**Luhongba ( Apok-Asha Thaba )**. It is the marriage ceremony of the Meeteis. In all cases they apply the rules governing the *Yek* system. Customarily *Minglou Namungba Pitinnaba*, *Sailuk tinnaba* and *Ectinnaba* are forbidden <sup>2</sup>. Preliminaries to marriage consist of four distinct stages. They are first, *Hainaba* which is the initiation of the groom's parents to the bride's parents or family in which their respective yeks and the other prohibited degrees are exposed, secondly *Yathangthanaba* which is the exchange of their consent to the marriage, thirdly *Waroiopot puba* in which both the parties to the marriage give their final consent to the marriage, and fourthly *Heijngpot Puba* by which the marriage is made known to all with the performance of a rite of *Heiching Kharai*. This is the obligatory offering of fruits to the first ancestor of the bride's family (Sagei). Fruits and sweets are also offered to the local god (Lamlai) and clan god (Sageilai). These fruits and sweets are taken only by the household members of the bride because others are strictly forbidden to take it. Then follows the marriage invitation of the groom in which the groom is specially invited one day ahead of the

wedding ceremony This is a simple rite performed by a younger brother or nearest relative of the bride under the instructions of the priest at the residence of the groom. He garlands the groom and offers fruits and a nominal amount of presentation by cash to the groom. The groom again responds by raising the flowers of the garland to his forehead as a symbol of surety to the wedding. This function is obligatory because, without it there can be no wedding ceremony. On the next day of the invitation, there is the wedding ceremony at the bride's. The groom is conducted in by a woman whose eldest child must be a son and still living, who is not a widow and who has been married according to the correct rites and was married as a virgin. She will carry the *Irukningshang* basket containing rice salt cotton fruit and ginger. It is to be brought from the groom's to the bride's and left at the *phungga lairu* of the bride's house. On the fifth day of the wedding it is opened by groom's party. The rice is at that time poured on to a winnowing fan and the fortunes of the couples are read according to the position of the rice. It is also considered a good omen if ants' or spiders' webs are discovered in the rice. During the ceremony of the marriage the rite of *Meetaru Nga Ihaba* is performed, in which two *Ngamu* fish (one representing the groom and another representing the bride) are set free in the water and their movements observed. The prospects of the couple are read. Then, on the sixth day of the wedding, the *Mupam Chakouba* function is performed, in which both the couple along with their local relatives and family members are invited to a grand feast by the bride's parents at their residence.

**Lanna Thouram or Chupsha Moithem** It is the ritual function for dead man. It has four performances viz, (1) rites on the eve of dying, (2) rites immediately after death (3) disposal of dead body, and (4) the duties and responsibilities for the deceased after death \*\*

*Maibas* play the most important role in all rites relating to the dying person. Rites immediately after death are performed with the idea that the deceased will have a new birth after the completion of a full year, that is on the eve of the annual rite called *Phiroi*.

The rite of the dead body is performed by *Mei Pottol*, which is cremation by fire. The purification ceremony is also conducted on the tenth day.<sup>34</sup> Exceptions to the rules of ritual are mentioned in the authorities of Sanamahs religion.<sup>35</sup>

*Phiroi* The *phiroi* festival is performed on completion of one year of the death. Relatives and other friends of the deceased are invited by the deceased family to a grand feast on this day. Rites are performed with the belief that the soul of the body already entered into the body of a good father and remained for two months after death and then entered into the womb of a good mother and remained for ten months and after that has a new birth on the eve of completing a full year of the death. It is the belief that the *phiroi* ceremony is the ceremonial function of new birth of the deceased or soul.<sup>36</sup>

*Cheiraoba*: It is the new year's festival of the Meeteis performed on the first day of the first Meetei month, called *Sajibu* (around April).<sup>37</sup> It is the announcement of the coming year by raising a stick.<sup>38</sup> It is the most important social festival of the Meeteis which is believed to have had its origin during the reign of King *Leinung Lonja Ariba* (20,000-15,000 B.C.)<sup>39</sup> There are certain obligatory functions of the festival.<sup>40</sup>

*Lamaraoba*. It is usually performed in the month of *Kalen* (around May). However, it is performed in other months also. It is the only Meetei festival inheriting their real customs and traditions.<sup>41</sup> It is perhaps the most authentically Meetei of all the traditional festivals, and the one which most closely preserves the ancient culture.<sup>42</sup> as it mirrors the entire culture of Meetei people.



It also reveals the beliefs and superstitions, charm and happiness of Meetei society. The performance done in *Laiharaoba* is what had been done by the gods at the time of creation. It is merely an imitation of the invisible but living gods. The literal meaning of *Laiharaoba* is 'pleasing the god' and the essence of the ritual is that it is performed to call up the *lai* and to give him pleasure. However, the expression '*Laiharaoba*' itself should be '*Lai Hoi Laoba*'<sup>43</sup>

**Lai Chaklon Katpa :** It is a small scale form of *Laiharaoba*. It is held in any month except *Poinu* (November-December) or *Wakchng* (December-January). The festival is strictly confined to the members of a particular *saget* and no outsider may be admitted. The *maibi* who officiates also must not belong to the *saget* in question. It is not a public festival so has to be completed in a day.<sup>44</sup>

**Heikru Hitungba :** It is the name of a boat race festival of very remote origin. The obligatory law of the festival is that the taking of *Heekru* (amla) fruit before the occurrence of the festival is strictly forbidden.<sup>45</sup>

**Kangla Ukrong Hongba :** It is performed in the first week of *Mera* (September-October) every year. It is the substituted form of death ceremony of the deceased as a symbol of his daily or annual rites. Fire is compulsorily worshipped by both the hill and the plain peoples of Manipur irrespective of their caste, creed or sex. The underlying idea of the festival is to preserve the law of nature from decaying.<sup>46</sup>

**Mera Men Tongba :** It is performed in the month (on the first or full moon day) of *Mera* (around October) every year. It is the worship of *Saramahi* and *Pakhangba* in the public for a continuous period of 5 days. At present five days festival is performed under the auspices of the *Sanamhi Temple Board*. The philosophy of the festival is that without knowing the Lord Creator, it is impossible to know

**Sanamahs and Pakhangba** who are the creators of ten law givers <sup>41</sup>

**Mera Haochongba** : It is to be performed by all the hill men of Manipur on the last day of Mera (October-November). The festival is intended to pay tributes to the King of Manipur. All the hill tribes of Manipur in ancient time, came to the King of Manipur in their traditional costumes and also with gifts whatever they think best giving to the King. Now it has been replaced by the performance of one day festival in which both the hill and the plain people have their meals together <sup>42</sup>. Nowadays it is done in the form known as *Ching Tam Potlunnaba*.

**Ningol Chakouba** : It is performed in *Hrangget* (around October-November). The literal meaning is 'Daughter at Dinner' though the meal is before noon. The festival is meant for all women of Meetei society. On this day they are free from any sort of work. Married women with their children are invited by her parents or brothers or near relatives to a grand meal specially arranged for them. The woman is considered higher than the man because women are served as goddesses by seeking their boons for man's prosperity and peaceful life. Men also offer valuable articles as much as they could to please their elderly women. During their festival all shops, markets and any sort of public concern are closed <sup>43</sup>.

**Lai Keithel Kaba** : Literally it means 'marketing by the gods'. Its origin roots to the age of mythology. Normally the festival is performed in *Lonta* (around Mireh), which is the last Meetei month. The belief shows that there were two communities in ancient times namely *Meerup* and *Lairup*. Meerup belonged to the mankind and Lairup belonged to the god. They were always quarreling. The members of Meerup were increased gradually, whereas that of Lairup was not so and consequently Meerup never cared about Lairup. However the Lairup could do

according to their wills they knew everything about Meerup. The enmity reached its zenith, so there was no peace and harmony in their society. By introducing this festival their enmity came to an end. Historically, during the reign of *Nongda Lauren Pakhangba* (the first century Meetei Sovereign), the festival was performed in such a way that eight women were selected to sell edibles, and all they sold were purchased. After that, a grand feast was arranged with those edibles and in the last the rite of offerings was performed.<sup>50</sup>

**Saroi Khangba:** On the first and second Saturdays of *Lamta* month every year the rite of *Saroi Khangba* is performed by elderly women of the same locality in the morning at an open but auspicious place.<sup>51</sup> It has been performed since time immemorial. It was *Lui Khundin Lallup* in ancient time. Edible consisting of permissible fresh vegetables and rice are offered to their deities. As a part of the rite the participants sometimes dance.

**Chinggoi Eeruppa.** It falls on the last day of the last month called *Lamta* (around March). The literal meaning is to take full bath in the holy *Chinggoi river*. It is a bathing festival for purifying the body and mind. Every person used to take bath on the holy shrine of the *Chinggoi*, which is regarded as associated with the stream of pure water. In Meetei religion purification of the body with water, using the *Lajren* leaves is an essential ceremony of public life. *Chinggoi* is described in the *Piyas* as the holiest river in Manipur.<sup>52</sup>

**Sanamahí Khurumba:** It is the domestic ritual function in which the family of the household worship *Sanamahí* at sunset. It may be performed in the morning also. Worship of every day at twice different times, viz. in the morning, at noon and at sunset, is obligatory. There is, however, another type of appeasement worship called *Sanamahí Apoiba Khurumba*. But it is not the original worship, since the records show that it developed under the influence of Hinduism.<sup>53</sup>

**Yumsengba :** The principle of purity is the opposite concept of impurity caused due to death or child birth. Purity is called as *Yumsengla* based on the rites of purification. The period of impurity for child birth is 5 days,<sup>54</sup> for death it is 10 days<sup>55</sup> All the families lying within the ambit of *Phu Kajnaba* are customarily in the status of temporary untouchable, during impurity (*Yumsengba*) period<sup>56</sup> During eclipse impurity exists and therefore rites and the taking of fish are forbidden until a purification is solemnized.<sup>57</sup>

There is another sort of purification called *Iru Maithaba* which is the taking of bath everyday in the morning, generally before taking meals or before cooking in the kitchen

**Usin or Yelhing Thaba :** It is a divine worship carried out both in private by the households, and in a more public way by the *Mabas*<sup>58</sup> The ritual rule is that fish,<sup>59</sup> cock, hen, pigeon, duck, pig, bull, or any permissible living creature is set free. When the fish is set free it is called *Usin thaba*, when the cock or hen or other such creatures are set free it is called *Yelhing thaba*. Unlike *Thouniba* rite, the offered creatures are personified on the notion that these creatures existed earlier to human beings. The underlying idea of this offering is merely a prayer for prosperity<sup>60</sup> Such performances are obligatory in marriage, *cheiraoba* and *lai haraoka* and also in other events as recommended by the priests from time to time

**Various forms of rites :** There are various other forms of rites, and some of them, if avoided, affect the nature to a state of imperfection. They are viz, *Isaiphu Latpa*, *Leihunlon* (on the fifth day after death), *Phouoibi Khurumba* (rice ritual), *Nunglaohi* and *Nonglaubi* (rain rituals), *Apokpa Khurumba*, *Konrai Hunha Laison*, *Anim Aihouba Laison*, *Naheiron*, *Ap'klon*, *Toodouron*, *Ponqning*, *Umanglon*, *Numit Kappa*, *Maibaron*, *Iru Laison*, *Atai Laison*, *Heisoi Yupan Thaba*, *Yumdei Nakshen Laison*, *Konrai Thaba*, *Mei Erat-pagee Tengtha Laison*, *Eeshing Lajja Eercima*, *Maikai Ngakpa Lal Taragee Tinming Laison*, *Le'nung Thongagaren*, *Shing-shatpa*, *Lam Taiba*, *Yumjoo Leima Lerat Tengtha*, *Suna*

*Lamok (Pakhangba calling), Ahonglon, Khoichu Lamok, Chupshaba, Loutaron, Phoukouron, Mongba Maranyai Maran Yungaba, Numit Eeratpa, Thaa Eeratpa, Thouwanmichak Khurumba, Sanamahu Eeratpagee Tengihu Laison, and Lanningthou Pakhangba Khurumba* <sup>61</sup>

There are eighteen different ritual functions, each to be done on a particular day of a particular month of the year. Each Meeteet is bound to observe the rites wherever necessary. They are, on the twelfth day of *Lamta* (around March), the rite of *Moirang Salai Apokpa*, on the twentieth day of *Lamta*, the rite of *Nongpok Panthobri*, on the seventh day of *Shajibu* the rite of *Kongba Leithongphatpa-Shajibu Leikhun Phunba*, on the fifteenth day of *Shaj bu* (around April), the rite of *Khunian Salai Apokpa*, on the tenth day of *Kalen*, the rite of *Phakhangba Cheng-hongba*, on a permissible day of *Inga* (around June), the rite of *Kumlat Lamtaba*, on the fifteenth day of *Inga* (around June), the rite of *Mangang Salai Apokpa*, on the twelfth day of *Ingen*, the rite of *Angom Salai Apokpa*, on a *tatnaba* day of *Thawan* (around August) the rite of *Pakhangba*, on every day of *Langban* (around September), the rite of *Apokpa*, on the tenth day of *Mera* (around October) the rite of *Mera Sanduba (Mera Haachongba or Kwak Tanba)*, on any permissible day, the rite of *Koubureu Shuduba (Heikru Htongba or Hiyang Tarnaba)*, in the month of *Pouuu* (around December), the rite of *Ania Kuuu*, on the twelfth day of *Wakching* (around January) the rite of *Luwang Salai Apokpa* and *Imoinu Ahongbee*, on the fifth day of *Phairen* (around February), the rite of *Louaba*, and on the twentysixth day of *Pharen*, the rite of *Sarang Leishangthem (Chenglei) Salai Apokpa* <sup>62</sup>

It is also necessary to know the nature of Meeteet society. The knowledge of law in a society must be preceded by a knowledge of social practice <sup>63</sup>. The Meeteet society is a patriarchal one in which no caste system except the so-called Meeteets lived. The main organs of the society are, male folk, female folk, *Matbas* and *Manbis*. Seven is the sacred number which governs them in the form of

*yek-salai* for all purposes of practical life.<sup>64</sup> Like the plain Meeteis there are some hill communities having seven *yek-salais* (though in some other names), which is the centre of all their custom and usage till to-day.<sup>65</sup>

The most interesting aspect is found in the priestly society consisting of Nongmaiba and Nongmaibi, Amaiba and Amaibi, or Ma'ba and Maibi, who are the priests and the priestesses of the religion. There is, however, another kind of *Maibi* who is non-priestly in their community. They act as midwives using their remote skills at the time of delivery.<sup>66</sup> The main function of all of them relates to ritual functions and worship of deities. Exceptionally, there are some *Maibas* working as physician and some *Maibis* working as fortune tellers, these functions are not obligatory however and only are in their spare times. Because *Thou touba*, *Thouniba*, *Launang Phumba* and *Mangriaba* are obligatory.<sup>67</sup>

**The Classical Nature:** The vast *pranic* literature imparts the status of classical nature to Meetei law. The science of righteousness finds an important place in the *Imoinu Code*.<sup>68</sup> *Samanahic* ideas and precepts are based on *Langlol*.<sup>69</sup> and *Kang'etrol* incarnations embodied in the *Khamba and Thothi Epic*.<sup>70</sup> Meetei law, like Hindu law attaches more importance to duty rather than to right. Thus, the fundamental basis of Hindu legal philosophy is not far different from that of Meetei legal philosophy. The reason for this similarity is to be found rather in the metaphysical principles of the two communities. This similarity binds these two communities in a close bond that can be seen in the actual way of life of two sections of Meeteis: one the real Meeteis (by blood) and another the Hindu Meeteis (by religion) all of them in Manipur.

#### **Criminal Administration of Justice :**

*Cheitharol Kumbaba (CK)* is the royal chronicle of Manipur. The chronicle is the main source of Meetei criminal law and

administration of justice since the first century A.D., and prior to the enforcement of Indian Penal Code in Manipur <sup>71</sup>

The recorded earliest instance of criminal act relates to the commission of sexual transgression. Both the parties to sexual offence were liable to be punished, man was punished with death, while woman was given corporal punishment like severing off the nose (CK, 32). In grave sexual offences, however, women were also sentenced to death (CK, 33). A person committing sexual offence against the chastity of the deity's wife was punished with exile (CK, 43). For stealing a cow, death sentence was prescribed (CK, 46). Abortion by married woman was considered a social crime. The woman was fined, her children were exiled, and her helpers in abortion were given corporal punishment, like dragging by elephant. The physician and her husband were sentenced to death (CK 74-75). For theft, hands were severed off and exposed in the sun (CA, 77). For murder, ears were severed off and followed by punishment. For murder in a duel, the survivor was punished in exile (CK, 103). A person marrying a woman not divorced by her husband, was banished by destroying the dwelling house of the marrying man (CK, 104). For committing black art, banishment was the punishment (CK, 129). For marrying within prohibited degrees, slavery was the punishment (CK, 130). For selling women both the seller and the purchaser were exiled in separate places, fine was also imposed upon the family of the seller (CA 131). For marrying one's sister-in-law banishment was the punishment (CK, 139). For murdering a woman, the murderer was exiled (CA, 147). For beating the wife of another person the offender was exiled (CK, 164). For killing a child, the murderer's caste was changed for the worse (CA, 168).

#### **Adjudicature--Composition of Courts :**

During the 19th century the court system was a peculiar one. The King was the final appellate authority. Next

below him there was the *Cheirap* for both civil and criminal cases. A military court called the *Garod* was also in existence. Another special court called the *Patcha* tried cases connected with woman, like adultery and wife-beating. This court conducted the trial in camera. Serious cases were referred to the *Cheirap*. For petty civil and criminal cases there was the *Singlup*. There were such other village authorities called *Singlup*, *Laroi Singloi*, *Ningol Lakpi* and *Pakhang Lakpa*. Their duty was assigned by *Singlup Meiringha* and *Singel Puba*. This is a living usage till to-day.

Regarding penal law the gravest offence was high treason, or rebellion against the King the next was murder, all these offences were punishable with death sentence. Execution of death sentence was done in the manner in which the offender had killed the victim in the crime. Cow killing and stealing of fire-arms were punishable with fine. For assault, and petty theft, imprisonment for a specified term or exposure at the market place or whipping was the punishment. Cutting of the hair was also sometimes used. The term of punishment ordered varied between one week and twelve years. Brahmins were exempted from death sentences, but were instead banished from the kingdom for good. As a custom, a woman was never imprisoned or put to death. Exposure to the hot sun at the market place for a specified number of days or a peculiar mode of punishment called *Khung-goinaba* (literal meaning disgracing in public) was considered sufficient. In *Khung-goinaba*, the female criminal was shaved, painted with a mixture of turmeric and lime on the head and was made to walk through crowded market-places for a specified number of days, while an official of the State, closely following her proclaimed in detail her crime to the onlookers. These punishments, and the manner in which they were meted out closely resemble the punishments prescribed in the *Dharmasastras* (Smritis) of Hindu Law. For example, in the *Much chikalaika* when *Carodatta* was being taken to



the execution around the same procedure was followed. For Meetei woman sometimes she was stripped upto the waist.<sup>72</sup> This punishment was however later abandoned.

No formal code of laws seems to have been enacted. Religious laws and customs of the country served as the guiding principles.<sup>73</sup> Sometimes, punishments inflicted were excessively severe. Death sentences were given in cases of murder and killing of cow. When there was no jail system, banishment to a *lor* village was a very common form of punishment.<sup>74</sup>

#### **Judicial Nature :**

Custom in order that it may constitute a rule, in a particular family or in a particular community has to become a long usage and also has to obtain the force of law.<sup>75</sup> It must be ancient, certain and reasonable and not in derogation of the general principles of law.

It has been held that marriage by capture and widow marriage are recognised as valid marriage under Meetei personal law. The form of recognition is *loukhatpa* ceremonial function. The ceremony is very important because it is social recognition of the marriage of a woman of any status. The general principle of law is that, by *loukhatpa* only any type of marriage becomes legal and valid.<sup>76</sup>

Divorce is called *khemiba* in Meetei law. The Court in Manipur have recognised the Meetei system of divorce. Its procedure is a very simple one in which either spouse can initiate. It is permissible amongst the Meeteis irrespective of their religion.<sup>77</sup> However, the divorce should be sought by either party on ground of wilful desertion, infidelity or misconduct on the part of the other party. Therefore, before any marriage is dissolved, attempts are made by the elders to reconcile the parties.<sup>78</sup>

Inheritance to the property of her husband is a customary right of a re-married wife even in the absence of

*loukhatpa* ceremony.<sup>79</sup> In the absence of *loukhatpa* ritual such a wife may be boycotted from social functions, but her right to inheritance cannot be curtailed and subsequently the right of her husband also cannot be deprived of. For the matter of inheritance even a mere union of a man with a divorced woman without violating the norms of prohibited degrees is recognised by law and therefore applied to Meeteis who are Hindus by religion.<sup>80</sup>

Divorced daughters cannot claim residence as of right in the *ingkhoh* (homestead land) belonging to their maternal uncles, and the life interest of their divorced mother to reside in her paternal house cannot be extended to her divorced daughters in their turn.<sup>81</sup>

The customary law of land ceiling (that one could not hold more than 10 paris of land) was held as a valid custom on the basis of social and economic conditions of Manipur State.<sup>82</sup> The Registration Rules embodied it as an express provision of law. But, now the law has been substituted by an enactment.<sup>83</sup>

The youngest son of the head of family would inherit the property, when the same had been transferred to such head by his daughter after purchasing in her own name and the head treated it as his own. It was the Mizo customary law recognised by the court as the prevailing law prior to the enforcement of the Mizo District (Inheritance of Property) Act 1956 in Manipur.<sup>84</sup> This customary law is similar to Meetei customary law, but in a more liberal system.

Since Manipur was not a part of British India the Hindu Women's Rights to Property Act 1937 was inapplicable in the State before independence. The law of widow's inheritance in Manipur remains to be decided by the existing customary laws in Manipur.<sup>85</sup>

Any claim with regard to customary right of pasturage to Government land should be an established usage of time immemorial. If it fails to prove it cannot supercede the

express provisions of statutory law. It was, therefore, held that the right of pasturage to Government land cannot become a law on the ground that it lacks the ingredients of a valid custom or otherwise it must be a custom.<sup>84</sup>

The law in Manipur requires registration for a valid adoption, this however became void owing to lack of showing its authority. It was proved by the Gauhati High Court in *Priyokumar's case*<sup>87</sup> on the ground that the booklet, 'Manipuri Custom' does not ex-facie show, in which year Manipuri customs were codified and under what authority. It, therefore, fails to comply with the provisions of Hindu law. The provisions of Hindu law is that giving and taking must be ceremonially done to give due publicity. It negates any such law claiming that a registered deed is additionally essential for adoption. On the other hand, by virtue of the enforcement of the Registration Act, 1908 in Manipur under the provisions of Part C State (Laws) Act, 1950 any State Law of Manipur or any custom even having the force of law in Manipur, if it conflicts with any provision of the Registration Act, shall cease to have any effect in the State of Manipur.

Another judicial nature is that the status of divorced woman is recognised and the property acquired by her is treated as her *stridhan* property. It was held that any Meetei custom allowing divorced woman to gain legal status should be incorporated in Hindu Law.<sup>88</sup>

#### **Scope of Meetei Law :**

Law regulates human conduct, and reconciles and harmonises individual wills with the social interest, by curtailing unregulated systems and irrational principles for an effective governance of the human persons as well as the community wherein he lives.<sup>89</sup> However, in certain areas of law, the scope may be affected by anthropological characteristics.<sup>90</sup> The term, "Meetei personal law" relates to the whole Meetei community of Manipur in the first instance, and applies subsequently

to any Meetei of the globe wherever he or she goes or resides, provided all of them profess *Sanamahism*.

