

Review of Judicial Administration of Manipur in Early Period (33-1122 A.D)

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Abstract: *The present study has been initiated to explore the authoritative accounts of Judicial System of Manipur in early period (33-1122 A.D). As an independent, autonomous and sovereign kingdom, Manipur had distinct system of Judiciary during the period. The findings may also be benefited to the researchers working in the field of anthropology, human geography, politics, law etc.*

Key Words: *Stone Age, Judiciary, Women's Court, Indian Independence*

I. Introduction

Manipur is the extreme northeastern state of India with a rich cultural heritage. The language, dance, songs, dress, festivals, beliefs, agriculture, administration, and sports have greatly contributed towards Indian culture as a whole. Her unique historical tradition are recorded in the literature, epigraphs and the testimonies of the Greek, Chinese and the Persian travelers and adventures. M. Mc. Culloh was a political Agent of Manipur in two terms during the periods say '1844-1862' and '1863-1867' during the reign of Meidingu Nara Singh and Meidingu Chandrakirti. He remarked that Manipur had different names to call by different neighboring countries. It is called 'Meitheileipak' by the Maniporees, the local people of Manipur. The Burmese called it Kathe, the Bengalees, Moglai and the Assamese, Mekle (Pande, 1985).

Since the ancient time, Manipur was a trade route. In the 4th century B.C, Chinese cotton and bamboo were carried through Manipur-Burma route from China to Bactria. It was also through Manipur-Burma route that the Chinese-silk came to Bharu kaccha (Barygaza) which later as was imported in the emporia of Seleucia and Alexandria (Pande, 1985). It has been firmly established by archaeological discoveries that the humanity on the earth is more than three million years old. Manipur is an ancient civilization having the evidence of habitation of Stone Aged men. The archaeological remains of Manipur reveal that Manipur was inhabited since Stone Age which has wide cultural affinity in Asia, particularly with Stone Age, culture of South-East Asia (Husain, 1998).

Singh (1969) observed that the history of Manipur like all parts of India had its root in the Stone Age period. He also found a limestone cave at Khangkhui, at a distance of eleven kilometre to the South East of Ukhrul town in Manipur. The excavation carried on by him in the cave yielded evidence of habitation of Stone Age men in the cave. On the basis of the cultural material consisting of stone and bone tools in addition to found remains, it can be argued that Khangkhui cave yielded evidence of upper or late Palaeolithic period, the first evidence of Pleislocene man in Manipur dating back to about thirty thousand B.C. Singh (1935) also carried out the excavation work at ancient site near Imphal and found pottery, the rectangular bronze in Devanagari script (with a sign of dated 107 A.D). Neolithic culture is found in both the hill and valley of Manipur. Recent excavation works at Napachik and Nongpok Keithelmanbi have yielded good number of Neolithic materials including Celts and Potsherds (Devi, 2003).

II. Objectives

In view of the above facts, the present investigation aims to review the authoritative accounts of historical changes in the structure of judicial function and administration of justice in the early period (33-1122 AD) of Manipur.

III. Materials And Methods

Manipur was an ancient independent Kingdom and it continues till 1891 A.D. before the occupancy of the British Empire. It has a long and glorious history from beginning of the Christian era. The recorded history of kingship started from 33 A.D. and it mark the coronation of Meidingu Pakhangba. After Meidingu Pakhangba a series of seventy five kings who rule over the kingdom of Manipur. Meidingu Budhachandra Singh (1941-1955) was the last king of Manipur (Singh, 1966). After the independent of India, Manipur had also merged in the Indian Territory on the 15th October, 1949 (Sanajaoba, 1999). After the merger to the Indian Territory, Manipur has totally changed in the system of administration. The focus of the present study is to explore the concept and review of the judicial in Manipur in early period (33-1122 A.D). The word 'Judicial' has two

meaning. It may refer to 'the discharge of duties exercisable by judge or justice in Court' or 'to the administrative duties need not be performed in court' but in rest of which it is necessary to bring to bear judicial mind, that is a mind to determine what is fair and just or ill/evil and unjust in respect of the matters under consideration (AIR, 1958). According to Webster's Encyclopedic Unabridged Dictionary of English language 'Judicial is pertaining to judgment in courts of justice or to the administration of justice'.

