



Justice Administration in Manipur: Analysing the Pre-Colonial Era

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Abstract:

The study of justice administration in Manipur during the pre-colonial era reveals that fairness and traditional governance were balanced by a structured and culturally embedded legal system in Manipur throughout the pre-colonial era. This paper examines the sociopolitical structure that governed the administration of justice during the pre-colonial era in Manipur by exploring the roles of monarchs, village chiefs, and customary institutions in maintaining law and order. It is evident that the foundation of the justice system was deeply rooted in customary laws, which were unwritten but widely accepted by the populace.

Manipur's pre-colonial legal system placed a strong emphasis on restorative justice, giving reconciliation precedence above punishment. A collective approach to justice was seen in the frequent use of mediation and community consensus to settle disputes. The highest power in judicial proceedings was held by the governing king, who was supported by advisors and local leaders to ensure that decisions reflected both state interests and custom. Land conflicts, family matters, and social norm violations were among the main areas of legal attention.

This study also highlights the challenges faced during this period, such as the absence of uniform codification and the possibility of bias in decision-making processes. Despite these limitations, the pre-colonial legal system played a crucial role in promoting stability and social cohesiveness. It further emphasises the importance of indigenous justice systems in forming society structures by exploring historical documents, folktales, and oral traditions. It also sheds light on how these methods can influence how justice is administered today in areas with a variety of cultural backgrounds.

Keywords: justice administration, Manipur, pre-colonial era, customary law

Introduction

Manipur, also known as the “Jewel of India”, is a northeastern state of India. Nestled in the northeastern corner of the country, it shares borders with Nagaland to the north, Mizoram to the south, Assam to the west, and Myanmar to the east, making it a strategic gateway to Southeast Asia. Manipur holds a unique position in the country’s socio-political landscape due to its rich cultural heritage, historical evolution, and geopolitical significance. The pre-colonial period in Manipur offers intriguing insights into how justice was administered within the sociopolitical frameworks of the time due to its indigenous governing structures and traditional legal systems. With an emphasis on its origins, customs, and relevance in the sociocultural and political contexts, this article

examines the complex web of justice administration in pre-colonial Manipur. The concept of justice in Manipur has historically been rooted in indigenous practices that emphasised reconciliation and community harmony. The foundation of the justice system was deeply rooted in customary laws, which were unwritten but widely accepted by the populace.

Socio-political Framework of Pre-Colonial Manipur

Manipur, prior to colonial rule, was governed by monarchs belonging to the Meitei dynasty. The kingdom was organised into a hierarchical structure, with the king (Maharaja) at the top, backed by nobles, clan chiefs, and village chiefs. Traditional hierarchies and clans (*Yek Salais*) formed the basis of society's stratification, which was essential to the administration of justice. When it came to administering justice and upholding law and order, the king was the supreme power. But rather than being fully centralised under the monarchy, the legal system had its roots in community-based governance, which combined participative and autocratic ideals. Social harmony was preserved in large part by the application of customary regulations, which were governed by ethical, cultural, and religious standards.

Manipur's customary laws, or *Lai Ningshing Khongchat*, were based on communal customs, oral histories, and indigenous traditions. Despite not being codified, these rules were universally accepted and followed by everyone in the community. They addressed a range of topics, such as criminal activity, marriage, inheritance, and land disputes. Manipur had its own legal system based on customary rules and traditional practices prior to the arrival of

colonial control. Local leaders and village elders administered justice, frequently prioritising peacemaking and community harmony over punitive actions. The idea of incarceration as a form of punishment was not widely accepted. For more serious crimes, justice systems instead depended on banishment, fines, or restitution.

Disputes at the village level were often resolved through the intervention of community elders or village heads. These people served as judges and mediators and were well-known for their objectivity and knowledge. Decisions were typically based on consensus, emphasising reconciliation rather than punitive measures. The significance of social cohesiveness and group accountability was emphasised by this approach.

Indigenous Justice Administration Systems

The king's court, or *Durbar*, was the highest judicial authority in pre-colonial Manipur. The monarch was consulted when issues could not be settled at the local level. The king received judicial assistance from the Durbar, which was made up of knowledgeable people, ministers, and advisors. Trials in the king's court often involved a combination of investigation, interrogation, and witness testimonies. Traditional methods were used to evaluate the evidence, and the seriousness of the offence determined the severity of the penalties. Punishments in pre-colonial Manipur ranged from fines and restitution to physical punishments and exile. While some penalties may appear harsh by modern standards, they were intended to deter crimes and maintain social order. A unique feature of justice administration was its emphasis on restorative justice, ensuring that offenders compensated victims or their families.