Every Meetei shall be governed by his law ( or personal law in the strict sense of the term "Meetei" ), wherever necessary, but subject to the recognition of local custom and usage by the authorities of law

**Persons to whom Meetei Law applies :**

Meetei law applies to the following persons :

- (i) a Manipuri who is a Meetei of Manipur, but to the exclusion of foreign nationals ,
- (ii) a Meetei who is a *Sanamah*i worshipper or *Pakhangba* faith ;
- (iii) a *Sanamah*i worshipper or *Pakhangba* faith who is a plain or hill resident ,
- (iv) a tribe or community of either hill or plain having seven *yek-salats* ,
- (v) a *tek-salats* who has an immediate conversion to another religion by virtue of faith but to the exclusion of those having their own personal laws

*Explanation (1)* Any person who resides permanently in Manipur would be a Manipuri<sup>91</sup> A Meetei may be a Manipuri, but all Manipuris are not Meeteis, because there are the Hindus of Indian origin ( or non-Meetei Hindus originated from outside Manipur ), the Sikhs the Buddhists, the Jains, the Christians and the Mohammedans. The latter are all Manipuris if they had settled down in Manipur ( or otherwise a Manipuri citizen )

*Explanation (2)* Any person who worships *Sanamah*i is a Meetei irrespective of his caste, creed, sex, race, religion or nationality<sup>92</sup> *Sanamah*i worship includes a merely keeping of *Sanamah*i shrine in the proper place of the house. The south-western corner of every house is the only place sanctioned by *Sanamah*i law for such a shrine. Normally all Brahmins (or Bamons in the local words of the Meeteis) in Manipur used to keep a shrine of *Sanamah*i<sup>93</sup> and

they are therefore recognised by Meetei society as Meetei Bamons, who are however have acquired a Meetei surname. Till to-day, there are forty seven Brahmin surnames, namely Phurailatpam, Gurumayum, Adhikarimayum and so on <sup>94</sup> All of them once migrated from different parts of India to Manipur and were married to Meetei women afterwards <sup>95</sup> Their mother tongue is Meetei language but none has a particular *yek* except gotra. They are the priests of Radha-Krishna temple and are respected by Manipuri community with the reverend name 'Aigya'. Against this background, Meetei law is also applied to Meetei Brahmins <sup>96</sup>

*Explanation (3)*: Any Naga, Mizo or Kuki who is a resident of hill or plain area and who keeps or has the shrine of *Kaching Karai* is a *Sanamah* worshipper <sup>97</sup> Historically the hill tribes of Manipur have the same origin with the Meeteis and they are also Meeteis, <sup>98</sup> The Kuki tribes are also a sub-tribe of the Meeteis <sup>99</sup> Thus, the tribes in Meetei community make a race and their religious law goes about 2000 years back <sup>100</sup> There may be such type of *Sanamah* worshipper, who fulfils two obligations, viz. preservation of *Sanamahic* cult and performance of *Sanamahic* rites <sup>101</sup> A *Pakhangba* worshipper of Tripura State, Bangladesh, or Burma is also a *Sanamah* worshipper, on a merely ground that *Pakhangba* faith is a cultured form of *Sanamahism* <sup>102</sup> The Nagas or Kukis include Meeteis, the Meeteis include Nagas and Kukis, all belong to one community called *Kanglei Khunai* <sup>103</sup> though some Kuki, Naga or Meetei tribes are of recent comers <sup>104</sup>

*Explanation (4)* There are nine important plain or hill-communities who have seven *yek-salais*, and they are, namely *Meetei (Tamme)*, *Koiteng*, *Kabul*, *Anal*, *Tangkhu*, *Khairam Maring*, *Chothe-Kom*, and *Mayon Monsang* <sup>105</sup> The *yek-salais* of Meetei (Tamme) are, *Mangang*, *Luwang*, *Khumau An-om*, *Moirang*, *Kha-Nganha*, and *Salai-Leisong-ihem*. The *yek-salais* of *Koiteng*, are *Yete*, *Songthu*, *Leisen*, *Tumtem*, *Tente*, *Walbe*, and *Mikal*. The *yek-salais* of *Kabul*

are *Kammei, Gangmei, Gonmei, Longmei, Mareengmei, Palmei* and *Phaomei*. The yek-salais of *Anal*, are *Murchal, Masum, Pasen, Chantung, Rumlal, Hrangpung* and *Yasa*. That of *Tangkhal*, are *Dudang, Sadang, Khodang, Khapundang, Choudang, Sithudang* and *Kingdang*. That of *Kharam*, are *Saphu, Saichal, Rangla, Rakhou, Scilon, Mareeyam, and Kailam*. That of *Maring*, are *Dalta, Raju, Dugthoi, Chongdur, Thoutak, Saupar* and *Thangnga*. That of *Chothe Kom*, are *Yahrung, Thao, Mari, Pupa, Rangsal, Mukal, and Rakhung*. That of *Mayon-Monsang*, are *Rujin Wangran, Chuur Nungchun, SeseingHunam, Son'sei Khartu, Ngaru Langrom, Sirbum Tureep* and *Bungjeer Charu*.

Excluding the Meeteis, the total number of communities recognised as scheduled tribes by the Government of Manipur are twenty-nine. They are, namely *Aimol, Anal, Angami, Chothe, Chiru, Gangte, Hmar Kabui, Kacha Naga, Khoirao, Koireng, Kom, Lamgang, Any Mizo (Lushai), Marani, Moyon, Maring, Mao, Monsang, Paite, Pulum, Ralte Sahte, Sema, Simte, Tangkhul Thadou, Vaiphei, and Zou*<sup>106</sup>. All these tribes or sub-tribes irrespective of their residential location have seven yek-salais<sup>107</sup>.

*Explanation (5)* In Meetei society there are persons who have an immediate conversion to another religion, more commonly to the Christianity, or in a lesser degree to Buddhism, who however still retain their custom and usage. Though he or she may be a Christian, Buddhist, or Hindu by religion or faith, such person being a Meetei by blood is allowed to stay in the same house where the shrine of *Sanamahs* is revered. So long as they live under the same root of Meetei Khunai,<sup>108</sup> they are treated by the society as Meeteis, and subsequently Meetei law applies. The only exception is that the law ceases to apply if they have joined to Muslim community immediately after their conversion to Islamic religion<sup>109</sup> or if they have joined to Hindu, Sikh or Buddhist community, for whom codified Hindu law applies.

*Exception.* There are 716 Meetei surnames who all have a distinct yek-salai<sup>110</sup>. There are two more Meetei

surnames who do not have a yek-salai of their own, they are the *Khetrimayums* and the *Lairikyengbans* <sup>111</sup> Though these two surnames do not acquire yek-salai, Meetei law applies.

**Sources of Meetei Law :**

There are two main sources, namely material and formal. The formal sources may be traced out from the judicial decisions, whereas the material sources may be from the vast puyaic literature which has a claim of 4 324 puyas either in manuscript or published forms <sup>112</sup> On the other hand, the study of any personal law is said to be the study of any early legal system based on ancient social history of a civilised community and also on the condition of the society of any retarded race, who retained their primitive institutions which have died out in any other civilised society <sup>113</sup> In this context, Meetei law may also be evaluated from both the ancient social history and the primitive institutions of the Meeteis.

**Material Sources :**

*The Puyaic Literature* As said earlier, the puyaic literature is very vast, and is of enormous materials for the study of Meetei law since they lie scattered in the written accounts left by their legendary or ancient scholars and saints. For the origin of Meetei law, the puyas namely *Numit Kappa*, *Nongdon Leichinlon*, *Sana Lamok*, *Khuju Lamok*, *Khammai Yangoi Seknung Panthoibee Khonggun*, *Pakhangba Naoyom*, *Poireiton Khunthokpa*, *Taotomai Yangbec*, *Thuren Shakok*, *Leithak Leikharon*, *Leiron* and *Chcaggouiron* are worth mentioned <sup>114</sup> For the nature of Meetei law, the puyas like *Wakoklon Thcelen Salai Amawlon Pukok*, *Singlak of Wakoklon Ngasapa*, *Nongpok Yakawon*, *Sakoklon*, *Leisemba Ariba*, *Langdai Langhei*, *Lai Khurdaion*, *Khunung Singlak*, *Khunung Leikouon*, *Khunung Singkhai*, *Kangbaton*,

*Khamlang Puwari, Heiram Puwari, Theerel Layat Mapu Theebu, Ariba Laining and Ahuron* are noteworthy <sup>115</sup> Besides it, there are *Pakhangba Kangleiron*, or *Sakok Salai Theeren, Sakok Lamten* and *Shungdabung* For the material source of Meetei law, *Mashin Achouba, Loma Shunlon* and *Loyamba Shunven* are of great importance <sup>116</sup> For custom and usages, *Imoinu Ahongbeegee Tinguapham Sagei Salai Khunthoklon, Langlen* are noteworthy For marriage, the *Panthoibee Khongkul* and the *Khumba Thoibee* are the authorities For dowry the commentaries of the *Kangleikhoh* and other publications, for the concept of property, the *Methoubaiol* and the *Putil* and for criminal law, the *Cheutharol Kumbaba* and the accounts left by the western scholars are all available sources For landed property, the *Mashin*, for social history the *Ningthourol Lambuba* and the *Ningthourol Kumbaba* are all important material sources.

**The Imoinu** It is the main law giver relating to Meetei custom and usage The actual date of writing of the code is untraceable as the record merely shows that it was written in *Hayichak* which is equivalent to *Sotja Yuga* It is the verses of *Imoinu Ahongbee* who is worshipped as goddess of wealth The code consists of six chapters or parts, A few important excerpts are given below <sup>117</sup>

"The law has forbidden the habit of sorrows and anxieties sleeping at sunsets and having sex with the unmarried virgins by using force, axing of firewoods at night, sleeping without a light at night, giving false evidence, bearing jealous and greedy mind sleeping naked at night taking dinner without a light at night taking the remains of his own taking meals on the floor without a seat, living in unchastity and dishonesty beating of woman to bleeding without a fault of her, treating his own wife by using slang and harsh words, kicking his own wife is a disciplinary action, driving one's own wife out of the house to reach



her parental house with tears rolling down from her eyes" ( *Part I. The Forbidden Character* )

"Such women are forbidden and also penanced, who change her dress everyday, who sinks in luxury, who has a dishonest and double mind, who laughs loudly who commits adultery, who dresses against the husband's choice, who has a lust mind on seeing other man, who is always guided by lustful thought in the presence of any youth, who has ill-feelings, who speaks aggressively who is cunning, who disobeys to her husband, who has a bad character, who bruises her family, who does the wrong, who has a bad manner and unauthorised behaviour, who spends the time by backbiting outside her house, who does not shock by the death of her husband, who co-habits with man at the advanced stage of pregnancy, who brooms while others are at dine, who keeps the house rooms up by kicking household articles who dresses dirty clothe, who warns her children with all limits, who is always quarrelsome with other ne ghbours' female, who discloses the family problem of her own, who does not regard her husband as herself, who does not respect her parent in-laws as her own parents who criticises her husband in open before other, who makes the dress of her husband by using her legs, who takes disciplinary action against her children by kicking, who does not save the e,uhls for tomorrow, who does not complete her own work, who spits in the house corner or in the courtyard, and who does not know the shrines of the family" ( *Part II. The Forbidden Fema'e Character* )

**The Langlol** It is a collection of moral lessons in Archaic Meetei (Manipuri) Some excerpts are given below 118

“He who ignores the past and neglects the future shall always be in trouble

He who commits theft frequently, shall be in chain ;

He who cheats, shall be corrected with lashes ;

He who steals frequently by deceiving others shall be beaten severely.

He who gives false statement under the influence of conspiracy, shall disclose positively ;

He who has a hundred mind shall be in disgust ( disgracing the public ), and

He who professes more than one trade shall have a meaningless life in future ”

#### Formal Sources :

*Judicial decisions* The court decisions as reported by the All India Reporter are the main legal sources. Consequently, the cases of *Angoubi*, *Kokngang*, *Liklat*, *Bahadur Baruniton*, *Ketuki*, *Rinkim Palla*, *Priyo Kumar*, *Ibemcha* and *Gulap* carry judicial decisions relating to marriage, sonship divorce, adoption and inheritance <sup>119</sup>

In *Kokngang's case* ( 1954 ), the essential ingredients of a valid custom was reconsidered by the court to a question relating to the separation of major sons on attaining majority from their father. In *Angoubi's case* ( 1953 ), the right of residence of divorced daughters in the homestead land of maternal uncle was denied by the court. In *Liklat's case* ( 1956 ), the institutions of marriage by capture and remarriage of divorced women are recognised. In *Bahadur's case* ( 1957 ), it was held that the existence of unwritten law or usage should be proved without doubt, but to the satisfaction of the court. In *Baruniton's case* ( 1959 ), the law of monogamy was said to be subject to personal law of the Meeteis ( Manipuris ). In *Ketuki's case* ( 1964 ) the Meetei custom sanctioning the adoption of sister's son was held invalid on the ground of lack of evidence, otherwise

it would be valid. In *Rinkini's case (1973)* the Mizo custom sanctioning the inheritance of property to the youngest son was held valid. In *Pallai's case (1975)* the Meetei custom recognising the status of divorced women and the property acquired by her was held valid. In *Priyokumar's case (1977)*, the court held that in Manipur custom sanctioning adoption does not require a registered deed to that effect. In *Ibemcha's case (1977)*, it was held that the Hindu Women's Right to Property Act, 1937 was inapplicable in Manipur before independence. In *Gulap's case (1977)*, the court held that the right of pasturage by custom cannot be valid by relying on a mere ground of hearsay evidence.

**Legislative Enactments :** There is no specific legislative enactment on Meetei law till to-day. However, we may mention that any custom or usage is recognised as a source of law in India. Because section 3(a) of the Hindu Marriage Act 1955 ; Section 3(d) of the Hindu Succession Act, 1956 ; and section 3(a) of the Hindu Adoptions and Maintenance Act, 1956 have definitions of the same expression.

Under the Hindu Marriage Act, 1955 the expressions "custom" and "usage" signify any rule which having been continuously and uniformly observed for a long time, has obtained the force of law among Hindus in any local area, tribe, community, group or family. Likewise, section 2 (1)(c) of the Hindu Adoptions and Maintenance Act, 1956 ; and section 3 (1)(c) of the Hindu Minority and Guardianship Act, 1956 have the same legislative scope. These Acts apply to any other person who is not a Muslim, Christian, Parsi or Jew by religion unless it is proved that any such person would not have been governed by Hindu law or by any custom or usage as parts of that law in respect of the matters dealt with herein if these Acts had not been passed.

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3. Sen Gupta, N C *The Evolution of Law*, 16-17 ( 1962 )
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104. Singh, Kunjabihar, : *Meetei Jatigee Hourakpham* (Origin of Meetei Race ) *The Shahitya*, 9th issue, p 17 ( December 1967 ), K. B Singh : *An Introduction to Tribal Language and Culture of Manipur, Editor's Note*, p 1 ( 1976 ), 'Till the last century some of the 'Kuki' groups were nomadic towards Manipur''.
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107. Pangambam Nabakishor *Manipur Itihas* ( Kangleiroil), Part II, 12 ( 1982 ), Moirangthem, Tomcha *Leithou Nonghou*, p 47 ( 1982 ) - ' It mentions seven yeks and nine salars. However leading authorities advocated only seven yeks and seven salars for both hill and plain peoples of Manipur'' For further reference, See Naoriya Phulo *Meetei Houbham Waree*, p 27 ( 1982 ), *the Kangleikhol* p 11 ( 1983 ) The Meeteis and the Nagas ( Hao ) have an established system of inter-marriage since ancient time ''
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known as *Khunai*, meaning thereby *civilised village*

109. Ningthoukhongjam, Khelchandra : *Cheitharol Kumbaba*, 22 ( 1967 ) “ King Khagemba ( 17th century ) gave settlement to 1,000 Muslim war captives. He also gave them Meetei women in marriage, since none accompanied woman.” From then onward the Muslim Meetei women in Manipur have been using their original marriage costume and retain certain norms of marriage usage of traditional Meetei till to-day. They maintain Meetei customs and usages in their family life alongwith the Islamic laws side by side. One big reason is their mother tongue, which is Meetei ”
110. Keisampat Meetei Thougal Marup *Meetei Yek-Salar*, 64 ( 1982 )
111. Moirangthem, Kirti *Manipuri Samaj Hongatlakpa Amasung Chaokhatlakpa*, 35 ( 1977 )
112. Sen Gupta, N. C. *The Evolution of Law*, 1 (1962)
113. Akoijam, N Piba : *Wakhun Ponit*, 195 ( 1977 ) , See also, Wangkhem, Tolchousana *Leishemba*, ( 1967 )
114. Kangjam, I S *Cheengburoi Tambur ugee Pudindu . Tengbanbagee Yaon*, p 9 ( 1980 ).
115. *The Kangleikhol*, p 17 (January 1984), N Birachandra . *Yelhoungeigee Manipurgee Mamingsing*, p 5 ( 1983 ).
116. *The Kangleikhol*, p 23 ( April, 1983 )
117. Yumnamcha, Budhichandra . *Imoinu Ahongbige* *Tungnapham*, 5-14 ( 1981 )
118. Wahengbam, Yumjao *The Ling'ol*, 3-15 ( 1966 )
119. (i) *H Angoubi Devi v Nongmaijung Sharma*, AIR 1953, Man 8  
 (ii) *W Kokgang Singh v W. Pishak Devi*, AIR 1954, Man 9  
 (iii) *Puyam Liklai Singh v M. Mupak Singh*, AIR 1956, Man. 18  
 (iv) *Nar Bahadur Gurung v. Anil Krishna Bhatta charya*, AIR 1957, Man 25

- (v) *H. Barunjiton Singh v. Th. Bhani Devi*, AIR 1959 Man. 20
  - (vi) *G. Ketuki Devi v. Jayanta Kumar Goswami*, AIR 1964, Man. 14.
  - (vii) *Rinkini v. Liansawma*, AIR 1973, Gau. 116.
  - (viii) *N. Palla Singh v. Gulamjat Singh*. AIR 1975. Gau. 26
  - (ix) *S Ibencha Devi v. N. Mani Singh*, AIR 1977, Gau. 1
  - (x) *M. Gulap Singh v The Union of India*, AIR 1977, Gau 41
  - (xi) *W. Priyokumar Singh v. W Rani Devi*, AIR 1977, Gau 65.
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## CHAPTER II

### MEETEI MARRIAGE AND DIVORCE

#### Concept of marriage :

Marriage, in Meetei law is called *Luhongba*. This expression combines the words *Lu* and *Hongba*. *Lu* means "head" or "bone" or "head of family", whereas *Hongba* means 'to solemnize' or 'to change'. So, it may be "head changed or solemnized," "bone changed or solemnized," or "head of family changed or solemnized"<sup>1</sup>. Amongst the primitive institutions of the Meeteis, marriage is the most ancient and most developed one. Marriage is the mandate of *Sanamahí* religion, which is a part and parcel of their family law. A male or female if born on this earth is bound to solemnize marriage, and he or she must leave his image before departing from this world. The lives of issueless or impotent couples are bad omens before the eyes of others. So when an unmarried or impotent male or female dies, there shall always be special rite of *Chupsaba* at the time of cremation. This is unavoidable, because it is believed that an unmarried or impotent person dies thrice.<sup>2</sup>

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1. Moirangthem, Kirti : *Hindu Ondringeida Meiteisinggee Chatnurol* · *The Lanmei Thanbee*, 21 ( June-July 1983 ); Mayengbam, Tomchou : *Meitei Luhongba*, *The Lanmei Thanbee*, 5 (April-May 1983), and Yumlebam, Thoibee Leima : *Luhongba* · *The Kangleikhol*, 14 ( April 1984 ).
  2. Moirangthem, Kirti : *Manipurí Samaj Hougatlakpa Amasung Chgokhatlakpa*, 56 ( 1977 ).

**Kujaba :**

The most important ingredient of Meetei marriage ceremonies lies in the concept of *Kujaba*, which construdes with one big earthen plate called *Kambi*, containing the prescribed quantity of husked rice, a banana hand of odd numbers, the prescribed fruits having good smell, permissible loin cloth (dhoti), shirt turban, comb, scissor, nail cutter and knife. This is a gift first given by the groom to the bride on the day of *Heijingpot* ritual function, and secondly it is given by the bride to the groom on the day of marriage solemnization. The last ceremony is quite distinct and peculiar from the first performance that was a simpler form of only a mere giving and taking of the permissible gift. The five fingers, each from both the bride and the groom, are tied together by a garland composed of permissible yek-salai colour and on it the *Kujaba* is placed for a while till the completion of the rites. It is the starting point of a new life. The underlying significance of *Kujaba* is that both the newly married couples have acquired equal shares of life's burden under a joint hand.

The concept of *Kujaba* consists of four elements, viz, the earth, the food grains, the cloth and the accessories. The theory is that the couple will require all these elements for their livelihood. The tying of the knot shows that while achieving these life elements, both the bride and the groom have been divinely united into one blood belonging to the yek-salai of the groom<sup>3</sup>.

Marriage is the act of giving freely the daughter to another salai without changing her yek-salai<sup>4</sup>. *Kujaba* is the

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3. Yumlembam, Thoibee Leima Luhongba *The Kangleikhol*, 21 (April 1984)
  4. Moirangthem, Kirti. *Hindu Ondringaida Meiteigee Chatnarol: The Lanmei Thanbee*, 22 (July-September 1983)



blessing for starting a new view of life, the winding up of a past chapter of life and changing the head of the family from father to husband<sup>5</sup>

#### **Authorities on Marriage**

The writings of *Thoukachanba* may be considered authoritative with regard to the concept of Meetei marriage. He says: "The Yek-Salai and Sailuk are forbidden to marry each other. They are however permitted at seventh generation

The foreigners are permitted to marry Meetei women after acquiring Meetei yek, salai, and sailuk

If the parties belonging to prohibited degrees ignorantly eloped, they shall be separated from each other before their cohabitation. Such girls shall be treated as unmarried and are allowed to marry with another person with all formal rites

If the eloped girl spent two-three nights at the house of the groom, she is forbidden to marry in any formal rite including *Eshuiphu* ritual

The marriage of such girl shall be performed with only singing the prayer, garlanding between the groom and the bride, and lastly prostrating to the audience who are witnessing their marriage

The marriage of unchaste, widow and widower shall be conducted with only showing a bow of reverence to the witnessing audience."

( English translation by the author )

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- 5 Thoi-bee Leima . *Luhongba . The Kangleikhol*, 14 ( April 1984 )
- 6 Thokchom, *Thoukachanba . Thouram Pareng Asuba*, 101-102 ( 1980 )

The most accepted marriage in Meetei society is the marriage of virgins, because virgin marriage is nothing other than divine marriage.

Against the will or without the consent of the girl there shall be no formal marriage ceremony. A kidnapped girl shall be separated and be regarded as an unmarried girl. She may be allowed afterwards to marry with another person, with all rituals?