IV. Review And Analysis

The term 'administration of justice' has a wide meaning and included administration of civil as well as criminal justice. The expression, administration of justice may necessarily be included the power to try suit and proceedings of a civil as well as criminal nature, irrespective of whom the parties to the suit or proceeding or what its subject-matter may be. This power must necessarily included the power of defining, enlarging, altering, amending and diminishing the jurisdiction of the courts and defining their jurisdiction territorially and pecuniary. A judgment approach is inherent in the administration of justice, whether legal or administrative. However the term judicious is lacking in that legal vigour that is generally associated with the term judicial. The duty to give just decision or make a just order is the same as the duty to act judicial standard is correlated with legal justice whereas a sample judicious approach is a practice to be fair in every sphere. The practice to be fair is an alternative to the obligation of being strictly judicial. The administration of justice consists in the use of the governmental machinery of the state in enforcing right of redressing wrongs. Justice can best be administered with the help of law. Law is but an instrument and justice the end (Aiyar, 1998).

In India, early society's code of law has been gathered over several centuries often incorporated many elements of law of code of ancient societies. The earliest surviving law code was drawn up by Mesopotamian ruler Hammurabi (1792-1750 B.C.) It contains 282 laws, with heading such as Family, Labour, Personal, Property and Trade. This code was engraved on a stone pillar (Dorling, 2005). The code which is compiled is the oldest known in history, older by nearly a thousands years than the Mosaic and of earliest date than the so called laws of Menu (Johnson, 1992). The great law giver, Hindu is supposed to have lived sometimes subsequent to B.C. 1400. The book of institutes that bears the called the "Manava Dharamastra" seems to have been a compilation from the various laws in force throughout a part of Northern India and of existing law books of Dharamasastra (Kapoor, 1991).

In Manipur, the judicial administration is started with the establishment of the foundation stone of the state formation. The state formation of Manipur is generally and conventionally assumed to have been begun with the commencement of the history of Manipur. The person who inaugurated the royal dynasty and principality of the Meitei Ningthouja is attributed in the auspicious name of Meidingu Nonda Lairen Pakhangba (33-154 A.D.) Manipuri Puyas considered Meidingu Nonda Lairen Pakhangba as of divine origin. He was "Ayuk-Nungthil Lai Oi, Numidang Mee Oi" which meant that he was a god in the day time which is meant that he was impartial in the administration of justice and a human being in the night that is he did his mainly duties to his wife and sons in the night (Singh, 1976).

The courts during the reign of Raja Pakhangba (33-154 A.D) were of two kinds the Kuchu and the Pacha. The Kuchu was the highest court having comprehensive jurisdiction, both civil and criminal. In this court the king and his noble tried cases. The Raja presided over its meeting. Besides, there was a court for female- the Pacha. The Pacha tried all cases connected with females such as adultery, divorce, wife-beating, assault and any other cases in which females were involved. The Rani of Pakhangba namely 'Laisna' was the president of the Pacha. The strength of the court was 11 (eleven) including the president. The ten wives of the Ningthou Pongba Tara were members of the court. Appeals could be had against the decision of the court to the Kuchu. The Pacha determined the form of punishment to be inflicted to female criminals. The highest punishment awarded was Khungoinaba, in which the head of the culprit was shaved, her bare breast and head were painted red with a mixture of turmeric and lime, and she was exposed in the market an almost naked condition. Women criminals were neither imprisoned nor put to death (Singh, 1976). After Meidingu Nonda Lairen Pakhangba the succeeding six kings were also treated as the legendary personnel and their accounts of judiciary and administration of justice are in obscurity. Hence the former and previous scholars of Manipur had provided the historical accounts since the regime of Meidingu Naophungba during '428-518A.D' who was treated as the first king of Manipur to use the function of judicial administration in associated with the natural law and mainly devoted to the penal system (Singh and Singh, 1966).