It is important to note that during the early monarchical era of Manipur, there was no such thing as prisons. The royal chronicle of Manipur, *Cheitharol Kumbaba*, mentions nothing of the establishment of a formal prison so early in Manipur. It is due to the fact that other forms of punishment were preferred over imprisonment and hence, the whole system of prison did not really prevail popularly. Mention of the system of crime and punishment in Manipur is first evident in the revolt carried out by Prince Tarangkhomba in 1837 A.D. According to the records made in the ancient Manipuri texts, it is evident there was a system of merciful punishment even back then. For example, according to the Meitei customary law, the punishment for rebels waging war against the state was capital punishment. However, it was seen from various instances that the punishments actually given were less severe ones like exile, forfeiture of properties and advice from the authority to avoid crime. The absence of institutionalised

prisons during this period indicates a system that prioritised restorative justice over retributive measures. However, the rights of the accused were largely dependent on the discretion of the ruling elite, and there was no codified system to protect individuals from arbitrary punishments. While community-based systems ensured accountability to some extent, marginalised groups often faced harsher treatments due to entrenched social hierarchies.

Certain Meitei manuscripts which dealt with topics of general and justice administration mentioned brief accounts of crimes and the related punishments. One such account talks about the various types of punishments for various crimes, which ranged from exile, forfeiture of properties, mutilation of various organs to capital punishment.

Another account provided the administration of justice and the jurisdictions of the various areas in the monarchical kingdom of Manipur. For example-

- i) *Keiroida thangna tana shokpadi ningthougeene!* Translate to- cases related to stabbing and piercing of scheduled or backward caste people with sharp objects such as dagger, swords or spears falls under the jurisdiction of the *Ningthou* (monarch) himself.
- ii) *Keiroida shukna tankoka shokpadi cheirapkeeni!* Meaning- the crimes of injuring people belonging to the class of granary keepers by striking or hitting with the handle of the spade, rice pounding stick (*shuk*), etc falls under the jurisdiction of the *Cheirap* (Chief court).
- iii) *Keiroida sheenja nungna shokpadi dolaipubageene!* This means that the crimes of wounding or injuring people belonging to the backward class by beating or whipping with a woody branched stick (*sheenja*) would be handled by the *Dolai-Paaba* (police department/ officers).

Manipur as a monarchical kingdom had the judicial administration mainly confined to the monarchical head. Manipuris being extreme believers of religious beliefs have established many legends or myths about anything that is remotely important. Likewise, the establishment of a similar type of the prison that we know of today, is seen in the ancient texts as “*shumsang*” during the regime of the legendary monarch Nongda Lairen Pakhangba

(C 33/34-154 A.D.). “*Shumsang*” is made up of two words, ‘*shum*’ or ‘*shumba*’, meaning, ‘to lull, charm, enchant or squeeze’ and ‘*sang*’, meaning ‘hut or building’. The word translates to a hut or building built for confinement. As provided by the royal chronicle, *Cheitharol Kumbaba*, Nongda Lairen Pakhangba was one of the monarchs whose death or disappearance was not known to anybody and thus, the establishment of *shumsang* itself is looked as a legendary account. Eventually, in 581 Saka (659 A.D.), the term ‘*Shumsang*’ appears to change to ‘*Keishumshang*’. ‘*Keishumshang*’ came about during the reign of Meitei monarch Naothingkhong (C663-763 A.D.). The term is made up of three words, ‘*Kei*’, meaning ‘tiger’, ‘*shum*’ or ‘*shumba*’ meaning to lull or catch and ‘*shang*’ meaning ‘hut or enclosure’. The word literally translates to an enclosure to trap a tiger, colloquially meant a prison or hut for confinement.

The account of jails and imprisonment or captivity are not found in a systematic or chronological manner in the ancient and mediaeval periods of Manipur. In fact, the royal chronicle of Manipur (*Cheitharol Kumbaba*) has no mention of the establishment of prison so early on. The origin of *Shumshang* and *Keishumshang* seems to have originated from the system of banishment or condemnation to a place of confinement.

Mention of confinement or captivity comes across again during the kingship of Meitei Lord Telheiba (C1355-55 A.D.) in the form of two offices, namely,

- i) *Naikhurakpa* (the administrator of former slaves and those in slavery from socio economic purposes in the kingdom who was allowed to join the sporting organisation of Khabam division)
- ii) *Naipharakpa* (the administrator of the new slaves and servants who were in the status from captivation in wars and battles)

The two offices mentioned above appeared to be confinement sites for newly captured war prisoners as well as aggrieved persons of socio economic inflections who were then used as slaves and servants of the monarchs and their families. The people were mainly foreigners beyond the territorial jurisdiction of the kingdom of Manipur and hence, were confined at the offices till they were absorbed in the Meitei society. These offices existed till the kingship of Meitei Lord Nara Singh (1844-50 A.D.) and were typically under the direct control of the

monarch. Thus, the evidence of the existence of prison can be drawn from the mention of institutions like *Keidi*, *Awashang*, *Shumshang*, *Keishumshang*, *Naipharakpa* and *Naikhurakpa*. These institutions existed till the time of seven years devastation (*Chahi Taret Khuntakpa*, 1819-25 A.D.)

The influence of the European style of judicial administration on the kingdom of Manipur became evident when on 30th April 1832, Meitei Lord Gamber Singh (1825-34 A.D.), introduced the European pattern of punishment of hanging to death called, 'Phangsee/ Pharsee' by executing Kanghujam Angam on the charge of murder of women.