### Forms of Marriage

As to the number of forms of marriage, opinions vary from one scholar to another. However, we may consider only four forms of marriage. These are, viz, Hainaba (engagement), Chenba (elopement or love), Chingba Phaba (capture) and Loukhatpa (recognition of unsolemnized elopement)<sup>8</sup>. The purest form is Hainaba or engagement, but the most accepted form is Chenba or love marriage. However in any form of marriage virgin marriage is regarded as divine marriage. The pre-requisites of marriage by engagement are, namely (i) *Haina Chatnaba* (begging the bride) (ii) *Pakna-Walnaba Yengba* (astrological examination of both the bride and the groom), (iii) *Yathang Thunaba* (exchange of consent), (iv) *Waroiipot* (giving the final consent), (v) *Heijingpot-Heijing Kharai* (giving of presents) and at last (vi) *Apok-asa thaba* (solemnization or rites of marriage). The pre-requisites of marriage by elopement or by love are only the last two, that is, *Heijingpot-Heijing Kharai* (giving of presents) and *Apok-asa thaba* (solemnization) of which only the last one is

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7. Yaikhom, *Kondumsana Meetei Meetei Eeyek Salai Taretkee Thouram Pareng Asuba*, 17-18 (1982)
  8. Moirangthem, *Kirti: Hindu Ondringeida Melteigee Chatnarol The Lanmei Thanbee*, p 21 (June-July 1983); and also, Moirangthem, *Chandra Panthoibee Khongkul*, 28-48 (1972),

obligatory, since the former may be combined with the latter. The last two forms of marriage (by capture and by recognition) do not constitute a particular form in the strict sense of the term, because these are distinguished only by the nature of solemnization. In the case of 'capture' the marriage shall be completed only by solemnization (ritual function, or in the absence of it the 'recognition ceremony'), and, in the case of *loukhatpa* the marriage shall be completed only by a nominal rite of marriage which is a social recognition of the elopement, and which may be said to be an exclusive recognition of widow remarriage commonly practised by the married persons now-a-days. The remarrying widows and widowers may have earlier issues at the time of 'recognition ceremony'. The law permits it

**Conditions of Marriage :**

A marriage may be solemnized between any two Meeteis, if the following conditions are fulfilled, namely

- (i) neither party has the same yek-salai at the time of marriage ,
- (ii) at the time of marriage neither party falls within the prohibited degrees of *Sairuk Tinnaba*, *Pendinnaba* *Pudinnaba* or *Econnaba* ,
- (iii) the parties are not within the degrees of prohibited relationship and are permitted to marry each other by their customary law ,
- (iv) the parties have attained puberty<sup>9</sup>.

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9. There is no established authority for the marriageable age. On the other hand, there are few opinions on it. For reference see, *ibid*, Dr Kirti's *Manipurī Samaj Hougatlakpa Amasung Chaokhatlakpa*, 57 "the marriageable age for boys and girls were fixed at 30 or 25 years respectively during the reign of King Chandrakirti ( nineteenth century A D ), and K Bijoy's *Naothngkhong Phambakaba*, 20 "King Naothngkhong ( in the

- (v) the bride is not a wife of somebody and the groom if a married man has taken permission for the marriage from his mother ( if alive ), or from his first wife (if the mother is not alive ) at the time of marriage , '° .
- (vi) the groom has not more than four wives at the time of marriage ( because only five wives are permitted )<sup>11</sup>

### **Ceremonies for Marriage**

A Meetei marriage may be solemnized in accordance with the customary rites and ceremonies of either party thereto. Such rites and ceremonies include the *Lei Chaiba* or *Lei Koiba* ( that is, the flower offering of three times or the taking of seven rounds by the bride separately around the groom but before the sacred water ) When the third flower offering is made or seventh round is taken the marriage becomes complete

There are opinions on the position of *yek* during the ritual function of a marriage While performing the rites of marriage, the *yek* and surname of the bride remain as before, but after it, her *yek* has been changed to that of her husband In case she becomes a divorcee, she retains her divorced husband's *yek* At the time of remarriage for three or four times, the *yek-salai* of her last husband shall be taken for any

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seventh century A D. ) performed love marriage at the age of 15 years."

- 10. Sanabam, R. . *Yu-thakpa Amasung Nupee Lonbabu Karamna Thinggalouriba The Lanmei Thanbee*, 78 ( July 1984 )
- 11. Moirangthem, Kirti . *Hindu Ondringeida Meiteisinggee Chatnarol . The Lanmei Thanbee*, 22 ( July-September 1983 ) . "The Meetei Kings are bound to marry at least five wives"

rite. This is supported by the Meetei proverb—“The woman has neither surname nor clan ( or in Meetei, *Nupigeo Yumnak Sagei Lette* ).”<sup>12</sup>

#### Various Forms of Marriage rite

There are five forms of marriage as practised in Manipur. They are, namely *the Andro, the Awang Sekmai, the Pheyeng, the Leimalam* ( Leimaram ), and lastly *the Kanglei*. They are generally confined to the territorial limitations of their inhabited village. The titles also carry the name of a particular village. They are more or less similar to the common form of Meetei marriage system. However, most commentators, like Salam Chaoba of Andro, Yumlembam Yaima of Awang Sekmai, Angom Mangi of Pheyeng, and Ningthoujam Ibomcha of Leimalam, opined that these practices still retain or follow the original rites of Meetei system of marriage of Sanamahi religion<sup>13</sup>,

#### Lukhrabi, Tuman and Pakhra

The term ‘*Lukhrabi*’ signifies a woman whose husband is dead. Husband is any person with whom the woman has established cohabitation for at least one full night, and such cohabitation may be performed in any one of the prescribed marriage form or in any other form. There is no prescribed period for becoming a *Lukhrabi*, because any woman shall become a wife of a person on her completion of cohabitation with such person. The term “Tuman” relates to such woman who stays at her parental house as a divorcee. *Pakhra* is the masculine form of *Lukhrabi*. A husband whose wife is dead and lives in single shall be known as *Pakhra*. The

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12. Yumnaba, Tamphajao *On Meetei Customs* ( MS ), 1-2.
  13. Keisamcha, Yaima *Comments on Practices of Meetei Marriage* ( MS ), 9, 16, 19 and 26.

three terms carry socially lower status amongst the members of the Meetei community.<sup>14</sup> Persons in all the three categories may have remarriage with due observance of customary law. The only bar is prevalent in *Sagei Piba*, who is not allowed to marry any of them. Unlike the *Dası* concept in traditional Hindu law the Meetei *Lukhrabi* is more respectable than the Hindu *Dası*, and bestows a status of wife upon the woman. There are women acquiring socially lower status in Meetei society. They are *Mou hallakpi*, *Chellurabi Nupi* or *Chinglurabi Nupi*.<sup>15</sup>

#### Exogamy ( Yek-Salai ):

A person cannot marry a girl or boy belonging to any surname of the same yek-salai. For *Mangang yek-salai* there are two hundred and thirty surnames carrying different names like *Akhom*, *Ahanthem*, *Sanabam* and so on. These surnames though of different names belong to the same yek-salai. Likewise the *Ahuma yek-salai* has 194, the *Luwang* has 100, the *Angom* has 132, the *Mouang* has 121, the *Kha-ngarba* has 56 and the *Leisangthem* has 66 surnames, all of them follow the rule. One person of a particular yek-salai can marry any girl or boy out of his or her yek-salai except 'Sairuk Tinnaba', 'Mungnaba or Leomnaba', 'Pendinnaba' and 'Pee Tinnaba'. The Sairuk Tinnaba denotes the acquisition of a common ancestor by two or more surnames of different yek-salais. Some surnames are illustrated as below

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14. Yumnamcha, Budhichandra *Meitei Lemagee Maran ( Meitei Dharma ), Meitei Laining Lecchat Meitei Nat ( Custom ),* 49-55 ( n d )
15. *Mou hallakpi* is such woman who stays at her parental house as a married returnee, *Chellurabi Nupi* is one who is an eloped returnee, and *Chinglurabi Nupi* is one who is a kidnapped returnee.

<b>Surname</b>	<b>Yek-Salai</b>
<b>Kongpam</b>	= Mangang and Angom ( two yek-salais )
<b>Konsam</b>	= Mangang Leisangthem, Khuman, Angom and Moirang ( five yek-salais )
<b>Konjengbam</b>	= Kha-nganba, Leisangthem, Moirang and Angom ( four yek-salais ).

There are one hundred and thirty four surnames including the above three surnames which have two or more yek-salais <sup>16</sup> They are said to be *Sairuk* (*Sairuk*) *Tinnaba* and therefore cannot marry each other though they belong to separate yek-salais A *Konsam* cannot marry any *Mangang*, *Leisangthem*, *Khuman*, *Angom* or *Moirang* However, exception is made by some authorities available at the seventh generation in all cases of *yek-salai* and *sairuk*, five generations in case of *Mungnaba*, three generations in the case of *Eomnaba* or *Eemungnaba* <sup>17</sup>

#### **Marriage Practices :**

During the ancient time, the boys could visit the house of the girls in open courtship This practice is in vogue even at present in some remote Meetei villages The boys and the girls used to communicate their feelings through the medium of folk songs. A boy would sing a meaningful song from a distance at the dead of night to attract the attention of a particular girl at home Incidentally girl also might reply through another song, singing it leisurely as if without much significance so far as her own guardians were concerned <sup>18</sup>

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16 Keisampat Meetei Thougai Marup *Meetei yek-salai*, 25-64 ( 1982 )

17. Thokchom, Thoukachanba *Thouram Pareng Asuba*, 101 ( 1980 ), and Laisangbam, Achou *Meetreihakkee Khunnaida Lounaba Yaba Yadaba Souvenir-Tengban bugee Yaon*, 21 ( 1980 )

18 Ningthoukhongjam, Tombi : *The Story of Khamba and Thoibi*, Introduction XXXIV ( 1976 )

There are a few marriage practices in certain sub-communities of the Meeteis in Manipur. Some of the more significant of them are discussed below,

**Kwatha Practice** The Kwatha village regards their marriage system as a state of social status. The bridegroom should be at least 25 years old and the bride at least 17 years old. This is the marriageable age according to their custom. After marriage, the bridegroom has to stay at the house of the bride for a period of 5 years. This is known as *Yawong-Inba*. After the stipulated period, the wife along with her husband will come back to the house of the latter for living there permanently. Whatever the husband earns during his stay at the house of his wife will be added to the earnings of his wife's family. They also adhere to the prohibited degrees of marriage. Among the sages (clans) a person belonging to *Sorokhaibum Sagei* can marry only a person of *Angom Sagei*, *Takhellambam Sagei*, *Larshram Sagei* and *Ningthoujam Sagei*. Inter-marriage within the clans is strictly barred. Likewise, person of *Takhellambam* and *Angom Sageis* cannot marry each other.<sup>19</sup>

**Andro Practice** In Andro village there was no engagement system of marriage in the ancient period. In love marriage the parents of both the bride and the groom are required to recognise the marriage. The recognition results in legalising the marriage. For marriage engagement, there are preliminary functions like *Hajapoi Puba*, *Waroipoi Puba*, *Heyingpoi Puba*, *Mangam Chakkumba*, and *Thou-Chanba*. *Thou Chanba* is a peculiar system, not found in other marriage practices of Meetei community. According to it, any married male just after the completion of six months married life shall start taking part in the cremation functions

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19 O Ibochouba, *Kwatha The Backbone*, Vol. I, No. II, 15 (June 15, 1982).



of the village. The unmarried ones are forbidden to join any cremation.

If marriage is by elopement, it is performed with the rite of *Heyingpot* only. If spouses belong to the same *yek*, they would be separated. If they do not agree, they would be exiled to *Haochongban* village and treated as out-caste. Their descendants are also restricted to inter-marriage with the Andro village. Polygamy is accepted, but considered a disgrace on marriage life. There is no limitation on the number of wives. A male cannot marry the sister of the deceased wife. Marriage with a widowed sister-in-law, either of elder or younger deceased brother, is also not allowed. Marriage with the mother's sister and with mother's sister's daughter are also prohibited. However, daughters of mother's brothers and daughters of paternal aunt are not within the prohibited degrees. Remarriage is allowed provided a woman is legally divorced. Elopement marriage is completed by the performance of the rite of *lai-tin Thaba* only. To marry a woman of the same *yek*, to commit adultery, to abduct a woman from the husband's house and to abduct a girl whose marriage engagement is already finalised, carry grave penalties.

**Awang Sekmai Practice:** The Awang Sekmai Practice has two forms of marriage, viz. elopement and engagement. In both the forms consent of the bride is a pre-requisite to the marriage ceremony. The preliminary functions are similar to that of Andro practice. Wine, meat or fish, sweets, fruits and betel nuts are the festive articles. However, for the rite of *Lai-tin Thaba*, only fruits like banana and flowers are the essential sacred articles offered to fourteen deities, namely *Ena Leimarel Lainingthou Sanamahi, Apokpa, Keirunghanba, Yum Urep Shonen, Yang Ningthou, Salailen, Koubru, Loiyarakpa, Thangjing, Mairjing, Wangparen, and Lomlai*.

The prohibited degrees of marriage in the Awang-Sekmai practice are *yek* and *Sairuk Tinnaba*. Those who violated this customary rule were excommunicated and exiled to *Haachongban* village. Their descendants were barred from coming back to their original village and their daughters are not allowed to marry the original settlers. Remarriage of women who are divorced or widowed is accepted. If both the parties have consented to each other, the rite of *loukhatpa* shall be performed. The children of remarried widows have no bar for ritual functions and inheritance of property.

**Pheiyeng practice** Like the Awang Sekmai, the *Pheiyeng* practice has two forms of marriage, viz, engagement and elopement. Engagement is preferable in the public eye. However, consent of the bride is to be obtained as a preliminary function to the marriage. In elopement, the marriage may be solemnized immediately just after the consent of the eloped girl has been obtained. This is called *Loukhatpa*. Though *Loukhatpa* is not conducted, the rite of *Lai-tin Thaba* must be performed, which is a bar to polygamy, because those couples whose marriage has been solemnized with the rite of *Lai-tin Thaba* are not allowed another rite of marriage during their life time. This customary rule is not in force in any other Meetei community.

**Leimalam practice** In the Leimalam practice there are two important and accepted marriage forms. They are, engagement and elopement. There is also another type of marriage by capture, which is always penalised with the forfeiture of three buffaloes and five pigs, or other heavy penalties imposed publicly. Engagement marriage is the only commendable one, because the formal rite of marriage is compulsorily to be solemnized in this type. For elopement the rite of *loukhatpa* excluding *Lai-tin Thaba* is the generally accepted solemnization, if the bride's family does not offer to the rite of *Lai-tin Thaba* or *Apok-asa thaba* which is the commonly accepted formal rite of marriage in Meetei law.

## KHAINABA ( DIVORCE ) : THE GROUNDS

### Meaning of Divorce :

Divorce is *Khainaba*, in Meetei law. The method of divorce of the Meeteis is the simplest form on this earth. In ancient Meetei law there were conditions permitting the husband to commit polygamy and permitting the wife to establish secret cohabitation with a person other than her husband. The customary law allowed divorce from each other, and lastly the legal positivism sanctioned some sort of penalty for infringement of such laws.<sup>20</sup> There are ancient records enumerating the grounds of divorce

- i ) When the wife does not please to her husband,
- ii ) When the husband dislikes the character of his wife,
- iii) When any of the co-wives revolted against another wife,
- iv) When either of the spouses becomes insane,
- v ) When the wife (s) is issueless, disobedient, immoral, out-caste or handicapped, and lastly
- v.) When there is any circumstance compelling either of the spouses to divorce.

### Procedure for divorce ( *Khainaba* )

The procedure for divorce is very simple. Either spouse may initiate divorce. If the divorce is initiated by the husband, he shall give bride's price to the divorced wife. If the divorce is initiated by the wife, the wife shall give groom's price to the

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20. Moirangthem, Kirti : *Khainaba, Hanjinnaba Amasung Angang Chakthak: The Lanmei Thanbee* 20 ( October 1983 ).

divorced husband. If the divorce is done by mutual agreement, the children should be taken by the divorced husband. In case of children below 4 years the mother is the custodian of her children. In such cases her husband shall give her maintenance of nearly twelve bags of paddy, which is equivalent to the one year consumption of one person. Strictly speaking, there is no fixed amount of maintenance allowance. It must be sufficient to maintain both the mother and the child. In case of female children the option of residence is given to the children. For the sons, the father is the rightful claimant. Even for the daughters the father has better rights about the claims of residence of the children. In all cases the amount of Rs 50/- was fixed for the price of either of the spouses, it was the old rule. At present there is no such system. For re-cohabitation of married life a simple form of mutual agreement between the two spouses is required<sup>21</sup>. The wife when she likes to desert her husband, may quarrel for the right or wrong cause with her husband and then she may divorce him. This method of desertion may be applied by her husband too<sup>22</sup>.

#### **Wa-Loithoknaba :**

*Wa-Loithoknaba* is the confirmation of divorce'. Divorce acquires a binding force only after this formality. In this formality both the parents, the *sagei pibas* and elderly local men together orally enquire from the spouses. They decide whether divorce is proper. It is a simple form of social recognition of divorce. If any divorce has been confirmed by *Wa-Loithoknaba* then there is restriction as to re-cohabitation of married life (or the coming back of the wife to her husband's house). A divorced woman whose divorce has not been confirmed by *Wa-Loithoknaba* shall

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21. Yumnamcha, Tamphajao : *Commentary on Meetei Custom* ( MS ), 3-4.

22. Chongthamcha, Nganba . *On Divorce* ( MS ), 1

still be treated as only an absentee to their cohabitation. Such absence may run for years, or for only one day. If the wife dies at her parental house before *Wa-Loithoknaba*, her divorced husband must perform all rites of her death as her lawful husband. During the pre *Wa-Loithoknaba* stage she cannot remarry another person. If she does so, the remarrying husband, must pay a fine called *Mangkat* (usually half of the expenditure of earlier marriage ceremony) to the earlier husband. If the earlier husband does not agree with her act of remarriage, then there shall have a matrimonial dispute between the divorcees, and the final decision shall only be given by the law court<sup>23</sup>

#### **Hanjinnaba:**

The literal meaning of "*Hanjinnaba*" is the re-cohabitation of both the divorcees or the coming back of the divorced wife to her husband's house. It is customarily done before *Wa-Loithoknaba*. However, their act of re-cohabitation is free from any binding because it is always at the choice of both the divorcees. They may establish their married life ignoring all their prestige and marital status. In the meantime any divorced woman who is staying at her parental house is commonly known as *Mou Hullakpi*, who is again treated as an unmarried wife<sup>24</sup>

In re-cohabitation, the woman has more rights than the man, because the divorced wife even after having had a remarried life or, having lived as a concubine of another person, may again become his wife. However, the practice is regarded as social evil. In this regard the following rules may be noted<sup>25</sup>

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23. *Ibid.*, pp. 2-3.

24. *Ibid.*, p. 6.

25. Moirangthem, Kirti, *Meitei Customary Law. The Lanmei Thanbee*, 2-4 (December 1983)

- ( i ) The limitation of conjugal rights is three years from the date of divorce.
  - ( ii ) The divorced wife belongs to the surname or family of her husband until a remarriage with another person is resumed.
  - ( iii ) There shall be no formal marriage ceremony for any remarriage of married or divorced woman. Her second husband is always abhorred by the society.
  - ( iv ) The formal marriage is only once in a woman's life. However, a woman without a husband has a social stigma and therefore, remarriage of such woman becomes permissible
  - ( v ) There is no hard and fast rule in divorce, because it is complete when the wife has gone or escorted to her parental house, provided her husband has consented to it.
  - ( vi ) If the divorce is not confirmed within three years, then such divorce shall be presumed to have been confirmed naturally
  - ( vii ) Any claim of either bride's or groom's price ( if arises ) shall be made within three years from the date of divorce, and such claim shall be void if made after the lapse of three years divorce.
  - ( viii ) No claim of any type shall be made or given by the wife to her husband in case the latter is unwilling to the restitution of their conjugal life. If the divorce is caused due to the negligence of the husband who dislikes to any restitution, then he is liable to pay claim or compensation to his wife In such cases also the limitation is three years
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## CHAPTER III

### LAW OF SONSHIP

#### Concept of Sonship :

The concept of sonship amongst Meeteis originated in Sanamahı religion. It denotes the son and the daughter having been equally born of their parents. However sonship relates to the children of male issues in particular, who are born of a couple married. Exceptions to this rule do exist as the Meetei customary law is very liberal in the recognition of any children, irrespective of their individual or social status. The concept of sonship under Meetei law may be said to start from the fifth month of pregnancy, as the rite of *Kokthok-chumthokpa* recognizes the relationship between the unborn child and its parents.

The levirate or "niyog" system of Hindu law is not recognised in Meetei law<sup>1</sup> A somewhat similar type, called *Angang Yaba* or "child accepted" is recognised, which must be a declared form of sonship when a child is accepted to be adopted as one's own born one. In case of a woman who has children of two husbands, the eldest son of her earlier divorced husband enjoys more legal rights than the son of the latter husband, provided her funeral oblations are performed by the said eldest son of the earlier husband. The children of the latter husband are treated as those of a concubine<sup>2</sup> Sons born of an unchaste woman have a lower status than the sons born of ceremonially married woman.

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1. Moirangthem, Kirti : *Manipur Samaj Hougatlakpa Amsung Chaokhatlakpa*, pp. 56-57 ( 1976 ).
  2. Moirangthem, Kirti : *Hindu Ondrungeida Meitegee Chatnarol* : *The Lanmei Thanbee*, p. 3 ( November 1983 ).

Even the children of the first husband are treated as legitimate, where those of the second husband are illegitimate. The system of adoption has existed from time immemorial. The adopted child usually enjoys the same rights as a child born naturally.

#### **Kinds of Sons in Meetei Law**

The following are the ten forms of sonship in Meetei law:

*Pokchaba Macha* ( Legitimate son )

*Ayokpa Macha* ( Adopted son )

*Ayaba Macha* ( Accepted son )

*Chellukpa Macha* ( Brought son )

*Lannuba Macha* ( Son begotten by another )

*Mapamashak Khangdaba Macho* ( Fatherless son )

*Meerollakpa Machu* ( Son of pregnant bride )

*Lonnabi Macha* ( Concubine son )

*Poktaha Macha* ( Step son )

*Aronba Macha* ( Secret son )

The legitimate sons are those who are born in lawful wedlock. The present social practice recognises only legitimate sons, adopted sons and step sons. A son is literally treated as legitimate son, if the son of any type is once accepted by the father with due recognition by the society.<sup>3</sup> Except *sageipioz* all of them may be said to be more or less legitimate.

The law is not well articulated and developed in the area of sonship. Undoubtedly a son born in a lawful wedlock is legitimate son, but every other son who is not born of a lawful wedlock is not illegitimate if his parentage is well established and the father owns him as his son. The father can even to the exclusion of a son who is born out of lawful wedlock, give all his wealth. Thus the distinction between a legitimate and illegitimate sons as recognised in Hindu law is unknown to Meetei law.

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3 Chongthamcha, Nanganba : *Meetei custom and Usage* ( MS ), p. 20



**Adopted Sons :**

Mester law recognises two kinds of adopted sons. First, when the adoption of a son is made by issueless spouse, and secondly when adoption of a son is made by a married couple having children. Adopted son of issueless parents, has the right to inherit the properties left, whereas adopted son of a couple having issues has no such right.

The adopted son of parents having children is separated from the family by giving him a reasonable share in the property. However, this custom cannot be followed where the adopted son was already an adopted son of some other person through *Sagei Chak-Khangba*, which is the form of social recognition of adoption. Sometimes there is another form of adoption in which the father of the divorced daughter becomes an adoptive father of his daughter's son or daughter. Such daughter's son or daughter retains the name of their father, including the surname.

**Adoption of Unborn Child :**

Accepted son or *Macha Jaba* is another form of adoption in which the putative adoptive parents purport to take an unborn child in adoption. In these forms, the adoptive mother shall assume the mother's role as if she had delivered the adopted child and pretends so just immediately after the birth of the child. All rite, relating to the birth of child shall be performed in the name of the adoptive parents. This type of adoption does not require *Chak-Khangba*, which is always a pre-requisite to any other type of adoption of grown up children. Adoption of fully grown up children must be confirmed by such ceremony of *Chak - Khangba*. In the absence of the ceremony the adopted son's right to inherit shall be relegated to the second category, and brothers, paternal uncles, and their nearest relatives will be ranked above such adopted sons.<sup>4</sup>

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4. *Ibid.*, pp 15-16.

**Adoption Capacity :**

Customarily, adoption is made when the adoptive parents have no issue, particularly no male issue. Commonly, male issues are taken in adoption. Females are adopted only in exceptional cases based on the unavoidable circumstances of the adopted female child. Normally, the adopted child should be from near relatives of the same surname. Barring Muslims and the Yaithibis ( outcastes ), any child of any yek salaḥ or of any community may be adopted. The primitive law allows adoption of any child even belonging to the hill or foreign community, irrespective of their social status. The highest class of the society may adopt a child of the lowest class. The adopted child may be illegitimate or one of ill health. There is no recognised prescribed qualification as to the adopted child. The Meetei custom also did not prescribe requisites relating to the method of adoption or rules governing the capacity as well as the capability of the adoptive father, mother or person giving in adoption. There is no restriction as regards the number of children who may be adopted.