Meidingu Naophungba:

Naophungba was an important ruler who has been referred to in a number of religious, ethical, social and political treatises as a king to whom was revealed the teaching of several religious preceptors (Kabui, 2003). The judicial account of Manipur that affected the judicial administration is appeared to have the establishment in the form of oral tradition. The oral traditional are turned into black and white during the regime of Meitei Lord Chandrakirti Singh, K.C.S.I. (Knight Commander of Star of India). In the written statement of Loyumba

Shinyen the judicial administration of Manipur is provided to have been commenced during the reign of Meitei Lord Naophungba (Chandrasekhar, 1975). The statements with regards to Naophungba, he is tail of gods or ending time-point of the age of divine and the head of the human being the starting point of the human history by establishing government of man in the form and further principality and kingdom. The judicial administration of Meidingu Naophungba Kingdom, he is said to have been frame same element for the administration of judicial system. This legal element one appeared to have been associated with the natural law mainly devoted to the penal system. Here are the prescribed legal elements. They are:

- i) **The Queen (Chief Queen)** – She is not allowed to lay man in any kind to sorrows and sufferings. She would not be thrifty or frugality when she was doing anything for the welfare and betterments of the monarch. She would be a woman of words and not the use of double-talk (ambiguous or misleading speech).
- ii) **The King** – He would be the man of words and not talk word of double meaning and to talk in positive and negative words to two persons. If he speaks double words of he gives order of different words in the same point, it will bring problems to the administration and judicial system and it will be a bad omniness of the country.
- iii) **Administration Functionaries** – Preceptors (Private and Public) School, man of letter, administrative functionaries and machineries will always be faithful to the state of kingdom and if anything that will bring harmful, hurt to the kingdom or the interest of the people have been in their knowledge. It will be disclosed and broad-cast to the estate authority and republic. If it no so it will win the country. The king and queen will have not longevity of life or they will be cut short.

General:

The natural phenomena of the climatic condition will remain normal. If any natural climatic emerge it will destruct the state of administration. As the natural resource to the activities of man who are following the natural laws with regards to the observation and observance of senior and junior among the populace, general population, higher classes. The judicial system of man made judiciary will be in each true part of administration of justice. If any breach of such course it will make problem to the artificial judiciary. So the elements of judiciary in the feature of penal infliction according to the committed crime are said hereunder as flourish during those days.

- (i) The accused who committed the thief of cow, horse, slaves and servants are the mutilate the hind limb.
- (ii) The accused who committed the looting are to be mutilated the fore limb.
- (iii) Those who committed cheating, fraud, deception and have deceptive mind are to cut mouth of the committed crime.
- (iv) Those who committed wrongful aspiration for the royal ladies and rape of others wife are to be blinded.
- (v) Those who committed the social crime by marriage of the same blood lineal ladies are to be exposed to the public.
- (vi) Those who committed intrigues and conspiracies against the king are to be vanished.
- (vii) Those who committed waging war against the king are awarded capital punishment etc.

These function of the judicial administration is traditionally function to the regime of Meidingu Keinou Irengba (984-1074 A.D). After the Meidingu Keinou Irengba, the function of the judicial administration is developed. The next king was Meidingu Loyamba who ruled Manipur from 1074 to 1122 A.D (Singh and Singh, 1966). He is known as the great law giver (Kabui, 2003). During the time of Meidingu Loiyumba, the Lanlup system has introduced. Lanlup refers to the various groups which had been formed primarily to defend the land. No able bodies male was exempt. But it is also included the general internal service to the land in the way of works relating to roads, bridges and transportation, communications, collection of tribute payment, care of water supply, drainage, sanitation, forest products, building of granaries, collection of agricultural produce and the storing of the grain, care of domesticated birds and animals, including horse and elephants, keeping of wild life under control for the safety of human lives, keeping up with foreign relations, regular scouting of enemies both within and at the borders, defense and nation building. These services were rendered to the country in lieu of a state tax. At a later period each male served ten working days in the Lanlup for every forty days. But in times of war all males were considered to be on duly (Paratt, 2005). Meidingu Loiyamba was a great reformer. He definitely put an end to a social order prevalent before his time and ushered in new one. Reformation is a difficult work specially for those who by nature lack tact or are over jealous. It is a great tribute to Meidingu Loiyamba that his reforms were carried out with peace (Kabui, 2003).