**Adoption by Females :**

A female co-wife who has no issue is allowed to adopt a child born of another co-wife of her husband. A female may after the death of her husband, adopt a child if her husband consented to such adoption during his life time. A female whose husband left no male issue during his life-time or before leaving for hermitage may adopt a male child at least to continue the male line of her husband's descendant.

**Rights of Adoptee :**

The adopted child is the sole legal heir to the properties of his or her adoptive parents. The adopted child

and the future born children of the adoptive parents have equal rights in all cases. In the matter of adoption there is no distinction between the hill tribes and the Meeteis under the primitive laws of the Meeteis.

The concepts of family and sonship under Meeteis system resemble the Patriarchal family and *Patria Potestas* concept of early Roman law.

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## CHAPTER IV

### THE DOWRY SYSTEM

#### Concept of Dowry

According to Meetei belief the concept of dowry has its source in *Leishemlon Ariba Puya*, which mentions the giving of 'Aoonpot' as early as in 15,000 B C. "Aoonpot" is the dowry of the Meeteis, the literal meaning is the free gift or presentation only essential to livelihood. The first historical dowry article for a poor person, as mentioned in the puyaic literature, was a bamboo mat. For the kings it was in considerably large quantities viz, 100 slaves, 100 elephants, 100 horses and so on in groups of hundred. Around the end of third century B C, dowry in the form of cloth and as articles of marriage rites became a custom which was obligatory under any circumstance. This was not dowry at all in the strict sense of the term as understood to-day. Only a few articles which were within the capacity of any common person, besides certain permissible articles of rites as permitted by *Sanamahi* religion were given

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- 1 Chongthamcha, Nganba *Meitei Customs and Usages* (MS), 14 (1984), Okram, Kumar *Manipurda Nunggee Yug, The Souvenir Tengbanhagee Yaon*, page (ii) (1980). "The discovery of stone work from Machi village of Tengnoupal District (now Chandel District) of Manipur depicts the existence of human beings as early as 100,000 years ago, which has assimilation to the Northern Indian, Chinese and South East Asian stone age civilization". See also Frunk and Wagnalls: *New Encyclopaedia*, Vol 1, page 17 (1983). Biologically, modern human beings had in pre-civilised social orders for more than 30,000 years before then

by the bride's parents to the newly married couples as aid for establishing a new home.

The customary practice is that the family of the girl gives a dowry according to their means. Normally, a *leurum* cloth is a compulsory dowry. The groom's family reciprocates by presenting a bridal gift consisting of a *phanek* (female garment), *inaphu* (female chadar), gold ornaments and other precious presents. If both the parties are of the same social rank they will also give cloth to their close relatives, but if they were not of the same rank, only the party of lower rank gives to that of the higher. All the dowry articles except the gold are displayed in an open space where the marriage ceremony is held.

### **Royal Dowry**

Twenty five paris ( 62.50 acres ) of paddy fields were to be given in the marriage of every princess as dowry, which was also a revenue free estate. This practice was followed by the Kings of Manipur. These paddy fields later on came to be known as '*kharpas*' land till to-day<sup>2</sup>.

One important point to be mentioned is that under Meetei law, the dowry property, including all gifts and presents to her, is owned by the bride throughout her life. She has absolute right over the property. She may sell, give, or dispose of it at her will. Even after divorce, she retains her exclusive right over the property. On her dying intestate such property devolves as her property according to the law of intestate succession.

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2 Ningthoukhongjam Khekchandra: *Lam The Sahitya*, p. 19 ( May-August, 1979 )

**Quantity of Dowry Prohibited .**

Meetei customary law prohibits excessive dowry <sup>3</sup> Moreover, the burden of dowry is borne equally by both sides of the parents of the brides as well as the parents of the bridegroom. The bride's parents are to give only the essential requirements. The bridegroom is required to give sufficient *heijingpot* to the bride's party before or on the eve of marriage ceremony. If any problem during marriage ever arises, it is in connection with the omission or commission of certain obligatory rituals by either party of the marriage. Dowry problem seldom arises.

**Present problem :**

To give dowry has become a duty of the bride's parents <sup>4</sup> According to the capacity of the bride's family the quantity of dowry is customarily fixed. Before the influence of the Hindu way of life on Meetei society, dowry in the form of local (agricultural and, or handicraft) products was actually given. The main occupation of the females was weaving and such wooden handloom tools and appliances relating to weaving like *Taicng*, *Kaptieng*, loom, shuttle, *Toot*, *Tumang* and other accessories for *Khwangphi*, were given as dowry. Necessaries for running a family along with cloth of local product were the dowry articles. Before the advent of modern education unmarried girls were well taught in poultry, farming and weaving with embroidery. As a custom those cloths made by them were not used by her family, and all were given as dowry at the time of her marriage. Aristocrat families give *leirumphi* of high quality along with valuable articles. The dowry of the princess

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3 Mayengbam, Tomchou *Meetei Luhangba: The Lanmei Thanbee*, pp 8-9 ( April-May, 1983 ).

4, *The Lanmei Thanbee* Vol I, Nos 6 & 7, p. 22 (1983),

were fixed in hundreds per item. Revenue exempted land and slaves were also among other things given as dowry in ancient times <sup>5</sup>

**Bride's Price (Mangkat) :**

The family of the bridegroom give as a price for taking the bride, some cash or gold to the family of the bride. However, this is not a common practice of the society. The practice is called *Mangkat* or Bride price. The meaning of *Mangkat* is that the bride, after her death, joins her husband's family. In the language of Meetei *Kabui*, it is the "Sundu". If *Mangkat* is not given, the bride is not permitted to join her husband's grave and her corpse shall be escorted to her parent's grave with proper rituals. This is called *Mangthinba*. In the *Thawan Thaba Puya* it is stated that the King *Thawan Thaba* handed over the dead body of his wife to his father-in-law who was a Khuman King, after escorting to the latter's residence. The *puyas* like *Panthoibee Khongkul* and *Nongpan Pombee Luwaoba* also support this customary law.

To return the *mangkat* is to return the expenditure incurred in the marriage, in the sense the *Mangkat* is also given by a married woman to her earlier husband on her remarriage with another husband. If a girl whose *Heijingpot* has already been received, marries another man, a *Mangkat* equivalent to all the expenses incurred by the groom's family in the marriage shall be given to the groom's party. If she marries after the marriage ceremony has been solemnized, a larger amount of *mangkat* is given. The widow whose husband is dead and who also could not give *mangkat* was to be penalised by marrying her to the younger brother of her husband. It is mentioned in the *Poireiton Khunthok Puya* <sup>6</sup>

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5. *The Lanmei Thanbee*, Vol. I, No. 8, p. 19 (1983)

**Kwagok Hanba :**

The significance of bride's price is to show respect to the woman folk and it is considered a sign of dignity. It is known amongst the royal clan as *Kwagok hanba Tnangja Phiyen Ngamba* and *Kujaba*. *Kwagok hanba* is commonly performed at the marriage ceremony of prince or princess. For the groom's side they shall distribute clothes amongst the relatives of the royal clans of the bride. If this is not done, no princess is allowed to marry. *Kujaba* is the giving of *Kuja Polang* containing husked rice, sweets and betelnut by the groom to the elders of the bride's family. *Kujaba* signifies paying offerings to the god of marriage. The offered articles are customarily given either to the groom's family or to the bride's family. This customary law could be relaxed only at the instance of the marriage ceremonies of the prince or princess and the royal descendants. For them the mangkat custom of woman is in reverse form. To marry a princess is considered the increase in their pride. The expensive *Kwagok hanba* is performed either by the bride or the groom who marries a Rajkumar or Rajkumari. In both the cases the royal family shall receive the benefit of *Kwagok hanba*.

**Impact of Hindu Society :**

Owing to the impact of dowry system of Hindus, Meeteis are now on a competitive race of dowry even though there is no demand for dowry. It has now become a social problem as the giving of some dowry is regarded as obligatory on the part of the bride's parents.<sup>7</sup>

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6 The *Poireiton Ahunthok* which is reproduced in the *Lanmei Thanbee*, Vol 1, No 8, p 19 (1983)

7 Yumlembam, Thoihleima *Nupeegee Aoonpot Haihavi Karino* - The *Kangleikhol*, p 16 (September 1982).



The commentator attempts to find out instances since 1980. The following questions have been raised by the commentator :

“Which articles were meant as dowry in primitive society ? What is the concept of dowry ? Is there any relation between the dowry and the married life ? Is there any original relationship between the dowry and the marriage laws ? Who is taking the dowry ? Who is the giver ? Do they ( the parties of both the bride and the groom ) commit the giving and the taking of dowry under a system with mutual understanding to each other or otherwise do they perform at their own separate wills ? Is there any dowry demand ? What things are done if no dowry was given in the marriage” /

**Dowry deaths** There has been no “dowry death” till today in Meetei society. The bride carries more value than any sort of wealth of high quality. Historical evidence shows that the King always married a girl belonging to the poorest family without any objection from the society and without any bar of the law<sup>8</sup>. However, with the impact of Hindu social system there is now likelihood of dowry demand. The Meetei society has been a Hindu dominated society for the last 250 years, but the dowry as prevalent amongst Hindus could not so far pollute the minds of the Meetei people as the virtues of the bride are considered more valuable than the wealth of any dowry<sup>9</sup>.

**Dowry Custom :** At present the dowry value ranges from one thousand rupees to fifty thousand. There is a likelihood that the practice of dowry as prevalent in Hindu society might be adopted by the Meetei people<sup>10</sup>.

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8. *The Kangleikhol*, p. 9 ( October, 1982 ).

9. *Ibid*, p 21.

10. Kha Nganba, Khamba : *Aoonpoikee Matangda Kangleipak* : *The Kangleikhol*, pp, 20-23 ( October 1983 ).

As we have said earlier there are at least four or five marriage practices in Manipur. All have the dowry practice, but it is confined to their traditional way of giving and taking the gift articles. In the marriage practices of *Andro Sekmai*, *Leimalam* and *Pheiyeng*, the same rule is followed.<sup>11</sup>

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11. Keisamcha, Yama : *Comments on Meetei Marriage Practices* (MS), pp 9, 15.

## CHAPTER V

### MEETEI LAW OF PROPERTY

#### Concept of Property :

The concept of property has been described to be the most complicated and extensive branch of jurisprudence. The Meetei concept of property is also a complicated one. In Meetei society individuals were first treated as properties of the King. The King could give and take certain individuals as his own property, and such individuals acquired the prescribed status as servant, slave, maid, attendant, bride and reward. Sometimes, the sons or daughters were given as security for debt to the creditor. In the primitive society, the Meetei Nagas practised "head hunting", in which the man tried to collect human heads for gaining the status of the richest or most respected person in the tribal society (because the richest was one who had the greatest number of human heads (skulls) in his life.

#### Slaves as property :

Slavery may be said to be one of the oldest institutions of property.<sup>2</sup> It is called *Naitang* in Meetei system. Slavery extended even to the next generation as a hereditary one of the father if a person who was a slave died indebted. The law was that the survivors of a debtor are liable to pay the debt incurred by the father.

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1. Sen Gupta, N C . *The Evolution of Law*, p 85 (1962).
  2. Johnstone, James . *My Experiences in Manipur and The Naga Hills* p 119 ( 1971 ), See also L. Chandramani : *Manipur Itihas*, p 199 ( 1970 )

The survivors of the deceased debtor, who left unpaid principal and interest, became the property of the creditor. They were to work as slaves during their whole life or until they could pay all the debt including interest due to them. However, this system is not in force at present in Manipur as it was abolished at the instance of British Manipur Government in 1891 A D <sup>3</sup>

#### **Species of Property .**

*Kei* and *Nai* were the long standing institutions of property. The *Cheenegu:embi Khonglup* was also an institution of property. The scriptures of *Inoinu Ahongbee* may be described as a Code based on the concept of property. The *Lallup* is also an institution of property in the form of land revenue or national income. It is the labour rendered by all male subjects in the 16 to 60 age groups, for at least 10 days in every 40 days of the year. It was made voluntary in theory but none irrespective of wealth or social status, was allowed to avoid this duty. Those who could pay cash instead of attending to *Lallup* were free from it. Women were exempted from it. Except the smiths and the carpenters all were assigned to cultivation, military duties, road construction, irrigation and other public utility works of the State. Insincere and inefficient workers were punished. This system was abolished by the British administration extended to Manipur in 1891 <sup>4</sup>

*Shel* is the coin of the Meeteis. In ancient Manipur coins of both gold and silver were used. Later on, it was replaced by the coins made of metal <sup>5</sup>

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3. Leisangthem, Chandramani *Manipur Itihas*, p 204 (1970)

4. *Ibid* , pp 204-205

5. *Ibid* , p 207

*Shelgao* ( *Shelkhao* ) and *Phungga Lairu* of the Meeteis carry the characteristics of property. *Shelgao* is the bag for keeping current coins and currency notes since time immemorial. *Phungga* is the hearth kept by every Meetei house. It is associated with the goddess of wealth.<sup>6</sup>

**Women's position .**

The husband is the master and is entitled to deal with the woman more or less as with his title inherited in his cattle or slaves. It is because of the fact that in patriarchal society marriage is always marriage of dominion and it always leads to the acquisition of an amount of authority over children, who are looked after by the father rather as an acquired property.<sup>7</sup> The same was the position in ancient Roman law.

*Kei* is originally a Naga clan who became a servant of the King. *Nai* is originally the third son of the parents who became a servant of the King. In due course of time their descendants became a small slave community who were treated as property of the King, queen, nobles and Ministers of the Meeteis. They were given as dowry in the marriage of the princess, as reward to the nobles and Ministers for their military achievements, and as remuneration to the judges by forfeiting from the convicted ones who possessed the *Nai*.

There is another institution carrying the same title of *Kei*, meaning the food granary house, which is the first origin of the immovable property.

**Landed Property .**

The ancient Meetei law provides that land belongs to the King as under indirect law.<sup>8</sup> The produce of the land

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6. Takhellambam, Bokul. *Meetei Eenat*, 73-74 (1983).

"It is not *Phungga* but *Phangka* or *Phongga*"

7. Sen Gupta, N C . *The Evolution of Law*, p 35 ( 1962 ).

8. N. Khelchandia . *Lam The Sahitva*, Vol 10-11,  
Nos 40-41, p 18 ( May-August, 1979 )

was collected as land revenue. Land was divided into two viz., *Ingkhol* (homestead, and gardening land) and *Lou* (paddy field). The *Ingkhol* was revenue free, while the *Lou* was to pay revenue

#### Administration of Land.

By establishing a department called *Lourung Shang*, the king appointed several posts to look after the *lou-ingkhol*. The Head of the Department is called *Lourung Parel*. Paddy produce was given as land revenue. The man who collected revenue was called *Phouringha*.

The *lou* (paddy field) may be said to be the oldest institution of property. The Puyatic literature compares the *lou* to gold mine and the paddy produce to gold.

There were the posts of *Lourungba*, whose duty was to survey the land, settlement and revenue collection. They were salaried persons and privileged ones. None was allowed to raise disputes with them.<sup>9</sup>

#### Revenue free Lous

The revenue free estates are, namely *Ningthem lou*, *Lugun lou*, *Sipai lou*, *Manarou*, *Panggal lou*, and *Lairou*. *Ningthem lou* belongs to the King, the co-queens, the royal brothers, the princes and their wives. Every princess was entitled to 25 *pari* of *lou* (62.5 acres of paddy field) at the time of her marriage as dowry, such land came to be known as *Kharpos lou* in future. The area of *Ningthem lou* was restricted by law from time to time, because none including the King was allowed to possess or own land in excess. *Lugun lou* belongs to the Brahmins. Every Brahmin was entitled to *one pari of lou* (2.5 acres of paddy field) at the time of sacred thread ceremony. Such *lou* was barred from any transfer to anybody else except letting out to some body. The *lou* was liable to be forfeited in case the Brahmin died without a single survivor (wife or children). Only one

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9. *The Mashin Puya* (MS)

half of the lou devolved upon his survivors. The other remaining half was taken by the King. "Sipai lou" belongs to the military personnels. It was given in different quantities to the personnels on the basis of their ranks. When the Sepoy dies without a male issue, such lou was reverted to the King. The only exception available was that if there were any surviving male issue, one lourak (1.25 acres) was left for him. The daughters and his wife had no such right. It was the law that the fully grown up sons of the sepoy should become a sepoy on the hereditary principle and by then each was entitled to enjoy the prescribed paddy field during the tenure of service as salary. *Manarou* belongs to the awardees, and after his death the lou goes back to the King. If his descendants continue in possession, they shall pay revenue of 12 paddy pots per annum per pari. *Panggalou* is a kind of *Manarou*. This kind of lou does not go back to the King, because the descendants of such gallantry awardees were entitled to inherit. *Lairou* belongs to a particular deity. It can be let out. These are cultivated by the *Kei* who are hereditary slaves, and can be released only by buying a substitute in one's place.

#### Revenue Assessed Lands :

There are paddy fields paying an annual revenue and they are, *Phamlou*, *Tounarou* and *Sarkari*. *Phamlou* belongs to the nobles and a nominal revenue in the form of one paddy pot per year per pari was paid. *Tounarou* is of two types, one is the purchased lou and another is the lou brought under cultivation for the first time. The King was to accord permission for bringing virgin land under cultivation for the first time. The first year of such lou was revenue free. The first possessor is entitled to sell and let it out. But after a lapse of 3 years of cultivation he shall pay an annual revenue in the form of husked rice,

Sarkari lou belongs to the King as well as to the owners in their private capacity. These are cultivated by their servants, or by other hired labourers. Commonly, the slaves were the cultivators. They were treated as tenants. All of them were given cattle and agricultural tools and accessories by the King, or by the owners.

The collected paddy grains were kept in the State granary called *Kei*. The dues were collected without interest. However, some form of interest was taken and given by the villagers.

The village pasturage was free from land revenue. Every village was to have a fixed boundary for pasturage. The villagers were collectively responsible for any incident or crime that occurred in the pasturage and they were to be fined if found guilty of an act of commission or omission. Any encroachment on the pasturage was duly tried according to customary law. If cattle of one village trespassed another, the owner was tried by the competent judge according to law and equity<sup>10</sup>.

#### **Partition Position of father**

There existed no distinction between ancestral and self-acquired property. A father is the absolute owner of all the property in his possession, whether ancestral or self-acquired, movable or immovable. In his life-time, a father can deal with his property in any way he likes. He may give away some or all of his property to any one he likes, even to the exclusion of all or some of his sons.

In case a fractional share in a joint estate is sold, the purchaser has a right for the partition of that property only and for possession of the share bought by him.

A mother cannot herself demand partition, but if a partition takes place between her sons, she is entitled to a

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10 Ningihoukhongjam, Khelchandra *Lam : The Sahitya*, page 24 ( May-August, 1979 )



share equal to that of a son after deduction the value of the *Nupimara* ( woman's property ) if any, she may have received from her husband or father-in-law. A wife is not entitled to any share in the property of her husband and cannot demand a partition during his life time as he is the absolute owner of the property in his possession.

### **Women's Rights : Partition and Maintenance**

If a son dies before partition leaving the mother as his heir, the mother is entitled, upon a partition between the surviving sons, to receive a share as heir of her deceased son as well as a share in her own right. The share as an heir of her deceased son is not woman's property, as property inherited by a mother is not woman's property at all.

As property, ancestral or self acquired, can be disposed of by the owner by will or otherwise, a widow can be deprived of the share that she would otherwise get on partition between her sons. But if the whole property is thus willed away, the widow by virtue of her marriage has a right to maintenance out of the property of her son.

A sonless step-mother can demand partition as between herself and her step-sons, after the death of her husband. A sonless step-mother is entitled to a share on partition between her step-sons, but her share is not determined by customary law. That varies according to the circumstances and also according to wishes of her late husband. The status of the family and amount of property left by her husband are also determining factors.

The Meetei custom has not yet established any definite share of mothers ( left as widows of the same husband ) who take merely their share on partition of the property by their sons.

Share allotted to a mother on partition between her sons is given to her in lieu of, or by way of provision for

her maintenance. She is, therefore not entitled to share if a portion of the joint property is divided and the bulk of it remains undivided provided she can be adequately maintained from the undivided property. It is very difficult to deal with the question whether a grand mother can or cannot demand partition and what would be her share when the property is divided between her sons or sons and grandsons, as instances of this nature have been few on account of the fact that joint property to that effect is very rare in Manipur.

Brothers take equally on partition between themselves. The share of a deceased brother is taken by his heir. Each branch takes its (*Machagimatung inna*) *per stripes*, but the members of the branch take *per capita* (*Mikok Yeina*) as regards one another.

#### **Woman's Property**

Woman's property may be either *Ningol Maral* or *Nupi Maral*, which is the property of a woman over which she has absolute power. *Ningol Maral* refers to the property of unmarried woman whereas *Nupi Maral* refers to that of married woman.

The following is the list of several descriptions of woman's property in Meetei law.

- (i) Aonpot which is the dowry given by the parents at the time of marriage,
- (ii) Anything movable or immovable given by her parents or other relatives after the marriage,
- (iii) Property acquired by inheritance,

There is one refinement which should be noted. Movable property is a pure woman's property while in the case of immovable property, she can enjoy it during her life time, but after death, it will devolve on the heirs of the person through whom she got it. For example, if a married woman

gets some immovable property as an heir of her deceased father, that property will devolve on her son after her death, not as her son, but as an heir of her father from whom she got it.

(iv) Property given in lieu of maintenance ,

(v) Property acquired by mechanical art,

Property acquired by a Meetei female by mechanical art, or otherwise by her own exertions during the motherhood, widowhood, *Mou Hallakpi*, or *Khanaba* is *Nupi Maral*. But property acquired by such female during coverture is *Nupi Maral* only when her husband consents to it, and not otherwise

(vi) Property obtained by adverse possession , and

(vii) Property purchased with woman's property

If any property or money is earned by an unmarried woman or a widow or a *hallakpi woman* by her own exertions she is the full owner. Similarly when a woman receives a gift from her father, mother, brother, husband or some other relatives, she is the full owner of that property. Even if her husband gives her his landed property, she becomes the full owner of it. Gifts given by stranger to a married woman during the husband's life time are her property and she becomes full owner of it. A girl becomes the full owner of the property given to her as dowry by her parents and other guardians at the time of her marriage. The same becomes her property (*Nupi maral*). A girl becomes the full owner of the articles given to her by her husband, parents and other relatives on the eve of her marriage. A wife is the full owner of the property given to her by her husband after her marriage with him and she can claim the same at the time of her divorce from that husband. And so also she becomes the full owner of the property given by the relatives of her husband after her marriage with him. Unchastity is not a disqualification against a woman inheriting property nor does it affect the extent of her control.

## CHAPTER VI

### Meetei Law of Inheritance

#### Some basic Institutions

Inheritance according to Meetei social system originated with the primitive institutions, namely (1) *Phungga Pokpa*, (2) *Yumnak Pokpa*, (3) *Sakha: Pokpa*, (4) *Sala: Pokpa*, (5) *Phurup Pokpa*, (6) *Taibang Pokpa*, and (7) *Malem Pokpa*. In this respect the following proposition is established on a conceptual study

“Daughters having a separate surname, persons belonging to another Yumnak Sala; daughters belonging to the same surname but not of Phukainaba, persons of the same surname but not of the same sala;, are excluded from the lines of paternal ancestor. Next to them are any son, married daughter belonging to a Meetei sala; and any other person”<sup>1</sup>

Another institution is the law of Primogeniture, in which the eldest son of the eldest wife stands first as the legal heir, in preference to any other son of the wife or co-wives. <sup>2</sup> But this law was confined to the royal families only, and was probably not always honoured.

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1. Laishraba, K. *Meetei Apok Lol* (Part-I), pp 14-15 (1980).
  2. Roy, J: *History of Manipur*, p 34 (1958).

The most recent institution relevant to intestate property is Panggalou, which are paddy fields acquired by military personnels through the achievements of their war gallantry. This was the only category of landed property which the law allowed to be inherited by their descendants.<sup>3</sup>

### **Traditional Institutions**

The traditional Meetei law recognises seven institutions of legal heirs who are qualified to succeed to the property, but in accordance with the usage of the community.<sup>4</sup> They are as follows :

**Phungga** In the first category are the members of the "Phungga" of the deceased Piba (because the head of Phungga must be a qualified head of the family), but excluding sons, daughters having a separate Phungga and the maids and servants of any category. A Phungga may be very small consisting of only one or two members, like the deceased alone or with his wife or may be very big consisting of all children, grand parents, great grand-parents, grand children, married daughter in-laws and their husbands, and adopted children. A Phungga is a family (a household family in the strict sense of the term) having a common household deity, (*Sanamaht, Lemarel* and *Phungga Laru*), a common granary store, and a common landed property.<sup>5</sup>

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3 N, Khelchandra *Lam The Sahitya*, p 21 (May-August, 1979).

4. Laishraba, K. *Meetei Apoklot*, pp,6-10 ( 1980 )

5. *Phungga* is literally known as "family hearth" but is associated with deity. It is a family acquiring legal status. It occupies a unique place in Meetei society. It is always enlivened with fire. The fire cannot be extinguished at any time. If the fire is extinguished the belief is that the family shall go to ruin.

**Yumnak** : In the absence of any member of *phungga* all the members belonging to the Yumnak of the deceased are entitled to his intestate property Yumnak is the extended form of *phungga*. It consists of *phunggas* having a common surname and *yek-salai* and such *phunggas* have common Yummangba, and a common Pibaship called Pibarel (Head of several *sagei Pibas*)

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Every *Phungga* is associated with three great gods namely *Mangang*, *Luwang* and *Khuman*, and also with another goddess, namely *Imoinu Ahongbee Mangang* is the omnipresent god pervading during the morning hours, *Luwang* is also the omnipresent god during the evening hours and like-wise *Khuman* pervades during the night time These three gods are treated as the three great teachers of *human life*.

These deities are represented by the symbolic hearth maintained at the centre of every Meetei family The gods are believed omniscient, and omnipotent There is a tri-legged device called *Yotshabi* having three legs, one leg by representing one God. The goddess of wealth is represented by a symbolic digging mark called *Phungga Lairu* which means the pro-creator of *Phungga*, the abode of *Imoinu Ahongbee* In sum *phungga* is the abode of three gods and one goddess of Sanamahism.

The customary practice of worship of *Phungga* is that every night some husked rice is offered to the burning fire of *phungga* at bed time At the time of offering, the names of gods and goddesses shall secretly be uttered and prayed for prosperity and bringing wealth to the family keeping the *phungga*. The prayer is normally done by the male head of family, but in his absence the female head is allowed to do. But on their instructions or in their absence the family junior members of either sex are allowed to do

**Sakhai** Sakhai consists of several yumnaks (surnames), each one carries a distinct name or title but having only one salai and one common ancestor called *Naota*. A person is said to be a *Sakhai* of the deceased, if he belongs to the same yek-salai of the said deceased.

**Salai** In the absence of a person belonging to the degree of sakhai, any salai member is entitled. A salai means any person who belongs to any one of the seven yek-salais

**Phurup** : In the absence of any member of a Salai any member belonging to a Phurup, consisting of several Salais (or seven yek-salais) of the deceased is entitled to inherit the intestate property. A *Phurup* may consist of several salais or yumnaks, but shall have only a common nationality

**Taibaug** Taibaug consists of one or more phurups. However, a person who has acquired the character of a *phurup* and worships Sanamahi, or who is otherwise a Meetei and is said to be a taibaug. A taibaug is entitled to inheritance to the intestate property of another taibaug in the absence of the preferred ones

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Like the Sanamahi shrine, its importance is not the least. The shrine is strictly preserved that none is allowed to touch the objects of *phungga* by feet. If touched he or she is obliged to apologise to the deities by honouring the shrine at the forehead but with the help of fingers. Another obligatory custom is that no fire of *phungga* is permitted to give away at sun set and also not more than thrice in a day.

A *Phungga* is so established by the birth of a new family consisting of wife, husband, children and dependants. If there is a *phungga* there shall be a separate family acquiring the status of a corporate body. Thus the place of *phungga* became rather important and significant in the field of Meetei inheritance, which being the main source of the law of property.

**Malem** Any person who is a non-Meetei, but is a devotee of any faith of Sanamahism is a Malem and he is entitled to the intestate property of another malem in the absence of all heirs

#### **Inheritance to Woman's Property**

As for inheritance regarding the *Nupumaral property* (woman's property), when the woman possessing it dies intestate, there appears to be no difference between it and her other property. This applies equally to both movable and immovable property irrespective of the source of the same

There is no established rule which governs the inheritance to the woman's property when she dies intestate. However, from the study of the nature of Meetei law it may be ascertained that the unmarried daughter, the married daughter and the son are all legal heirs in their order of preference to the earlier one

**Male Predominance** Inheritance is traced through the male line. The headship of the family belongs to the father. Such family consists of the father, his wife or wives, his descendants and adopted son and the aged dependent parents. The expansion of the family is done along the lines of agnatic kinship as kinship is counted through males only. The *Jack-salar* which was developed out of the family is a group of families or kindred, who are related to one another through males alone. The Meetei society is a male-oriented one. Even, the male line extended to the uxori-local family system. This is very common in the case of a family headed and controlled by a rich widow who has a single female issue and who has no adopted son. If there is an adopted son, the male line of the deceased husband of the widow shall be established through male descendants of the adopted son. At the same time the law of Meetei inheritance placed the ignates of the deceased in the second category whereas the widow and his children are in the first



category. The widow who remained unmarried is the only guardian of the property left by her deceased husband who was a house-holder and such rights remain so long as she is the guardian of the surviving children. If she has a right of remarriage, under matrilocal system and if such marriage is permitted by her in-laws or (in the absence of in-laws) by her relatives and the locality, then she retains her sole right over the property left by her deceased husband. Her second husband has no right over the property left and acquired by such widow. Though the Meetei custom permits every woman to have at least one husband, the law of inheritance does not permit every husband to inherit or dominate the whole property acquired or earned by his wife in the above circumstance.

In the matter of inheritance, the male issue is called *Piba* and the female is called *Ningol*. The latter is always secondary to the former. The youngest son is called *Khomei Khomdon*. He inherits the share of the property of his parents. The law is that partition is normally done during the lifetime of the father. By separation, the property excluding the self-acquired properties of the daughters (if any) are distributed equally among the sons, including unmarried minors and their parents, in which the latter shall have a lion's share for the maintenance of unmarried daughters (if any). In the absence of any male issue or adopted son, the daughter is the sole heir. This is the law of inheritance practised amongst the Meeteis.

A brotherless daughter marries a man who will stay at her residence under uxorilocal system as *Ningol Mawa* without sacrificing his *yek-salai* and surname. Unlike the *Putrika Putra* of Hindu law, the Meetei law does not permit a man to change his *yek-salai* and surname through his issue. The maternal grandfather cannot become the father of his daughter's children. The male line of a sonless father may be retained only by an adopted son. However, in case of inheritance, the daughter, her children, and her husband,

have the sole right and they are therefore entitled to intestate property. For succession and inheritance they are treated as legal heirs of the class I category.

The distribution of movables are customarily done through the principle of *Chakthung Phithung*. It is the giving and taking of all permissible shares for movable properties which are essential to a separate family. The immovables are distributed in accordance with the concept of *Sharuk Tamba*.

**The Andro Practice** An Andro son who maintains his parents inherits lion's share. There is no distinction between an adopted son and one lawfully born son in the matter of inheritance. The daughter has no exclusive right in inheritance because it is the parents' inherent right. If the daughter maintains the house of her parents, she is entitled to inheritance equal to the share of the son. The property of issueless parents shall be inherited by the nearest relatives. If the man is survived by his wife, the latter has the right to enjoy during her life time. After her death, the nearest kin will inherit her property.

If the adopted son of the widow belongs to another surname no property shall be inherited by him. The dowry of a woman consisting of landed property may be inherited at her will by persons belonging to her husband's family or by the adopted son. No dowry consisting of landed property goes back to her parents.

The grandson does not inherit except through his father's wealth. A posthumous son has the same right as a son born before husband's death.

**The Awang-Sekmai Practice** All sons equally inherit to the property. The joint homestead property including the landed property where it stands shall be inherited by the youngest son, unless he has been disfavoured by the father.

The daughters have no right to inherit the property. Divorced daughters are given landed property for residence.

only. No paddy field is assigned to them. However, as a custom, they must be at least maintained by their nearest kins. The property of issueless parents shall be inherited by the nearest kins.

If the husband is survived by his wife, the latter is entitled to inherit her husband's property. After her death, the nearest kin of her husband shall inherit the property. She cannot dispose of the property at her own will.

The dowry consisting of landed property is at the disposal of the woman who is the real owner of such property. She may give it to her son, daughter or any other person.

An insane person does not inherit the property.

**The Pheyeng and Leimalam practices :** The Pheyeng or Leimalam inheritance of property is more or less similar to the Andro and the Awang Sekmai practices described above. In the case of Pheyeng, the youngest son gets the lion's share.

**Right of Residence of Divorced Daughters .** Divorced daughters cannot claim residence as of right in the *Ingkhol* belonging to their maternal uncles, and the life interest of their divorced mother to reside in her parental house cannot be extended to her divorced daughters in their turn as decided by the Learned Judicial Commissioner of Manipur<sup>6</sup>. The question involved was in Manipur whether a divorced daughter is entitled, as of right, to live in the house of her maternal uncle where her mother is living after her divorce. The house in question is not of the mother of the divorced daughter, but belongs to the brothers of her mother. In Meetei law, a daughter after her divorce has a right to return to her *Mapam* and to live there for her life-time during the divorced period. *Mapam* only means the father's house, not the mother's parental house. The *ingkhol* or the residential landed property is the property of the brother.

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6. *Hydangmayum Ningol Angoubi Dei* v. *Sh. Nongmaljing Sharma*, AIR 1953, Manipur 8.

of the divorced mother in the present case. The Court therefore concluded that divorced daughters cannot claim residence as of right in the *ingkhoh* belonging to their maternal uncle and that the life interest of their divorced mother to reside in her paternal house cannot be extended to her divorced daughter in their turn

**Right of Inheritance of Remarried Woman's Son :** Under the Merger Agreement His Highness the Maharaja of Manipur remains as the religious head of Manipur State. This document would be binding on the parties over a dispute relating to inheritance<sup>7</sup> There arose a question on the cross-religious impact on Meetei Law—whether *pinda* given by the son of a remarried woman can confer spiritual benefit on his father or not. In the case of inheritance, the question shall be determined by the prevailing local custom or usage as remarriage of a widow is practically unknown in Hindu Shastric law Therefore, the Court held that Hindu Meeteis shall enjoy their original Meetei law in supersession of Hindu law In the matter of inheritance, even a mere union of a man with a divorced woman without violating the norms of prohibited degrees is recognised and applied to the Hindu Meeteis also Thus the husband by such marriage has a right to inherit the wife's property ( because there is no such term like *stridhan* in Meetei personal law ), in preference to her father, though the latter is entitled to inheritance. Owing to absence of *loukhatpa* ceremony, the wife may be boycotted from social functions, but her right to inheritance cannot be curtailed and consequently her husband also cannot be deprived of his right

**Inheritance to Hindu Meetei Woman's Property :** Like a Sanamahí Meetei, a Hindu Meetei female may acquire property by mechanical arts or otherwise by her own exertion during maidenhood or she may do during coverture or during widowhood Properties so acquired are

7. *P Likta Singh v Maipak Singh*, AIR 1956, Man. 18

*stridhan* according to Hindu law Since the Meetei custom is extended to Hindu Meeteis, inheritance to property of any married woman is governed by the order of preference shown below

“(1) Unmarried daughter, (2) Married daughter who is unprovided for, (3) Married daughter who is provided for, (4) Daughter’s daughter, (5) Daughter’s son, (6) Son, (7) Son’s son, and (8) Husband”<sup>8</sup>

**Socio-Economic Aspect of Inheritance :** On the socio-economic aspect Dr. Kirti’s comment may be quoted <sup>9</sup>

“The law of succession and inheritance of the Meeteis were mainly based on socio economic and family condition of the claimants The law of equity was also applied. The property may be either movable or immovable The study of the vast puyaic literature does not yield a concrete idea nor a clear picture of it However, immovables are distinctly shown as land Valuable articles and monetary values were of no importance The paddy grains produced from land was the real wealth Land belonged to the King

Succession and inheritance to the movable property is normally done during the life time of the father (the owner of such property). The elder brothers shall have a separate family after a dwelling house for each of them has been constructed This is a custom of long standing

Customarily the youngest son shall always stay with his parents, but this custom has no legal positivism Sometimes the youngest son has a separate family or has maintained a uxilical family. If he likes it, his vacancy is filled up by one of his brothers who shall inherit the prescribed shares of his parents and thereafter the remaining property is distributed amongst them equally

8 *P. Liklai Singh v M Maipak Singh* AIR 1956 Man. 18

9 M Kirti *Hindu Ondringaida Meiteigee Chatnarol The Lanmei Thanhee*, pp 4—6 ( December 1983 )

Inheritance to Ingkhol (immovable landed property excluding paddy fields) shall be done on the basis that every son is a tenant in-common. There is no joint-tenant system. The eldest son gets the extreme southern portion of the *ingkhol*, the next second son shall get the next southern portion but to the north of the eldest son's share, and so on, in which the youngest son ultimately shall get the extreme northern portion. This custom may be modified or stopped if there is a mutual agreement amongst themselves. The share of the daughter is given as her dowry at her marriage. If she becomes a divorcee or *lukhiabi* (husbandless wife) and a returnee she shall be given a resident in her parental *ingkhol*. This is a customary mandate (English translation),"

**Legal heirs to intestate property.** Dr. Kirti roughly classifies legal heirs to intestate property as follows

#### **Heirs of female dying intestate**

Class I category = Husband

Class II category = Son (s)

Class III category = Daughter (s)

In the absence of these three categories, the property shall devolve on the lines as prescribed in the case of a male dying intestate

#### **Heirs of a Male dying intestate**

Class I category = Son (s)

Class II category = Son's son (s)

Class III category = Son's son's son (s)

Class IV category = Elder Daughter (s)

**Parental Intestate Property ·**

Class I category = Son ( s )

Class II category = Unmarried daughter.

The daughters are not entitled to take property during the life-time of their brothers. However the brothers will maintain her and provide for residence. It is obligatory under the Meetei law that a daughter is allowed to stay in the house of her brother as a matter of right.

**Sonless Parental Intestate Property :**

Class I category = Daughter ( s )

Class II category - Any other person prescribed by custom and usage.

The Law of inheritance in respect of sonless Parental Intestate Property is still a debatable one. The ancient law is that in the absence of daughter the intestate property goes back to the King. It was primitive or a lately living law. The family relatives had no right to take the property unless there was a sanction accorded by the King and his country.

**LAW OF INHERITANCE OF HINDU MEETEIS**

Amongst Hindu Meeteis the followings are the rules of inheritance <sup>10</sup>

There is no such distinction as ancestral or self acquired property neither movable nor immovable. Father is the absolute owner of all the property in his possession whether ancestral or self-acquired. Even in his life-time he can give away some or all of his property to anybody he likes and to the exclusion of all or some of his sons. Daughters are excluded from inheritance in their father's property.

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10. The Codification Committee *Manipuri Customs (MS)*, Chapter IV ( 1960 ).

in the presence of the son or sons or her brothers. This power of the father is identical with the power of the father under Vedic law.

After the death of the father, sons inherit equally the property left by him. In the absence of any son, grandsons take their place and shall have the same share. The rule is that all the sons of the deceased father will share equally. In the absence of any son, the widow succeeds to the property of her husband in which she has only life-interest. She is not entitled to alienate that property without any legal necessity and permission of the Court. This rule also resembles that of Hindu law governing woman's limited estate.

Daughters succeed and share equally the property left by their father in the absence of son or widow. After the death of father, provision is always made for marriage of the virgin daughters before its division between the inheritors.

Funeral expenses of the deceased, arrears of land revenue and other Government charges, debt incurred by the deceased and any other expenses arising out of legal necessity which he would have spent had he lived, like marriage of the virgin daughter and the like are the first charge on the property before distributing amongst the successors.

A widow (*Lukhah*) is entitled to be maintained out of the property left by her husband along with her sons. Generally some of the property are left apart from her maintenance which she enjoys during her life time. After her death the property goes to her sons or daughters as the case may be. A divorced daughter (*Hallakpi*) has right of abode at her father's place so long as she does not remarry.

If a man dies without leaving any widow, son and daughter and their descendant, his property is inherited by the brother of the deceased and in his absence by her sister. In case of a woman dying leaving her husband, sons, and daughters, her property is inherited by her husband in the



first instance, in his absence by the sons in equal shares and in their absence by her daughters. This is the general custom.

An unmarried woman, a widow or a divorcee (*Hallakpi*) is the full owner of the property which she earns by her own exertions. In case a married woman receives a gift or a present from her father, mother, brother or some other relatives or their friends, she becomes the full owner of the property. A girl becomes the full owner of the property given to her by her parents or guardian as dowry at the time of her marriage and so also of the articles given to her husband, or other relatives on the eve of her marriage. She can claim all such properties at the time of her divorce.

If a widow dies intestate her property will devolve in the first instance on her sons, in their absence, her grand sons, and in the absence of both, the daughters will inherit and in their absence, their sons. In the absence of all the above, property will be inherited by the collaterals of her husband, who shall be the nearer will be preferred to the remoter.

A divorced wife does not inherit any property of her husband by whom she has been divorced or whom she has divorced. Similarly, a divorced husband does not inherit any property of his wife whom he has divorced or by whom he has been divorced.

**Preferential Order of Inheritance and Succession:** The following is the preferential order of inheritance and succession:

- (1) Son, (2) Grandson (3) Great grandson, (4) Widow,
- (5) Daughter, (6) Daughter's son, (7) Father, (8) Mother
- (9) Brother of whole blood, (10) Brother of half-blood,
- (11) Brother's son of whole-blood, (12) Brother's son of half-blood,
- (13) Brother's son's son of whole-blood,
- (14) Brother's son's son of half blood, (15) Sister, (16) Sister's son,
- (17) Paternal grandfather, (18) Paternal

grandmother, (19) Paternal uncle (20) Paternal uncle's son, (21) Paternal uncle's son's son, (22) Father's sister, (23) Father's sister's son (24) Paternal great grandfather, (25) Paternal great grandmother, (26) Paternal grand uncle, (27) Paternal grand uncle's son, (28) Paternal grand uncle's son's son, (29) Father's father's sister, and (30) Father's father's sister's son "

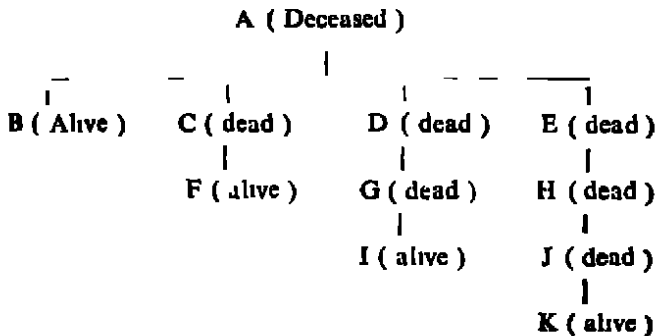
In the inheritance, son excludes daughter The widow and unmarried daughters are entitled to maintenance Although a son inherits the property of his father, but if the son and the mother do not live in agreement, or if the married daughter or daughters are divorced and come to live at their father's house, they will be entitled to residence The mother is entitled to maintenance also

**Illustrations :**

A son enjoys unfettered rights to sell homestead as well as the house, but he is bound to accommodate his divorced sisters, at his new residence

(i) Sons, grandsons and great grandsons and alike inherit together and succeed to the estate of the deceased as coparcener. The following illustration will make it clear

**Figure—1**



**Explanation :**

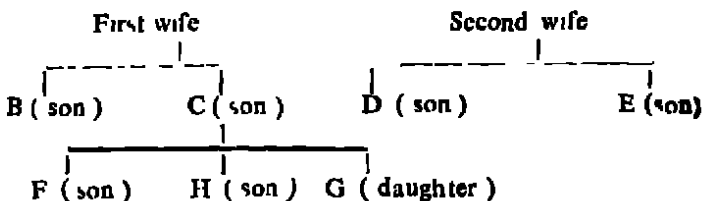
So, the son B (of deceased A, his father), the grandson F, the great grandson I and the great great grandson K inherit together, F taking the share of C, I taking the share of his grand father, D and K of his great grand father E.

(ii) A widow of a deceased who has died without leaving any male issue or has died issueless, inherits equally with other brothers of her deceased husband ( after the death of her father-in-law ) but she would get life interest only. She cannot alienate such property without any legal necessity and permission of the Court. The daughter or daughters if any of such a widow will inherit that property after her death.

(iii) If a man dies leaving two sons from one wife and one son from another wife, all these three sons will inherit equally and not by mothers. The same principle applies if he has sons from three or more wives.

(iv) In the case of a last holder leaving his two step brothers ( from the second wife of his father ) and two sons and a daughter of his own deceased brother, his property will be inherited by his two step brothers, and the sons of his own brother, the latter dividing equally between themselves the one third share of their deceased father ( as if alive ).

**Figure-2**

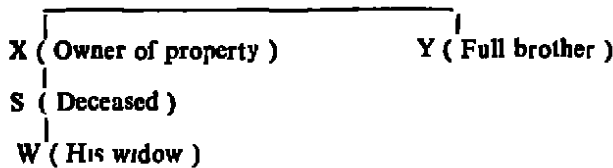


**Explanation :** B dies leaving his step--brother D and E and the sons, F H and a daughter G of his own brother C. In this case, the property of B will be divided into three

shares. D will get 1/3rd share, E will get 1/3rd share, F and H will equally divide the remaining share 1/3rd of their father and they will get 1/6 each

(v) If one dies leaving the widow of his deceased son and a full brother, the widow of his deceased son will inherit to the exclusion of the full brother

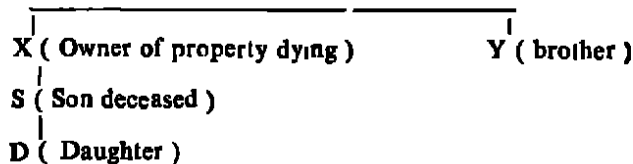
**Figure—3**



**Explanation** X dying leaving Y his brother and W the widow of his son S. The property will devolve on W to the exclusion of Y

(vi) In case one dies leaving a grand daughter and a brother, the grand daughter will inherit the property to the exclusion of the brother of his grand father

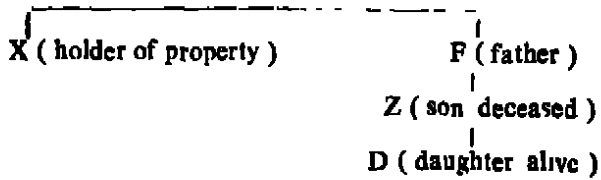
**Figure—4**



**Explanation** . X dying leaving Y his brother and D his grand-daughter, D will inherit to the exclusion of the father of his deceased

(vii) In case one dies leaving a father and a grand daughter, the grand daughter will succeed to the exclusion of the father of the deceased.

**Figure—5**



**Explanation .**

D, the grand-daughter of X, the holder of the property dying will succeed to the exclusion of his father F.