Loiyamba Shilyen is a constitution, a royal addict often the name of Meidingu Loiyamba. Loiyumba Shilyen is the most important historical source and document for the reconstruction of the social, economic, polity and judiciary of the Manipur of the period. He was the first king of Manipur to have his constitution in written. His constitution "Loiyumba Shinyen is a mile-stone in the constitutional development of Manipur. The

constitution had been in force in Manipur up to 1891 (Singh, 1986). During the reign of Meidingu Loiyamba, for controlling the land, his land was divided into six Panas (Divisions) (Singh and Singh 1966). They are i) Luplem Lup, ii) Thoucha Lup, iii) Kongcha Lup, iv) Lukhuba Lup, v) Chingcha Rup and vi) Khaicha Rup. These Lups/ Rups are divided in the concept of introduction of the voluntary labour system of Lanlup as paying the taxes in the kind of labour to the state by the subject of the Meitei Kingdom. So, the judicial system though the monarch handles the power as a whole was for whole of territorial jurisdiction. During his time principals of criminal laws were very serve. There are also the punishments or order of the king who committed their crime – i) For the theft of cattle was punishable with mutilation of the legs, ii) The person who committed burglary was punished with the mutilations of the hands, iii) For giving false statement and false accusation were punishable with deprivation of the tongue, and iv) Indecency towards the queens of the king was an offence punishable with deprivation of the eyes (Singh and Singh 1966).

During his time no one was above laws. Despite head of the state/country, the king had to submit to law. Although this is somewhat at variance with the English concept on the subject, it was perfectly in keeping with Hindu views of Laws and justice; for according to Hindu ideas, all people including kings must bow down to law. It would indeed be wrong to say that Manipur had all the paraphernalia of Rule of Law at this time, but this little kingdom had some fore-taste of it in the eleventh century in the reign of Loiyamba (Singh, 1965).

V. Conclusion

Since the ancient time, Manipur was an independent, autonomous and sovereign kingdom. Monarchism prevailed from the beginning of the history of Manipur and it is belief that all the monarchs were benevolent in character and mercifulness in the characteristics. There were a strong public opinions that in past a group of old ladies of the country could go to the king to appeal/complain if and when miscarriage of administration of justice. All the people of kingdom were to serve the king, ten days after a monarch called ‘Lallup’. In the early period of Manipur there was females/women’s court by the name of Pacha Wayenshang in the judicial administration of Manipur. Some scholars remark that Pacha Court existed since the time of Meidingu Pakhangba (33-154 A.D) and Laisna the Rani of Pakhangba was the president of the Pacha. Meidingu Naophungba (428-518 A.D) was the first king of Manipur to use the function of judicial administration in associated with the natural law and mainly devoted to the penal system. These function of judicial administration is traditionally function till the regime of Meidingu Irengba (984-1074 A.D). After Meidingu Irengba, the great law giver, Meidingu Loyumba had thrown Manipur (1074 to 1122 A.D.). During his time, Manipur was divided into six Panas (Division of land) allotted by the authority of the monarchial kingdom. Meidingu Loiyamba is said to have frame regulations to conduct and administer the affairs of the human labour participating or allotment of labours and administration of justice in the society by framing a constitution, Loyamba Shinyen.

All the procedures of the court were in oral submission. There is no written statement or petition. Before the year 1891 A.D there was no codified code of law in Manipur and justice was administered according to traditional common law in the context of the state of society prevailed in the Manipur.

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