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## CHAPTER VII

### The Law of Conversion

#### Conversion of Community

According to the scriptures of the Meetei people, the Puyaic concept of conversion may be said to have originated in one community called "Chakmaringba" which existed around 20,000 B C<sup>1</sup>. After a few centuries the Chakmaringba community turned out as Nongpal, Ke Ke Urok and Usha on matrilineal basis but by calling them as Salais. From these four salais there again came out nine salais, namely *Nongpal, Ke Ke, Urok, Usha, Luwong, Moirang, Nongyai Khuman, Sarang Leishanethem* and *Tesharot* respectively. At that time women enjoyed more rights than men. Out of the nine Salais, there emerged thirteen surnames. Around the third century B C., all disorderly communities, sub communities, and surnames were remodified and converted into seven yek-salais and they together became the present Meetei race. That in short is the process of conversion from *Chakmaringba* to the seven yek-salais (or Meeteis) through the centuries<sup>2</sup>. The process is not conversion of religion but conversion of community.

The Sanamahí philosophy of religion does not lay down a clear distinction between the Nagas, the Lois and the Meeteis<sup>3</sup>. The Muslims joined the Meetei society before the people professing Hindu religion (Vedic religion)

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- 1 Chongthamcha, Nganba *Meetei Customs and Usages* (MS), p 9 (1984).
  - 2 *Ibid.*, p. 11.
  - 3 Moirangthem, Kirti. *Meetei Customary Law, The Lanmei Thanbee*, p. 4 (December, 1983).

migrated to Manipur and became part of Meetei community. They spread their descendants in hundreds through Meetei women who were their first mothers in the history of Muslim inhabitants in Manipur. However, there was no law allowing or disallowing the Meeteis to adopt or convert Muslims into Meetei society. There is not even a single evidence showing conversion from the Muslim to the Meetei. It is debatable whether the Muslims dislike to be converted to Sanamahism. As for the *Lois* and the *Nagas* it is certain that they like it and the practice of Meetei conversion was seen in plenty in ancient time.

**The method of Conversion to Meetei :** The method of conversion to Meetei is very simple. Converts have to avoid bad food habits and follow the principles of purity. At the time of conversion, the King and the elderly persons of a surname which the convert should join, shall simply give their consent to the conversion. After the performance of a simple rite, the convert joins his or her pre-arranged surname by getting a *yck-salai* allotted. Thus in Meetei society, conversion is more a matter of societal change than change of a religion. Conversion of children born of a Meetei woman by a non-Meetei husband is also effected in the same way. The law of conversion is very liberal and elastic because the community wanted to increase its small population by possible method of multiplication. This continued upto the eighteenth century A D.

**Conversion to Hinduism :** From the eighteenth century A D. onward conversion to Hinduism known as *Nongkhrang Eerruppa* took place in the largest scale when the King of Manipur declared Hinduism a State religion.<sup>4</sup> People were however forcibly converted into Hinduism. Those who were unwilling were exiled or punished severely. All the available scriptures of Sanamahism religion were reduced to

4. Roy, J . History of Manipur, p 41 ( 1958 ).

ashes.<sup>5</sup> Even the Meetei yek-salais were converted to Hindu gotras.<sup>6</sup> The greatest champion of conversion to Hinduism was King *Pamheiba* of eighteenth century A. D.

**Reconversion to Sanamahism:** From the twentieth century onwards, the process of conversion took a reverse turn. Reconversion to Sanamahī religion started. The process of conversion from Hindu religion to Sanamahism started during the reign of King Churachand Singh (1891 A. D. to 1941 A. D.) of Manipur,<sup>7</sup> when several religious organisations ardently took the task of Sanamahī revivalism, through the service of *Nongkhrang Eehanba*.

**Sanamahism and Hinduism:** Though there have been conversion to and reconversion from Hinduism as mentioned above, major portions of Meetei law remain the same till to-day. The Meetei custom and usage is practised by the Meeteis and they naturally retain their own customary practices irrespective of any religion.

**Sanamahism and Islam:** In case a Meetei husband or wife who is a Hindu by religion converts himself or herself to Mohammedanism, the marriage is *ipso facto* dissolved. However, a wife belonging to either Meetei Hindu or Sanamahī Meetei is still entitled to maintenance from her husband (converted to Islam), if she does not remarry and has got no property left by her husband to depend upon. A Meetei Hindu on conversion to Islam no longer remains as guardian of his minor children. On conversion, a Meetei woman loses all her rights attached to inheritance of property whether self-acquired or ancestral, according to the Codification Committee<sup>8</sup>. However, Meetei women who were converted to Mohammedanism by marriage in a

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5. *Ibid.*, p. 2.

6. Saïrem, Nilabir. *Manipurī Samajda Dharmagee Yaol: Houjik Houjik Oriba Phibham* (MS), p 1 (1983)

7. *Ibid.*, p. 2

8. Codification Committee : *Manipurī Customs* (MS), Chapter XI (1960).



historical romance retained some of their original customs relating to marriage, divorce, adoption and maintenance.<sup>9</sup>

**Sanamahism and Christianity:** Conversion to Christianity, however stands on a different footing from legal point of view. Unlike the Muslim converts, the Meetei Christian converts are not excommunicated from Meetei society. They are allowed to stay under the same roof of the house after becoming a Christian convert. The effects of law concerning inheritance and succession remain as before. In other spheres of customary law they stand on the same footing with Meetei Sanamahis. Only at the time of conflict they may lose their rights unless they have reconverted to their original religion either Sanamahism or Hinduism.

9 Ningthoukhongjam, Khelchandra *Cheitharoi Kumbaba*, p. 22 (1967). Codification Committee. *Manipuri Customs*, Part II. Mohammedan customs (Ms) 1960.

## **APPENDICES**

## APPENDIX—I

### THE IMOINU AHONGBELGEE TUNGNAPHAM\*

#### Ways of Life unacceptable to the Goddess [ Lairalbee ] :

O Lord of lords, please listen to me. These are my own manners or ways of life and I shall take this opportunity to delineate the bad manners and ways of life of human beings. I have rejected at the time of distribution of favour and wealth by me

O Lord please hear. For those mortals who are moody and worried all the time, those who sit on broken benches of wood wincing their hands, those who sleep early in the evening ( twilight ) those who rudely violate the chastity of young girls—those human beings [ male ] even if they are prominent in the society, lack virtue and real quality. I do not visit their houses and give them favour.

O Lord, please hearken! I shall describe my own nature. Those mortals who apply to their hair the water used for washing their hands and mouths after their meals, or use their loin cloth for cleaning their hands and mouth, those who cut the wood at night and are in the habit of sleeping in darkness, those who sit on the floor and talk scratching their ears with their fingers and who beat their own bodies with their hands producing sound, those who cannot do plain talking, who are not easily satisfied with what they got, and covet wealth—I cannot visit the houses of these people and give them anything.

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\*Translated by Dr Naorem Khagendra, English Department, Manipal University from the original text of Yumnamcha Budhichandra Imoinu Ahongbeegee Tugnapham, 5-24 ( 1981 )

O Lord, please hear ! I turn away from the houses of the man who have inhuman manners, who eat forbidden things and who sleep naked at night.

O Lord, please hear ! I turn away from the houses of those men who throw away on the front yard the water which has been used for washing fish or rice or human feet, who eat their meals in the darkness of night, and who while eating, touch or put their hands in the vessels containing salt or fish or uncooked rice I refused to give them any favour I really cannot go to the houses of men who eat the rice in the cooking of which the laddle has been broken, or the rice which has been cooked in the pot already used for cooking vegetables and who eat their meals sitting on the floor without any seat I turn away from the houses of men who rub their bodies with the oil extracted from SHLKCHAP tree and who make flower garlands and put them round their own necks.

O my Beloved please hear ! Those men who walk under creeping plants or under the poles of cloth-stands and gates, those men who walk through the fencing of the gardens—the lives of those men are worthless and worm-eaten. I refuse to give them favour and wealth I cannot stay even for a moment at the house of those men who abuse and beat and kick and send back home their wives in tears for no fault of theirs—the wives who have been absolutely well-behaved, sincere and faithful to them and who have worshipped them as people having divine powers. Again, those men who because of uncontrolled jealousy and desire, rudely violate the sanctity of the mind and the wishes of their women who worship their husbands, whose bodies are pure and clean, whose voice is sweet, whose minds are devoted and dedicated, who will not listen to irrelevant talks and those who will always maintain the gravity and solemnity of their appearances in the presence of their husbands—the life of these men will be futile and

fruitless. I cannot throw even a single glance at the houses of these men.

**Manner or ways of life of women unacceptable to the Lairelbee.**

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 wordless I dislike such women and I turn away from their houses.

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 cannot visit the houses of these women. In addition, I refuse to give favour to women who are talkative, rumour-mongers.

O my loved One, please hearken ! 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 the 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 I avoid the houses of such women. The lives of men who become intimate with women whose husbands have died recently are seriously impoverished. 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. I cannot give favour to the women who do not wash their hands with water after handling a broom. Further, I refuse to visit the houses of those women who leave the left-overs of their meals scattered on the floor, or who leave such left-overs of their evening meal unattended throughout the night.

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. I refuse to give wealth to those women who use their feet at the time of cleaning the floor of their houses. I dislike women who put on dirty clothes and whose clothes are marked with spots of sitting on them, who are in the habit of catching lice or who catch lice when they chat with others and whose bodies are dirty producing foul smell. No favour can be given to them.

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 dislike women who sleep at night keeping the main floors of their houses dirty and unswept and get up in the morning with dishevelled hair rubbing their eyes and start the day getting out of the house through the back door. I cannot give favour and wealth to those women who bite their teeth and chide their children using harsh words and who ignore the words of their husbands. 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 their neighbours.

These women who noisily take out uncooked rice from the pot, use all the contents without leaving anything in the pot and while cooking, stir the contents of the cooking pots vigorously producing sound, smell the

cooked contents in the laddle and pour out everything from the cooking pots—those women are avoided by me. I refuse to visit their houses, Women are forbidden to cut the fruits of creeping plants like pump-kin. They should not collect vegetable from the garden at night. The houses of the women who neglect these rules are not visited by me.

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 whom I dislike and whose houses are not called at by me. Further, I refuse to visit the houses of women who cook rice and vegetables without washing them, who eat meals from plates put on foot-prints left on floor who hide pieces of fish in the cooked rice in order to eat it unseen by others, who walk across the plates containing meals and who do not wash their hands and mouths after eating the meals.

Women who take paddy from the store-house by pushing out leaning the basket directly against the main heap, who draw the paddy affecting the top of the main heap and who take away the paddy without throwing a little quantity of paddy back to the main heap—the houses of these are generally avoided by me. I cannot do them any favour. Again, I turn away from the houses of women who spit on their palms when they pound rice, who noisily remove the husk from the rice and who trample on the flat basket used for the purpose.

I turn away from the houses of the women who touch their wardrobes and purses early in the morning when they get up without washing their mouths and faces. Women whose clothes are only partially wet when they take their bath, women who do not use filtering clothe when they

collect water, who carry the water-pots with their hands and not on their heads and who go in their houses without wringing the water properly out of the wet clothes they are wearing those are women whom I avoid and for whom I can do no favour I turn away from the houses of women who keep tools and weapons used by them, who keep their houses dark at night, who consume their food and spend their money without proper planning and without anything left for the future, and who do their works without proper planning I refuse to give them any favour or wealth

O Beloved, please hear ! Women who have the habit of spitting on the front yards of houses or the corners of the rooms , women who walk in a crowd swinging the edges of their clothes—the houses of these women are not visited by me and no favour is done to them I am against women who refuse to regard the human body as a temple for the spirit, women who frequently shift the place of the hearth with the three-legged iron support ( yotshabee ), the three legs of which stand for the divine entities looking after the main room of a house, and who cannot recognise the sacred places in all the rooms of a house meant for divine beings and who fail in performing the necessary rites and rituals I refuse to visit the houses of these women and to give them any favour

**Ways of Life of human beings acceptable to the Lalrelbee :**

O King of kings, Eternal source of life ! Let me sing of the good manners and good ways of life of human beings acceptable to me O Lord, please hear ! I turn towards the houses of human beings who always remember and worship the divine powers controlling their lives and who sing of the glories of eternal source of life. I visit the houses of these people and stay there giving them wealth and property



I go to the houses of human beings who are pure of heart and truthful. I give them wealth. Men who can control their mind, who are kind and helpful to the poor and the weak, men who can forgive other's faults; men who are kind to their inferiors; men who keep them cool at the provocation of others and who are not inflamed by the words and complaints of their wives—I turn towards the houses of these men and give them favour.

O Beloved, please hearken! I always visit the houses of men who are calm of mind, men who keep their words and struggle hard for fame and achievement and give them favour and wealth. I like men who are not jealous of other's property and who struggle ceaselessly to complete their works. I intentionally look for the houses of men who regard aged people as their parents, who respect the words of seniors and who follow the path of life with humility and wisdom and give them favour and wealth.

I turn towards the houses of men whose minds and bodies are clean, men who know what to do and what to take, and men who earn their livelihood by honest means. Men who are soft to the cruel, men who are not easily affected by the external beauty of girls and men who never stray away from the path of manhood—these are the men I favour with wealth and advancement in life.

Men who regard their wives as the queens of their houses, men who lay fences around their gardens, men who shut their gates properly, men who fill their gardens with the variety available in the market, men who sit on their verandahs and contemplate, men who are aware of the passage of time and do not fail in the performance of their duties controlling their domestic lives and perform the necessary rites and rituals—I stop at the houses of these men and favour them with wealth and property.

**Manners and ways of life of women acceptable to the goddess Latrelbee :**

O Lord, O Source of all life, O Beloved please hearken ! Let me sing of the manners and ways of life of the good women whom I like and appreciate !

O Lord please hear ! Women who regard their husbands as divine beings, women whose voice is soft and sweet, women who can soothe the minds of their husband, 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 I visit their houses daily and favour them with wealth and children

O Lord, please hear ! 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 affection, and who always think of the welfare of their husbands—these are the good, lucky women, who are queens of their houses I always turn towards their houses and favour them with abundance of money, food and clothes throughout their lives

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 neighbours, 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

O Beloved, please hear ! Let me sing of the manners and ways of life I prefer

Women who have calm minds, women who wear clean clothes, whose-loin clothes carry no marks of sitting on them and whose bodies are kept clean, 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 their externals, women who are calm of mind and who thoughtfully look after their houses—I like these women and favour them with wealth and property

O Lord, please hear! Neighbours coming to borrow fire should not be obliged three times a day. Monks coming to beg rice, the poor and the weak coming to beg money should not be obliged three times in a day. Even a friend should not be allowed to take money personally from the purse. Strangers and friends even should not be allowed to take paddy, rice salt and fish personally from the store rooms, nor should they be allowed to take tools and weapons personally from the store-rooms. If such things are allowed, wealth and property will be reduced. I dislike women who allow such ways of life in their houses, they are bound to become poor. Women who are aware of these weaknesses and who follow the correct ways of life are my favourites. I stay with them and favour them with abundance of everything.

O my Beloved, please hearken! Let me sing of the manners and ways of life, I appreciate. I dislike women who cook rice and vegetables bought from the market without first putting them in the vessels meant for storing them. Women who surrender whatever they have earned from the outside world to the domestic goddess looking after the houses, women who know how and where to store, women who first inform the family deities before they take money or rice—I always stay with such women and increase their wealth.

O Lord, please hear! Women who take the permission of the household gods and goddesses before leaving

their houses and inform these divine beings when they come back home, women who know and worship the household gods and goddesses, performing the necessary rites and rituals these are the women whom I like and favour. Women who keep the yards and the rooms of their houses clean, and sweep them regularly, women who know how to arrange things—I visit the houses of these women and favour them with abundant wealth and property.

#### **What is to be done early in the morning**

O Lord, please hear! Human beings who utter the name of the Almighty early in the morning when they awake before they get down their beds, who arrange their hair and clothes they have been wearing during the night, who organise their thought properly after their sleep, who get down their beds and step on the floor only after they have offered their prayers to Mother Goddess Earth by touching the ground with their fingers first and then raising them to their foreheads, who breathe in deeply through the unobstructed nostril and who, after reaching the verandah, offer prayers to the Sun God these mortals are bound to be favoured by Fortune.

Early in the morning when they get up human beings should turn their eyes away from bad and ugly sights. Getting up in the morning is the beginning of the day's journey I turn towards the house of mortals who follow the rules given above and favour them with wealth and property

#### **Daily Routine**

O my Beloved, O Lord, please hearken! Early in the morning after getting up, the rooms of the houses should be properly swept After washing the hands and mouths you should worship and offer water, flower and a lighted torch to MANGANG SIDABA, the god of early

hours of the day. After this you should start doing your duties.

At noon when the sun is up over-head you should leave your work for some time and offer prayers with fruits, flowers and lighted torch to the god, LUWANG SIDABA At night you should first sweep the rooms of the house and offer prayers along with fruits, flowers and fire to god KHUMAN SIDABA Then you should rest for sometime uttering the name of the Almighty and then take up the work for the night Mortals who obey these rules are bound to prosper. I intentionally visit their houses

O Beloved, please listen ! The hearth or the family fire-place should be kept in order Three legged supporting frame of iron representing the three gods looking after the house should not be touched with foot or walked across. Understanding the importance of this, a fire should be built up in the fire-place and offers of prayer and rice should be made to fire. People who do this will prosper in their lives The top corner of the fire place is my place where people should build a coffee and worship me It is forbidden to walk across this Understanding this properly, if mortals worship me daily by offering the cooked rice and vegetables at the place just after the cooking is over, they will not suffer from any kind of shortage.

At night when the day's works are finished the rooms of the house should be properly swept Then, the King of gods LAININGTHOU who has established himself in the south western corner of the house and the eternal Mother, LEIMAREL controlling the middle room of the house should be offered prayers After this, a mortal should get up and, uttering the name of the Almighty, be ready for sleep Mortals who follow these rules are bound to prosper.

O Lord of lords, O King of kings O Source of life and the world, please hear attentively ! To record the many

manners and ways of life of human beings is as difficult and impossible as the counting of the stars in the sky, the sand-particles on the banks of rivers and drops of rain water

I have recorded and listed in detail my own manners and ways of life I turn away from houses of men and women who have bad manners disliked by me. I refuse to visit their houses and shut my eyes when I see them. These men and women are bound to suffer throughout their life, not having enough to eat and to wear, and unable to feed and look after their children properly.

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## APPENDIX -II

### THE LANGLOL\*

The man who does not know how to step falls into the ditch. A hasty feet leads to dandy traps. One must look before he jumps. An envious man who wants to make his fortune by stealing others' property is liable to be in chains. To tell lies to the listening ears of mankind is also liable to correction by cudgelling. A narrow mouth shows the bread back. He who is in the habit of stealing others' property runs the gauntlet. Just as murder will cut so also flatter based on gilded truth will be out. The man whose eyes are bigger than his belly is subjected to attacks from utter shame. Procrastination is the thief of time. The man who changes his mind is in the character of chameleon and will score nothing in life thereby becoming a jack of all trades but master of none.

2. There are seven enemies or perilous illusory traps to which man falls a prey. He who cannot free himself from them will never attain beauty or salvation. He who is not a slave to passion can overcome those powerful enemies. The byetraps are - eyeing a thing where it is not due and to see a thing where due, love where it is not due and vice-versa, to be a prey to flattery is easily influenced by instigation, not taking care of what Mrs Grundy will say, everjoy, everlove, everstate or underrate proper value, to be unduly specious, to cajole a man by swearing, always trying to find fault with others, to stir up hostility between lovers, to threaten man by

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\*This is a translation of Shri Sanasam Gourahari Singh from the original text of Wahengbam Yumjao Langlol, 1-17 (1966)

shouts, to flatter a man with lies, not knowing what one ought to do, creating ill spite between kinsmen, to cause *infra dig*, not knowing how to behave with elders, not knowing how to deal with the youngsters, not looking before jumping, not wary of future, to work out a man's ruin, to flatter a man to his ruin, subjected often to shame, to suffer from being shallow-witted. Mankind is caught in these traps every moment. Not wary of these he knows not the kind of trap into which he falls. A man ought to keep company with the considerate so that he may not be vehemently bound by these traps.

3 To be puffed up with egoism or pride is commensurate with drinking liquor. But a man should not demean himself or need not himself cower. don't underreckon your name. All other men should be viewed as having the same kind of soul, unmindful of divinity, one fails to get happiness. Nobody knows what happened in his previous birth, he is blind to what has been destined or ordained, there are returns of days, weeks, months, years in a cyclic order and renewed. But time past in man's life never returns. Physical decay gradually happens and not renewed. They wear away gradually like the whetstone. A constantly used sword gets blunt. They are unlike the snakes which renew themselves by casting off sloughs. The road in front becomes shorter and behind becomes longer. Just as the paddy stock becomes thinner for the gradually take-off, so does life too. We cannot stop the motion of the sun nor can we prevent the moon by her loam. Likewise man's body is subjected to debility of nerves, becomes bent down and hump backed. The teeth loses its edge, the sole becomes worn out. The eye gets wrinkles and crow-foot, the eye sink into the sockets—these lead to changes of facial shapes, the nerves of the wrists float up steps get stumblings.

4 The breath spent out in uttering every word shortens life. Life is so short that within its span, promises remain



unfulfilled. Seniority and juniority in age cannot be exchanged. Life is such that seniors cannot necessarily die earlier than juniors. Life is as short as the dew-drops that dry up soon in the sun. Just as a dry leaf is blown away by the wind, the human soul flies away unawares. Just as a leech steps on to another blade of grass, no one can prevent the soul from flying off. It vanishes like the bustling of a bubble.

5 One's near and dear ones, sons, daughters and so on will be left behind, they cannot accompany him like the shroud. Just as Charon ferries the soul across the river Styx after death the Guru (Preceptor) and the sacred name of God only will take one's soul in its voyage across the bridge to heaven and takes rebirth according to what he performs for the destiny of the next birth.

6 God does not allocate the destiny or decree of a man in his life. Just as a potter moulds and shapes the pot, the man is the architect of his own destiny. If a man does good and pious deeds in his life he will be born in a higher status and vice-versa according to his performances. This is what we call God's decree. The heron searches food with his feet and the duck with his beak. For human beings what he does determines his destiny. Self-restraint is to be practised. Idleness be kept away as an unknown thing. Little drops of water fill up a woman's pitcher. Likewise small beginnings lead to greatest things. There is nothing allotted by God. God does not approve of evil things. If there be a thing as allotted by God, a thief will not steal others' property. Stealing is an act of the thief's creation. When a man flirts with another married chaste woman, does God prevent him from doing so, declaring that adultery is an offence? God never intends man to do evil things.

7 Whatever a man does is daily reckoned and enters into the register of his performances. The upright man

never quarrels with his destiny nor accuses his fate. He knows the dark side of life. He has a clean heart inside and outwardly also is clean. Plain living and high thinking is his motto. He wears a clean cloth, howsoever tattered it may be and regards with due reverence his elders as men of superior wisdom whom he is to obey. He is patient like trees and does not remonstrate with anybody who speaks ill of or defame even his good and innocent father by throwing aspersions. He subdues his anger, does not puff up with his high rank to which he is raised by dint of his sheer idustry. He uses his eyes rightly without any rhetoric. The eye if wrongly used as by a green-eyed monster kills the owner. The inward eye is the right eye. The blind sees better and more than we do, with his clean heart. A man's eye with a clean heart can see heaven all the directions in their true perspectives and what not. The dried gourd can be concealed by the texture of cane pieces closely knit. So remains God invisible. But the eye of the upright can see God and keep him in communion as he sees things in a crystal bottle. Blessed are those who have such clean hearts and clean eyes. Such intellectuals who think and view things brightly alike closed together and pass their day-to-day life happily and can discern clearly the origin and destination of the human soul. Such is the ideal philosophy of life of the upright men and women. This is the wealth of the soul.

8. Man wants things from God without praying for them. That is, he wants the fruits without labour. God's dispensation of things is in diverse ways. As his assignments are varied the sun is man's eye in the day time and the moon shines at night. The sun and the moon do not interchange their position. The large-sized elephants do not go near the lion. The cow fears the smell of the tiger. Rats avoid nearness with ubiquitous cat. Snakes leer away from the Garuda the King of birds. Another

simile is that fire and water are intersoluble or inter liquidated. The birds get strength from strong winds. Fish live in vast sheets of water as their home. They don't give up their own company. Bamboo and timber are not compatible. Fish and meat are not to be cooked together. A sour fruit if taken with salt is palatable, it does not turn the edge of teeth. The flower—cherisher young man and fruit—cherisher girl love each other and live together with one mind without forgetting each other.

9. As you sow, so you reap. A man is known by his deeds. The four-footed animals, birds, bamboos, trees, grass, the variety of flowers, fish and so on remain in the same shape and design without change of form for every-time they are born. The tree which produces sweet fruits gives a birth to the same type, the better. So do flowers and fish. For human species, as faces differ so is temperament. As divinity shapes their ends, according to the results of their deeds, some become genius with superior wisdom. Imbibed with good lessons and endowed with high intellect they become courtiers and nobles of kings though born of poor families. Their talents are their ladders. An educated person by keeping good company becomes eminent. The intellectuals through books of wisdom can visualise the past and future. There are affluent who gather strength from his subordinates. The skillful businessman also can exercise influence. There are persons who by dint of their gallantry save many lives and rise in this world. There are lives also who by cheating pull on with their lives. There are men who can rise by satisfying kings by his making ornaments etc. There are persons who God overhead and heart within rule the country. There are persons who take it that whatever they do from their own whims are done from the dictates of God. So, unable to resist temptations they marry two wives and become polygamists with the result that they become poor and ill clothed. To try to catch two fish at one stroke

catches neither. Between two stools one falls on the ground. The unwary who attribute what they do to God cannot fare well. The mewling cat gets no much food. The silent dog eats much.

10. The son of a gold merchant suitor who from birth wishes to make fortune from the same trade fails to execute his scheme by failure of keeping good company. For want of guidance and advice from his superiors and owing to his lack of skill his attempt sailing the boat collapses, the boat dashing against the bank. It is like running a losing concern. It may be compared with a person who in the market not knowing how to strike a bargain, pays price of a thing weighing in gold but brings only a piece of dazzling piece of glass. Such a man is like the young of the crab which eats up its mother's body, like the weevil which eats into the timber on which it settles, like salt which eats into the leaf which wraps it, like the rat which tears up the cloth which serving as its house provide the lying in chamber of its kids and like fire which totally burns up fuel which is its resort.

11. Wicked persons men of obscure origin, a high-stepper men of insincere profession are like a bitch which bite its owner. He is a dark devil hoist with his own petard and ends life as such. A man of unsteady mind and of hasty decision is degraded to a lower level. A man of mild temperament and patience lives eminently upto the end of his life. Soft speaking coupled with humility and politeness and telling the truth can accomplish his works like the soft bamboo pieces which with their binding capacity can make a big house edifice. A sharp small tool makes with its cutting and whittling ability various small ornaments and furniture. A small shear can goad and control an elephant to the bidding of its driver. The reins of a horse controls its speers. The tiling bullock also step up their ploughing works by means of a sharp-pointed small implement which goad them. Women too by sincere and pure

allegiance to their husbands can make them amenable to what they say to their husbands and their husbands too never become faithless to them. If truth is spoken with humility one can attain the *sumum bonum* of life. He is never slandered or becomes scandalous and also never falls into death-trap.

12 A bush in which there is a tiger is more and more enriched by luxuriant growth of grass and the grass thickets also become the resort of the tiger. That is to say they interhelp each other on reciprocal basis. With full knowledge of this context if a man is loyal to his superiors and elders and treats his subordinates like his sons and establishes a spirit of amity, harmony and concord between them, he flourishes with success in life. Politeness and gentility is to be displayed to every man. When running errands for his superiors he should not grumble at any trouble that he may experience in doing so. He should not mention remuneration for doing anything. It will automatically come. If there are no pupils how a teacher can get the appellation "Teacher" ? If the circle of kinsmen or kith and kin is not large how the Piba (the head of the clan) will be of wider influence. If friends are not of same status loss of dignity will follow. If not guided or trained by a teacher man of any trade is little respected. One should not wash the dirty linen in public. If guided by those who practise "Kill the snake, spare the rod" and who has faith in God, the man will succeed in life. Only such wise and enlightened men will be chosen as guides to be associated with. This will be talisman for success in life.

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## APPENDIX - III

### THE PUYAS

"The *Langyen* explains the duties of human beings attributed by God *Uka-Lekha* mentions the manner, behaviour and discipline to be observed by the devotees during the ritual functions, the *Kangdrum* consists of different forms of rites. The *Meihoubarol* shows the origin of family (*sagei*), *yek* and *sala* along with the genealogical data of human beings in several ritual forms, the *Ahonglon* relates to marriage rites, and the *Nahajrol* mentions the pre-requisite rites of any function for memory culture."<sup>1</sup>

The ancient laws based on religion go back to 3000 B C<sup>2</sup> *Mangang Laininghal* dictated divine laws to *Nongda Lauren Pakhangba* (first century A D) Being a ruler he was acquainted with justice, equity and good conscience in the sphere of judiciary He excluded his queen from the state administration

#### The *Loina Shinlon*

King *Naophangba* (fifth century A D) compiled a Code of Conduct, called the *Loina Shinlon* It was a glossary of rules governing the King, the principal queen, the co-queens and his other wives, the royal elders, the servants, the nobles and the close associates An excerpt of the rules is given below

"There shall be no open visit to the King The King shall be met by a due process of conduct.

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- 1 Chongtham cha, Nganba is a modern commentator. The researcher interviewed him by investigation He is in possession of important Puyas in Meetei manuscript
  2. Mutuwa, Tombi. *Imphal Vol I* (The Cultural History of Kangleipak), 7-9 (1975)

The King cannot go out of the palace for no reason. The King shall speak quite seldom. The command of the King is law, so he shall have only one or two commands in a month. If his commands are unacceptable and bad, he may be requested for reconsideration. The noble and the Ministers shall visit the King only when they are called on him. The King is governed by polygamy, however he shall stay only with his principal queen at night and with other queens and wives in day time. Any matrimonial dispute between the King and his queens shall be settled by a women's court consisting of nine female judges who are all elderly women of both the King and the queens. The King and his family members shall be respected with relational names, like *Sanamahi*, *Tampha*, *Sana* and *Ibungshija*. Imitation of the King in any form is an offence and shall be punished. Rewards of different categories varying from catching a tiger to gaining a war victory are made available to any citizen irrespective of social status. The queen shall have no double mind and shall not be a miser for the welfare of her people. If the King has a double mind the country shall be in crisis. The nobles, the saints, the Ministers and the learned, all alike shall advise the King and shall disclose everything in prediction or otherwise the country shall be saved from injustices. Justice cannot be denied by the King under any circumstances. For the offence of theft of cows, the thief shall be severed off his legs. The looter shall be punished by severing off his hands. For telling lies the mouth shall be severed off by slow cutting. For committing adultery with any queen or of kidnapping of somebody's wife shall be made blind. For committing sexual intercourse with his own sisters or father's sisters, the offender shall be

punished by disgracing the public. He who is ignored of King's honour shall be exiled out of the country. For those revolting against the King shall be sentenced to death, and all shall be destroyed to the root because it is an epidemic. The enemy of the King is the enemy of the country and he shall be banished. He or she is strictly forbidden to marry the same yek or the prohibited degrees of either the paternal or the maternal line. The widow is prevented from joining the rites of *umanglai*. The woman whose husband is dead, her way of life should be changed, or otherwise she shall be treated a lower status, (English translation)"<sup>3</sup>

*King Naathingkhong* (Seventh century A.D.) was another great law giver. He allowed love marriage at the age of fifteen, even without the consent of both the parents of the bride and the groom. But such marriage was considered inferior to marriage by engagement. Polygamy was a social institution. There was no limitation of the number of wives. Even the King himself had nine wives. Dowry was accepted subject to the will of the bride's parents. Religion was a state subject. Cremation was in practice. The succession to the intestate throne was to be declared before the cremation. The eldest son if qualified was the legal heir to the throne. There was one court like department called "Tampakyum" consisting of women elders of royal family. It decided cases of matrimonial disputes between the King and his several other wives. It could ask questions to the King. The eldest queen was recognised as the queen of the country and she was always with the King on the throne. The social status of women was equally treated with men. The command of the King was law. He was the religious head also.<sup>4</sup>

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3. Oinam, Bhogeshor : *Loina Shinlon*, 8-14 (1967)

4. Kangujam Bijoy : *Lainingthou Naathingkhong*, 22 (1980).



King Ireugba (tenth century A. D ) was also a law-giver who learnt religious precepts from *Kharam Thadou Maichou*. An excerpt of his laws is given below .

"He who is wicked, immoral and inferior shall never respect his parents, shall never regard his elder brothers and sisters, shall never obey to their *sagei piba* He who is not a man shall never follow his teacher's advice, shall never respond to his loving friend and shall never fulfil any help sought for ( English translation )."<sup>5</sup>

**The Loiyamba Shinyen :**

*King Loiyamba* ( eleventh century A D ) is regarded as the real compiler of the above "Code of Conduct" and sometimes the code is called as the *Loiyamba Shinyen* after his name He made several jobs professional, the worth-mentioned are, viz., weaving, dyeing, carpentry, medicinal etc This was the assignment of a particular trade or occupation given to a particular family ( Yumnak ) The Code was to be followed by the King, the queen, the nobles and ordinary subjects in their dealing with one another Everybody in the Kingdom had to do his or her duty No one was allowed to infringe the "Code of Conduct" prescribed by King Loiyamba—whether one was a noble, a commoner, the queen or even the King himself Any one found infringing the dictates ( irrespective of his or her position ) had to pay a fine equivalent to the price of a slave There was rule of law equivalent to the Hindu views of Law and Justice All people including the King

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**5 *The Leikharol Puya* ( MS ) :**

"Mee Mabuk Phattaba, Maril Chumdaba Mateck Khangdaba Haikhiba Yathangbu Hiktokpa Adumba Mee-singbu Mee Natte ( Meetei text )."

must bow down to law. The King collected tax from the people in the form of "Lalup"<sup>6</sup>

*King Kiyamba* (fifteenth century A D) was another law-giver who modified the original code. The following rules are a few he added to the Code

"No person shall use shoes, umbrella, or carry the seat, or run the Blacksmithy, or the carpentry in the market place. No finder shall become the possessor of any article left by the owner in the market. No arrest shall be made in the market area. Donations in the market are forbidden, if done the donor shall be forfeited all his belongings. The finder of any article shall give it to the *Pheida*, who is the Superintendent of the market, and while giving so there shall be at least two, four or five witnesses. The *Pheida* shall do justice while disposing of such articles. Rice produce or paddy fields shall be given to state servants as their salary. When the King visits the market, everyone who is present in the market shall have the honour of the King by sitting on their respective seats. The King shall be pleased to the giving of fruit presents. (English translation) <sup>7</sup>

*King Khagenba* (seventeenth century A D) added some rules, and a few according to their importance, which are.

"None shall interfere with the King while he is in discourse. The act of chewing of betel nuts, of flowering or of secret talking in presence of King are strictly forbidden, and the person violated this rule shall be made imprisonment. Revenue shall be collected by cash or in produce thereof. (English translation) <sup>8</sup>

6. Raj Kumar, Jhalajit *A Short History of Manipur*, 57-59 (1965)

7. Khulem, Chandrashekhar: *Loiyamba Shmyen* 16-62 (1975)

8. Qinam, Bhogeshor, *Loma Shynlon* 45-65 (1967).

### The Chatna Shillon :

King Pamheiba (eighteenth century A D ), the architect of Hinduism enlarged the original body of *Loina Shillon* under the title of ' Chatna Shillon,' meaning 'Constitutional Code' It consists of several constitutional bodies each assigned with a distinct state function. A few important provisions are reproduced as below

"There shall be a *Cheirap* consisting of the King, the queen, and other sixty three members from amongst the Ministers, nobles, armies and executives. It is the highest decision and rule making body. Some other important state organs are the *Ahailup*, the *Naharup*, the *Punglup* and the *Phamdon Khullak*. There shall be a women's court called *Patcha* to try cases relating to women. There shall be such state departments, namely *Pheida Lairup*, *Maiba Shang* etc and some important posts, viz *Angamba*, *Hidak Phanba*, *Kwarungbi*, *Shinnuba*, *Shelungbi*, *Thumjaorongbi*, *Ngarungbi*, *Irungbi* etc ( English translation )."<sup>9</sup>

### The Royal Chronicles

The *Cheitharol Kumbaba* the *Vingthouol Lambuba* and the *Ningthourol Kumbaba* are not the least important for the sources of Meetei customs and usages. The *Cheitharol Kumbaba* is a royal chronicle and a record of internal and external events during the reigns of Meetei Kings from 33 A D onwards to this present time. Most of the events relate to the invasion of the Meetei Kings, catching of carnivorous tiger, wild elephant, punishment of criminals, banishment of armed hostiles, describing of suicide by hanging. The common and frequent incidents of suicides by hanging of young women shows that women were not adequately protected by criminal laws. The society seems to be controlled by the might of the King, of wild beasts, and of the natural phenomena. The three elements depict

9. *Ibid.*, pp 15-41.

the custom and usage of the people along with the system of administration including village community

**The Khamba Thoibi epic .**

The ancient social system of the Meeteis is the social relationship amongst the seven independent principalities, namely *Mangang*,<sup>9a</sup> *Moirang*, *Khuman*, *Luwang*, *Angom*, *Chenglei* and *Khaba*. The following is an excerpt from the epic about it

"The social customs, dresses, languages varieties, arts and culture, forms of Government, hair styles of men and women the designs of the residential houses, the shape and size of the palamquin, the war weapons, the economic standards the domestic articles utensils and crockery, the headgears and costumes for dancers and dresses for distinguished personalities in state functions, the general profession of people, the place of art and culture in the society, forms of courtship, expectation of life food habits, staple food of the people the relation between the principalities, whether the dead were cremated or buried, religious faiths, whether the principalities were water tight compartments,

There is no easy answer to any of these questions. The story is believed to have been woven around an actual happening in Moirang sometimes between the eleventh and the twelfth century A D

There was a common food habit, a common language, a common culture with variations and emphasis from principality to principality within the same formula of the cultural framework, same hair style in all the principalities, the hair styles differing of course between man and the woman everywhere

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<sup>9a.</sup> *Mangang* was wrongly coined as *Meitei* or *Ningthouja* by the influence of Hinduism of Bengal origin.

It is believed that man also had long hair. Each principality had its exclusive state emblem and colours, the relation between the principalities was one of co-existence and non-interference in one another's internal affairs, the principalities were not equally strong at any given point of time, the strongest or more influential at any given point of time enjoyed the de-facto sovereignty over its weak neighbour or neighbours.

The traditional house *Yumjao Laikhan Taba* and the pattern of the out houses are believed to have been in existence during the time of the *Khamba-Thoibi* story. Rice was the staple food of the people who might have been non-vegetarians till their conversion to the Hindu fold. Even now Manipuri Hindu (Meetei) eat fish, although egg and meat are forbidden. *Khamnu* and *Thoibi* wore *phaneks* the striped Manipuri women's thick garment, upto the breast as soon as they become full grown girls. Unmarried girls cut the formal portions of their hair and their face looked like blooming flowers. This tradition continued till recently.

The civilisation was rural. People did not have many wants. Promotion of art and culture received maximum social patronage. Games and sports played a great role in the social life of the people. There was high respect for gallantry and bravery. The distinguished nobilities used well decorated palanquins to and from their offices. Many of the court and official transactions must have been verbal.

The boys could visit the houses of the girls in open courtship. Such courtships were tortures to the boys and girls as they could not enter into open conversations. There were accepted norms and formulae to communicate the sentiments of both sides. The

boys and the girls used to communicate their feelings through the medium of folk songs

The expectation of life in the early days was believed to be long

Thonglen lived for three generations "10

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10 Ningthoukhongjam Tombi *The Story of Khamba and Thoibi* pp XXXI XXXV (1970)

## APPENDIX—IV

### IMPORTANT SOCIAL NOTIONS

#### Ancient Social History :

The ancient social history of the Meeteis mentioned the Meetei concept of creation theory. The forefathers of the Meeteis were born in Manipur. The seven yeks (salat) originated from Kangleipak (Manipur) <sup>1</sup>. The seven tribes (yek) played prominent role in the formation of Meetei society. It grew in and around villages. They are a fine race of people, the cleanest of the clean people of India both in their person and their ways and habits <sup>2</sup>. Their dress is simple and peculiar but they all wore the same class loim cloth irrespective of social position or economic condition. In early times, the qualification of a bride was adjudged by the quality of cloth she wore and the qualification of a groom was decided by the skill of martial arts and *Mukna-kangzei* <sup>3</sup>. Unmarried girls bear a side-lock hair style as a symbol of preservation of virginity. Since the eighteenth century the killing of a Brahmin became a gravest offence. Even the King had to abdicate the throne to absolve himself from the sin of killing a Brahmin <sup>4</sup>. However society does not allow the supremacy of the Brahmin.

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1. Mutuwa, Tombi. *Imphal, Vol I* ( Cultural History of Kangleipak 2-3 ( 1975 ).
  2. Roy, J, *History of Manipur* 24 and 174-75 (1958)
  3. *Mukna kangzei* is a combination of tree hand wrestling and tree-style hockey, all are of Meetei origin. It is very popular till to day.
  4. Roy, J . *History of Manipur* 59 ( 1956
  5. Hastings, James. *Encyclopaedia of Religion and Ethics*, Vol. VIII, 402 ( 1964 )

It was the custom of all subjects to pay their respects to the King by bowing down before him. Muslims were exempted from it but allowed to do only "Salam."<sup>6</sup> The worship of Sanamañi by a prince was regarded as a sure preliminary to an attempt by the worshipper on the throne, and was reserved for the King alone.<sup>7</sup> Even after the acceptance of *Vaishnavism*, *Panthoibi*, *Sanamañi*, *Umanglai* and other deities are enjoying due proposition. Pakhangba is also considered to be the sacred soul of ruling chief of Manipur. In the State flag of sovereign Manipur there was a picture symbolising Pakhangba. These deities are side by side worshipped by the Meetei Hindus.<sup>8</sup>

The society or the State was neither a contract nor an organism.<sup>9</sup> The King was believed to have been appointed by God as King and sent by God for reigning the country. The King was God to his people. Sometimes the King was elected on the basis of democracy. There were organisations, rules and obligations, law for pleasing the King and for bringing up the Meetei religion. To preserve the long standing custom and tradition is the rule of law of Meetei society.

The society developed from a stage of tribal status. The legal system between the period of the primitive age and the age of the enforcement of the Indian Constitutional law was solely based on rites, moral precepts, usages, customs, memory and King's command.

The society is itself dynamic. Because the ancient society was sufficient for livelihood. However, agriculture, seasonal rain and rural civilisation were the limbs of Meetei village community. Rice produce was amazing. There was no famine if there were no war. Articles were sold at

6 Roy, J., *History of Manipur*, 106 (1958)

7. *Ibid*, 177

8 *Ibid*, 178-179

9 Moirangthem, Kirti *Manipur Samaj Hougatlakpa Amasung Chaokhailakpa* 84 (1977)



cheap prices. In the markets there were two systems of exchange, one by articles and another by coins. The power of nobles and the feudal system were a living practice till recently. The labourer and their wages were at the will of the King and the nobles. The cottage industry was remarkably developed. In the result the handloom products and the handicrafts carry extraordinary charms. In the forests, precious timbers are available in plenty. The lakes supply all the demands of fish consumption to the country.

There was foreign relationship from early times. Some local products were a good choice of the Britishers and the Burmese. Communication and external affairs were the business of the King. Most areas of the country is covered by the hilly and rural boundaries. The King and the deities were being kept or stayed in the buildings, whereas the common people lived only in the thatching and kuccha houses. Gold, silver and precious stones were meant for the King and his descendants. Sanitary was at its zenith except in the hilly and Loi regions.

Various laws were dictated from time to time. The King and his royal family on the one hand, and the poor commoner and the few middleclass families on the other, formed the early society. The *Pana*, *Lalup*, state service, and slavery were all the sources of law. Without the consent or command of the King operation of the Executive, Legislative and Judiciary were all under limitations. If the customary law were violated, the law breaker was made out-caste, killed or exiled. There was no such right of the present time. Slavery, and human sacrifice were in vogue. Many organisations were extant for gracing the King. The obligations of *Laihuuoba* rites were considered as higher than the prevailing laws of the country. The waging of war against the ruling King was common.

Married women control the market and markets are meant for womenfolk. There are morning, day evening or night markets, which are run by married women. In paddy

fields and in all walks of life, except war, women played greater roles than the men folk

The hill and the plain tribes were not in the same footing socially or politically. There were various departments to look after the Pangals (muslims), Lois (outcastes) and Cheengmees (hill-men). There was a peculiar type of secularism, and it helped while maintaining the peace to a great extent.

Prohibition of wine, suppression of immoral traffic acts, prevention of gambling and eradication of theft were the negative functions of the state, because it remained in the hands of the society. However laws were enforced to check and punish the offenders.

The art and culture of Meeteis are the charms of the other world. Both men and women play games and sports, dance together and devote in their spare time in music and religious works. The society was a society of war invasion every house was a centre of learning martial arts and culture. On the other hand the society was always freed from foreign subjugation because even at the time of political subjugation the society remained independent. All men were directly or indirectly a warrior of the country. To die in the battle field was considered the highest reward in their life. To go even in the battle field was considered to remove their sins in life. Behind them the society was run by the women folk.

There was no practice of child marriage. Women gained a social status. There is simple divorce. Re-marriage after divorce is allowed. There was total absence of casteism on social basis.<sup>10</sup> The adoption of Hinduism as the State religion by royal edict (1705 A.D.) became a social and political value of the Meetei society by separating them from the rudder tribes inhabiting the hills and from the subordinate peoples occupying the valley. However, by the

<sup>10</sup> Hastings, James. *Encyclopaedia of Religion and Ethics*, Vol. VIII, 402 (1964)

existence of earlier faith ( Sanamahi--Pakhangba ), the society was saved from ruin.<sup>11</sup>

Oxygamy was in practice Two great remarkable evidences are, the queen of King *Pakhangba* (first century A D ) and King *Naothingkhong* ( seventh century A D ), the latter's queen called *Chinggurembi* was a Hindu princess of outside origin, who also had brought ten attendants belonging to Hindu community All of them settled in Manipur and their descendants became Meeteis <sup>12</sup>

The Meeteis asserted their pride and racial superiority even to their own wives Such characteristics are the common habits of all the primitive tribes <sup>13</sup>

Re-marriage of women was a common practice A woman could marry as many times as she pleased or circumstances compelled <sup>14</sup> In their primitive society raiders occasionally attacked and killed the males women were then carried away Women population was nearly a commodity Very often women reared up children of several husbands However, the morals of the women were protected by some sort of means Because morality changes with time and place The social conditions of the progenitors of the Meeteis were extremely primitive <sup>15</sup>

**English records :**

Three varieties of sacrifice were extant around the first century A D They are the Charat ( human sacrifice ), the Karat ( animal sacrifice ) and the Marat ( cattle sacrifice ) The practice stopped at the advent of Porcetton in

11 *Ibid* , 402

12 Wahengba n, Ibohah *Who was Nongda Lauren Pakhangba* ' ( MS ), 21

13 *Ibid* , p 22.

14 *Ibid*

15. Rajkumir, Thalajit *History of Manipur*, 49--50 (1965)

the first century A D <sup>16</sup> Sir James Johnstone had given a commentary on slavery as follows :

"Slavery of a mild form existed in Manipur, the slaves being hereditary ones, or people, and the descendants of people who had sold themselves for debt, their services being placed as interest for the debt. Very commonly a Naga marries a girl of another Naga village, thereby incurring a debt of forty rupees to the father, debt being the price of a Naga bride. The man not being able to pay, his father-in-law says, "Sell yourself, and pay me." This is done and the man pays the forty rupees and has to work for his master till he can pay the debt something being sometime allowed for subsistence, or they agree upon a monthly payment which if not paid is added to the principal. The wife probably works and supports his family and if the creditor is a fairly good fellow, things go smoothly, and the debtor never attempts to fulfil his obligations more than he can help. The law allows a man to transfer his services to anyone who will take up the debt. Great abuses arose because the master took advantage of the corrupt courts to bind the slaves more and more securely in the chains of debts and then every effort was made to escape. Sometimes cases of very cruel ill treatment happened, quite contrary to the laws. A female child of only 4 years old was stolen from the custody of the widow mother by the creditor for a debt of nine rupees owed to her deceased father. Such instance of slavery was totally abolished at the instance of the British Political Agents in Manipur"<sup>17</sup> -

- 16 Kh Yaima *Pouciton Khunthokpa* 1 (1971)  
 17 Johnstone James *My Thrice Years Experience in Manipur and Naga Hills*, 117-119 (1971)  
 'Sir James Johnstone was a Political Agent in Manipur during the reign of King Chandrakirti (from 1850 to 1886 A. D.)'

**Clans and Classes of Meetei Society :**

There were seven *yeks*, nine *salais*, four *panas*, *Phungganais*, *Potshangbas*, *Ayokpas* and *Keis*. There were the results of two composite cultures, one from the east and another from the west. All the immigrants were allowed to join in a particular *yumnak* (surname) and after joining became a Meetei. The Salai could claim their rights guaranteed by religion. *Phungganai*, *Ayokpa* and *Kei* are all security classes of temporary status for the King. The *Phungganai* is that the eldest son of the parents became *Loinaba* (close associate) of the King, the second became *Lalup* (free-labourer) and the third one *Nai* (slave) of the King. They were used as a dowry or as a reward while distributing prizes. *Potshangba* did the work of watchman of the belongings including the firm of the King. *Ayokpa* came from Naga clan. They cultivated one *pari* (2.5 acres) of paddy field per head. *Kei* was the servanthip of the King. Earlier they were Nagas.

**Social Relationship :**

The Meetei society is classless and casteless society. However, due to more or less influence of the outsiders, there are such localized names, namely *Imphal Macha*, *Lawai Macha*, *Hao Macha*, *Loi Macha*, *Yauthbi Macha* and *Bamon Macha*. All these names have both positive and negative concepts of the term. The positive concept of *Imphal Macha* is the man who is a resident of Imphal city and qualified as a gentleman, whereas its negative concept indicates the rude attitude of the man towards his fellowmen. The positive concept of *Lawai Macha* is one who is sincere and honest villager, whereas its negative concept carries the meaning of most uncivilized person in the society. The positive concept of *Hao Macha* is one who is very faithful hillman of the society, whereas the negative concept of *Hao Macha* is hillman possessed by odd character. The positive concept of *Loimacha* is the

man who is adorned with pure qualities of citizenship, whereas its negative concept carries the socially boycotted people. The positive concept of *Yaithibi Macha* is the omen to the foreign invaders, whereas its negative concept discloses the outcaste of the society. The positive concept of *Bamon Macha* is the priestly class who look after the Radha-Krishna temples, whereas its negative concept shows the cook in the service of the society. There is no personal classification amongst themselves except the *Bamon Macha*. Any *Yaithib Loi Hao* or *Lawai* may become the socially high *Imphal Macha* if he or she resides in Imphal city.<sup>18</sup>

Historically the Lois settled in the horizontal areas of Manipur valley the *Yaithibi* settled in *Haokhongban Samupal* and *Thoub I Khunou* villages and the Haos settled in the vast hilly areas. Most of them excluding the Haos have a peculiar Meetei language as their mother tongue but quite similar to Burmese language i.e. *Phayenz, Lemaram, Sugnu Ando Thangga Selloi, Khukhul* and *Kwatha* are important *Loi* villages. However in the real sense they do not carry the negative concept of *loi* now a days since the negative mandate was issued by the time when there was monarchy in the country. *Moirang and Kakching* were sometime wrongly treated as *Loi* villages like *Ando* and *Awang Selmat* villages. These villages are not *Loi* villages on the ground that the pure blood of Meetei race originally settled in these villages. Only the historical Kings

18 Roy J. *History of Manipur* 34 (1955)

"Unlike the Hindu outcaste Lois of Manipur do not carry the outcaste characteristic. Because there are instances of it. In the year 1250 A.D. some Chinese prisoners were allowed to settle at a place called *Susa Kameng*. Then descendants are still living as *Loi* community in *Kameng* village of Manipur. Chinese were treated in a sense as *Loi* or outcaste."

19 Moirangthem Kuti. *Manipuri Samaj Hoi galakpa Amasung Chaokhutlakpa* 25 (1977)

made them joined by immigrants coming from Burma, China and the West <sup>20</sup> Besides them the kings sent the offenders to them as a sort of penalty in exile, who were consequently turned out a sizeable number before the end of monarchical rule that lasted only after centuries.

There are such other classless type of man called *Khangabok*, *Ningthoukhong* or *Bishnupriya* whose origin are considered from the west (India) They are assigned Meetei surname and recently have accustomed the Meetei way of social life <sup>21</sup>

#### **Primitive Institutions :**

The primitive institutions of the Meeteis may be said to have started from their family ( *Mayum Phungga* ) with special reference to human person's relation with family law. Because 'Phungga' is the origin of family law <sup>22</sup> By instituting Phungga ( hearth but a shrine ) the norms of family law started with distinction. Around the Phungga, there are the rooms for daughters (unmarried) son (eldest), father ( elder man ), kitchen and so on. The family having a phungga is regarded associated with the ancient laws of their forefathers, whereas the family having no phungga is regarded as a family without such a law.

The *Sagei Piba* ( head of the clan ) occupies a unique position in the institution of Phungga. He is the head of a number of phunggas belonging to a particular surname of the same *yek salai*. Again the King is the head of all the *Pibas* who are in hundreds. They used to keep such

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20. *Ibid* , pp 25 -26

21 *Ibid* , pp 28-34.

22 Yulembam, Thoibec . *Yumballonꯀee Hourakphani* (Origin of Family Law) *The Kangleikhol*, No 41 pp 13- 16 ( December, 1982 )

Puyas called *Yumdaba* and *Yumkhai* and by the interpretation of these puyas any injustice in Pibaship is ruled out. The Pibas are the religious head within the jurisdiction of their clan. Subsequently the Meetei family law developed with such organs of *Luhongba* ( valid marriage ), *Khuinaba* ( divorce ), *Hanyunnaba* ( restitution of conjugal life ), *Aoonpot* ( dowry ), *Ayokpa* ( adoption ), *Angang Chakthak* ( maintenance ), *Tongan Chaba* ( Partition ), *Lanthum* ( property ), *Nupi Maral* ( women's property ), *Aoon lou* ( dowry paddy-field ), and *Khubham Shilhoubu* or *Sharuk Thungba* ( inheritance )

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## APPENDIX - V

### \*MEETEI MUSLIM CUSTOMS AND USAGES

In Manipur Meeter Muslims have their own customs which differ from Koranic law

#### Marriage

For marriage there shall be an agent of the groom, who shall obtain the consent of the bride's parents. After having obtained the consent, an engagement called "Hayaba" shall be conducted twice by the groom's side, earlier it was to be done thrice. At this stage both the bride and the groom should exchange their consents with each other. In any case, the groom's engagement should be done only after the bride's consent has been obtained through her parents. Like the groom, the bride's side shall have its agent. By an agreement between the agents of both the parties, the marriage shall be performed. There are two forms of marriage, viz, "Lu'ongba" or "Loukhatpa". In either form the Nikah (solemnization) shall be conducted by a Maulvi. Before the Nikah the groom should give three gold *Mohors* to the bride. On the day of giving the gold, three agents shall be elected. All the agents personally shall take the consent of the girl by parole. This marriage is called "Proposal marriage".

Elopement is also permitted. If a girl is eloped, at least two agents shall go to the house of the bride to give information. This is called "Pao hanba". They will obtain the consent of the parents of the bride. Afterwards they shall decide for marriage or recognition.

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\*Translated from the Meeter manuscript of Md Ayub Khan. *Meeter Muslim customs and usages.*

(recognition form of marriage is called *loukhatpa*) The parents of the bride shall decide the quantity of gold to be given by the groom. Every elopement shall be given such quantity of gold as fixed by the parents of the bride. If not paid, some sort of fine called 'Iddat' is imposed. In all cases, the nature of marriage solemnization is the same.

Unlike the Meetei custom, there is no '*Lanta-Tintha*'. On any auspicious day the marriage shall be solemnized in the name of Allah. It is quite similar to the marriage solemnization done in other Muslim countries. There is no "bride price". However, the expenditure incurred in the marriage ceremony is taken as bride's price. Gold is an important thing. It is also an obligatory object in marriage.

Dowry is given to the bride. But the dowry articles are arranged at the expense of the groom. Contrary to it, the bride of the rich family shall take the property she desires from the wealth of her parents. There is no customary obligation for the giving of dowry.

A Meetei Muslim male may become a polygamist of four wives only. Such polygamist husband is forbidden to practise discrimination amongst his wives. Equal treatment must be provided otherwise he is not allowed to be a polygamist.

#### **Divorce and Maintenance :**

If a wife is divorced with a child ( or children ) she should be given maintenance by her husband. If maintenance is not given the help of law courts may be sought for<sup>1</sup>.

The wife should be divorced by 'Talak'. If three talaks are issued, then no reconciliation is allowed. If

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1 No such provision exists in the Muslim law that applies in other parts of India. It is a clear impact of Meetei customary law.

only one talak is given, the reconvabitation should be performed within three months of the transaction of talak. If the restitution of conjugal life is done within three months, no *Nikah* shall be conducted

The restitution of conjugal life with a wife who has been divorced by three consecutive talaks may be done only after such divorced wife has become a divorcee after she has had remarried with another person.

#### **Property and Inheritance**

If the wife dies leaving intestate property, the husband shall inherit the whole property

#### **Muslim Surnames :**

Like the surnames of the Meeteis the Meetei Muslims have surnames, like *Khullakpam*, *Makak mayum*, *Meras*, *Eepham*, *Singa* and so on

#### **Conversion**

If a Meetei woman is married with a Muslim male, she should first convert to Islam before the solemnization of marriage. Only after that the marriage called 'Lou-khatpa' shall be performed. If a Muslim woman is married with a Meetei male, the Meetei male should convert to Islam. If he does not convert to Islam the bride shall be separated and if she does not get herself separation she would be given death sentence according to the scripture of Holy Koran. If such death penalty is impossible, such woman shall be socially excommunicated by her parents and relatives.

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## APPENDIX—VI

### PROHIBITED DEGREES OF MARRIAGE

Several surnames within the degrees of *yek-salai* relationship, *Mungnaba*, *Pendinnaba*, *Shairuk Tinnaba* and *Peo Tinnaba* are said to have prohibited degrees and they cannot marry each other. If they violated this customary law they were penanced, excommunicated and exiled as outcaste. Of them the *yek-salai* relationship is considered the most important because of its wide range of legal boundary covering all the tribes belonging to Meeteis, Nagas and Kuki—Chins.

#### **Yek-Salai**

*Yek-Salai* means surnames having a common ancestor and the relationship so established thereof. At first there were only three *Yek-Salais* namely Mangang, Luwang and Khuman being derived their authorities from one common ancestor. From Mangang *salai* Angom and Moirang *salais* and from Luwang *salai* Khaba-Nganba and Leishangthem *salais* came out. Khuman *salai* stands alone. However the seven *yek-salais* are identical to each other. Though the seven *yek-salais*, viz., Mangang, Luwang, Khuman, Angom, Moirang, Khaba, Nganba and Leishangthem can marry each other persons belonging to the same *yek-salai* cannot marry each other. The only exception is available to the seventh generation of the same *yek-salai* of different *sageis*.

#### **Mungnaba**

*Mungnaba* means persons having a common maternal grandmother of the fifth degree and persons falling within three different surnames with a common maternal grandfather and the latter relationship so established is blood

relationship called "Ec-Mungnaba" whereas the former relationship is by relational name called *Minggou Mungnaba*

**Pendinnaba :**

*Pendinnaba* means persons belonging to different yek-salais but having a common maternal grand-mother and such relationship is caused by a woman having issues more than one husband. Descendants of uterine brothers born of the great grand mother by more than one husband are said within the prohibited degree called "Leinung Pendinnaba"

**Shairuk-tinnaba**

*Shairuk-Tinnaba* means persons belonging to the same shairuk (clan). This is also called a "Salai concealed" or *Salai lotpa*. *Shairuk-tinnaba* is of manifold nature. Yek's *shairuk-tinnaba*, for example, the old Moirang and the old Chenglei are of the same shairuk, prohibited to inter-marriage. *Shairuk tinnaba* consists of different shairuks forming a particular group. They are those descendants whose ancestors at one time promised not to commit inter-marriage between their descendants. It was so happened from an incidence causing their lives saved from killing as war victims by the winners in a battle field. *Shairuk-tinnaba* is divided into *Shairuk Ichouba* and *Shairuk Macha*. Ordinary *Pendinnaba* excluding the *Leinung Pendinnaba* is called *Shairuk Macha*.

There are four notable shairuks since time immemorial whose descendants cannot marry to each other. They are, first *Mungyamcham*, *Lairencham* and *Kanghujam* surnames being scheduled as *Mangang salai* irrespective of their yek-salai, secondly *Moirang Anouba* and *Angom salai*, thirdly, *Sarang Leishangthem*, *Khaha Nganba*, *Haorok Konthou* and *Moirang Ariba* and lastly *Achom*, *Yumlembam*, *Hidam* and *Langmaithem Telloipa Shangbam* of *Khaha* and *Angom Salai* respectively.

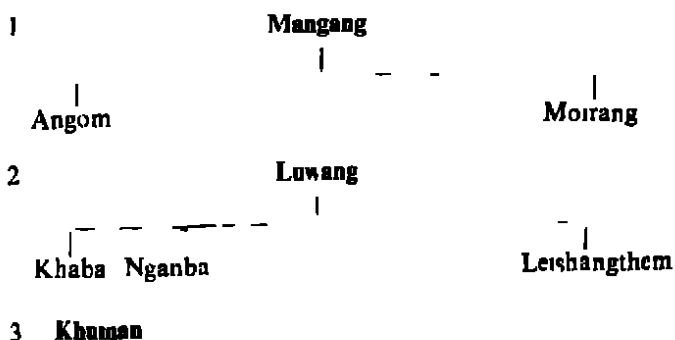
## Pee-Tinnaba :

*Pee-tinnaba* means persons having a common maternal ancestor. Though Naorem is the blood of Chenglei they are treated as Mangang and therefore Naorem and Chenglei yeks cannot marry each other. Atom and Meikam are said to be *Pee-tinnaba* and likewise Paonam and Thongcham Khakokpam, Yenkokpam and Wangpacham Leimapokpam and Oinam of Nawambung, Charoibam and Pakharembam of Moiang lion of Chinga maklu and Laisham of Liklaobing Santlanabam of Leishangkhone and Mouangthem of Shamou Shiyatpam, Angthouam Menjo Mayum and Angthoukhongpam Langonjam and Charoibam, Amakcham and Tinsubam Huidrom of Uru and Langonjam Ikoban and Wangkhem Mungkhom, and Leishangthem, Akhom and Arubam Salam and Lengpoklakpam Thounsojam and Moibam, Laimanu Thounso and Konthouam of Khomdok Huidrom of Leishangthem and Phamthabam Yinom Shanthabam and Phamthabam and Salam of Salangkhone and Yunnam Moibunglokpam Leimapokpam and Hjam Ngangom and Huidrom of Leishangkhone Wangkneulbam Ahan and Leisam of Lambam, Wangkneulbam and Hoobam Paonam Yimlenbam and Kshet Samchimam Hacham of Ahaltup Lakpa and Nongthombam of Hacham Waikhom of Thoubal and Waikhom of Luang yek salu Yerpok Ngangom and Yensemam Ya ipak Hjam and Kowek Samibam, Laisham of Bhadra Singh's blood and Kshet Khana Chaobam, Laisham of Thana Singh's blood and Kshet Sannachimayum having no yek salu ngangom and Kshetngot mayum, Keisam of Keisam village and Pao Kshangbam, Thoubal Waikhom and Samtham Suresam and Oam Ngauangbam and Kshet and lastly Yengkhom of Mangang yek salu Konthouam of Chenglei and Samchetham of Kubo

The above groups and their respective surnames are within prohibited degrees of marriage upto the fifth or sixth generations since only the sixth and the seventh

generations are allowed to intermarriage. Exceptionally now-a-days many different surnames are found to go beyond the prohibited customary rules, as for instance Angom, Hijam and Salam have inter-marriage system to each other.

**Illustration :**



3 **Khuman**

Explanation - Originally there were only three yek-salais viz, Mangang, Luwang and Khuman. In due course of time from Mangang, Angom and Moirang from Luwang, Khaba Nganba and Leishangthem came out as separate yek-salais. Khuman remained alone.

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# GLOSSARY

## ( A )

	<b>Meetei</b>	<b>English</b>
1	Aoonpot	Dowry
2.	Aronba Macha	Secret child
3	Ayaba Macha	Accepted child
4.	Ayokpa Macha	Adopted child

## ( C )

5	Chupsaba	Special rite performed by the Meeteis at the cremation of impotent or issueless or suicide persons
6	Chellakpa Macha	Brought child
7	Chenba	Elopment of girls
8	Chingba	Capture of girls
9	Chinggurembi Khonglup	An institution of property consisting of cattle, man & woman
10	Chakmaringba	Name given to a first Meetei community ( a belief )
11.	Chakthung phithung	Share of all movables

## ( E )

12	Eomnaba	Prohibited Degree of blood relationship
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## ( H )

13	Hainaba	Engagement of girls
14	Hanjinnaba	Recohabitation after divorce
15.	Hejingpot	Pre-requisite ritual festival to a marriage
16.	Hongba	Changed or Solemnised

## [ X ]

### ( I )

- |     |                 |  |
|-----|-----------------|--|
| 17. | Imoinu Ahongbee | Name of a Meetei scripture about the goddess of wealth |
| 18  | Isaphi          | Lady chadar  |
| 19  | Ingkhol         | Homestead landed property                              |
| 20. | Isaiphu         | Religious pot containing sacred water                  |

### ( K )

- |     |                       |  |
|-----|-----------------------|--|
| 21  | Kaptreng              | Wooden Instrument for raw cotton                             |
| 22. | Kei                   | Granary or Servant   |
| 23  | Khatnaba              | Divorce  |
| 24  | Khununglon            | Name of a Meetei scripture depicting various rites           |
| 25  | Kokthok<br>chamthokpa | A ritual function performed at 5 months old pregnancy        |
| 26  | Kujaba                | Pre-requisite articles given by both parties to the marriage |
| 27, | Kwagok hangba         | Dignified gift given to the marriage                         |
| 28. | Kharpos               | Dowry landed property given to the princess                  |
| 29  | Khomei Khomdon        | The youngest son   |
| 30  | Khwangphi             | Loir cloth   |

### ( L )

- |     |        |   |
|-----|--------|---|
| 31. | Lallup | Voluntary contribution of labour by male subjects to the king |
|-----|--------|---|

( XI )

32	Lei chaiba	Offering of flower by the bride to the groom
33.	Lei Koiba	Taking steps around the groom by the bride
34	Leishemlon	Name of a Meetei Scripture
35	Letrum	A Meetei cloth given as dowry at the time of marriage for common use by the newly married couple while sleeping
36.	Lonnaba Macha	Child begotten by another
37	Lonnabi Macha	Concubine child
38	Lou	Paddy field
39	Loukhatpa	Recognition to wed-lock
40.	Lourungba	Settlement officers or Revenue collectors
41	Lourungshang	Revenue Department
42.	Lou Inghol	Landed properties
43	Lourung Purel	Chief Revenue Officer
44	Lu	Head or bone
45	Lugun Lou	Paddy field belonging to Brahmans
46	Luhongba	Marriage
47	Luwang	Name of a Meetei clan

( M )

48.	Machagimatunginna	Per stripes
49	Machayaba	Child accepted
50	Malem Pokpa	Ancestor of the earth
51.	Manarou	Paddy field belonging to gallantry award winners
52	Mangkat	-Price given by the defaulting divorcee

( XII )

53	Mapam	Parental house of the married women
54	Mapamashak Khangdaba Macha	Fatherless son
55	Mee	Man
56	Meehourof	Name of a Meetei Scripture depicting the creation theory
57.	Meerollakpa Macha	Pregranted child
58	Mectei	Original settlers of Manipur
59	Mectei Naga	Naga belonging to Meetei
60	Mikok Yeiira	Per capita.
61	Moirang	Name of a Meetei clan
62	Mou Hallakpi	Returned married woman

( N )

63	Nai	Slave or attendant to princess in marriage
64	Naithang	Slavery
65	Naota	Common ancestor of sub-clans belonging to women folk
66	Ningol	Customary title given to Meetei women
67	Ningol Maw a	Customary title given to married men
68	Ningol maral	Unmarried daughter's property
69.	Ningthem lou	Paddy field belonging to royal clan
70.	Nongpal	Name given to a first sub-community of Meetei
71.	Nongyai Khuman	Name of a clan
72.	Nupi maral	Women's property

( XIII )

( P )

73	Pari	Land of 2 5 acres in area
74	Pendinnaba	Prohibited degree of mother's side
75	Phaba	Kidnapping
76	Phamlou	Paddy field belonging to nobles
77	Phanek	Lady garment
78.	Phangga	Clan or family hearth
79	Phungga lairu	Shrine of family hearth
80	Phungga pokpa	Ancestor of the family
81	Phurup pokpa	Ancestor of the nation
82	Pokchaba macha	Legitimate child
83	Poktaba macha	Step child
84	Pudinnaba	Prohibited degree of father's side
85	Puya	Meetei scripture

( S )

86	Shagei chakkhangba	A family festival along with a ritual function of grand feast prohibiting persons belonging to another surname
87	Shagei piba	Head of a particular surname
88	Sagei pokpa	Ancestor of the same sub-clan
89	Salai	clan
90	Salai pokpa	Ancestor of the same clan
91	Sanamahí	Name of the supreme God belonging to Meetei
92	Sinamahism	Philosophy of Meetei Sanamahí cult or Meetei religion
93	Sarakari lou	Government paddy field
94.	Sarang Leiwangthem	Name of a Meetei clan
95	Shairuk tinnaba	Prohibited degree between two different surnames
96	Sharuk tamba	Share of immovable property
97.	Shel	Money or currency
98	Shelgao	Purse

( XIV )

99. Singkhai                      Name of a Meetei scripture  
100 Shiphai loi                Paddy field belonging to military personnel

( T )

- 101 Taibang pokpa              Ancestor of mankind  
102 Tamang                      Wooden instrument for weaving  
103 Taot                         Wooden weaving instrument for threading  
104 Tareng                      Wooden weaving instrument for threading  
105 Tei                         Detached or Distinct (from God)  
106 Tesharet                    Name of a clan  
107 Tounarou                  Paddy field belonging to the tillers of virgin soil

( U )

- 108 Urok                         Name given to a first Sub-community of the Meeteis  
109 Usha                         Name given to a first Sub-community of the Meeteis

( W )

- 110 Wa-loithoknaba            Confirmation divorce

( Y )

- 111 Yauthibi                    One time out-caste community in Manipur  
112 Yek-Salai                  Meetei clan system ( Seven in number )  
113 Yummangba                State of untouchable due to child birth or death  
114 Yumnak pokpa              Ancestor of the same surname



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