Evidence of the formal jail that we know of today is found with the establishment of *Karot* or *Garot* in the complex of Langthabal (which was the capital of Manipur kingdom then) in 1840 A.D. The word *Karot/ Garot* is derived from a Bengali word, *Garod*, which means jail or prison. The exact location of the site on which the *Garod* was built has not been identified till today. However, when Raja Nara Singh shifted the capital to the Kangla Complex, the *Garod* was established and erected once again on 29th April 1844 A.D.

Confinement of offenders in jail or prison became a method of punishment from the regime of Raja Nara Singh to King Surachandra (1886-90 A.D.). The formal jail of Manipur, as recorded in the royal chronicle was constructed on the 11th May 1864 A.D. inside the Kangla Capital Complex, north of the Nungcheng Pond, called the *Phadok*. The *Phadok* was a building made of brick constructed for the confinement of the proved or justified civil and criminal offenders. The word 'Phadok' is from an old Hindustani word, 'Phatakar', which means to scold/chide a guilty person. *Phadok*, thus, referred to the house of confinement for the condemned or condemnable people. The *Phadok* or jail of Manipur functioned till the 26th April 1891.

Influence of Sanamahism and Indigenous Beliefs on Justice System

Religion also played a profound role in shaping justice administration in pre-colonial Manipur. Sanamahism, the indigenous religion of the Meitei people, emphasised ethical living, respect for elders, and reverence for deities. The concept of *Cheithaba*, or the divine recording of human deeds, reinforced the idea that justice extended beyond mortal life. Conflicts were often resolved in accordance with religious principles, with rituals and ceremonies conducted to appease offended deities or restore cosmic balance. This spiritual dimension of justice underscored the interconnection between law, morality, and faith in Manipuri society.

An interesting thing to note is the roles of *Pena* (an indigenous musical instrument), *Maibas* (priests) and *Maibis* (priestesses) in the dispute resolution process. The *Pena* symbolised divine intervention and guidance in justice administration and thus, was often played during dispute resolution processes, believed to invoke the blessings of deities and ensure fairness. Meanwhile, *Maibas* and *Maibis* played pivotal roles in interpreting divine will and resolving conflicts, especially those involving religious or spiritual matters.

Challenges and Limitations

The justice system in pre-colonial Manipur, deeply rooted in traditional norms, customs, and indigenous governance, was a reflection of the socio-political and cultural ethos of the time. While it played a crucial role in maintaining societal harmony and order, it was not without its challenges and limitations. These challenges arose from the inherent structure of the justice system, its reliance on customary practices, and the socio-cultural dynamics that shaped it.

At the heart of pre-colonial Manipur's justice system was the king, who acted as the ultimate arbiter of disputes and overseer of law and order. The king's authority was considered absolute, and his court, the Durbar, was the highest platform for adjudicating unresolved or escalated disputes. This concentration of power, however, was a double-edged sword. On one hand, it ensured a centralised and unified approach to justice; on the other, it often resulted in the lack of accountability. The king's decisions, while guided by counsel from ministers and elders, were final and not subject to appeal. This absolutism left little room for addressing judicial errors or miscarriages of justice.

Another significant limitation of the justice system in pre-colonial Manipur was its reliance on oral traditions and customary laws. These unwritten laws, though widely respected and adhered to, were susceptible to inconsistencies and subjective interpretation. Customary laws varied across different clans and communities, leading to a lack of uniformity in their application. This inconsistency often created disparities in the administration of justice,

especially in cases involving individuals from different ethnic or social groups. Without codification, the laws were also vulnerable to manipulation by those in positions of power, further exacerbating inequalities.

The hierarchical nature of Manipuri society, characterised by clan-based organisation and rigid social stratification, also influenced the justice system. Social status played a critical role in determining how justice was administered. Members of powerful clans or the nobility often enjoyed privileges that shielded them from harsher penalties, while marginalised groups, such as slaves and lower-caste individuals, faced systemic discrimination. This unequal application of justice reinforced existing hierarchies and undermined the principle of fairness. For instance, punishments for the same offence could vary significantly depending on the offender's social standing, with the less powerful often bearing the brunt of harsher penalties.

Gender bias was another pervasive challenge within the justice system. While women in pre-colonial Manipur held a unique and relatively empowered position in society, as evidenced by institutions like the Nupi Keithel (women's market), the justice system often failed to fully recognise their rights. Women were rarely involved in decision-making processes related to justice, and their voices were frequently marginalised in disputes. In cases of family or marital conflicts, decisions were often made in favour of preserving patriarchal structures, leaving women with limited avenues for redressal.

The pre-colonial justice system also faced challenges in addressing crimes that extended beyond the community or village level. While local disputes were effectively managed by community elders or village councils, larger conflicts or cross-clan disputes often overwhelmed the traditional mechanisms. These cases were typically escalated to the king's court, but the lack of standardised procedures for handling such complex matters sometimes led to delays and inconsistencies in justice delivery.

Moreover, the integration of religion and justice, while ensuring a moral foundation for the legal system, occasionally led to the conflation of spiritual beliefs with legal principles. The involvement of *Maibas* and *Maibis* in resolving disputes brought a divine aspect to the justice process, but it also introduced elements of superstition and subjectivity. For example, trials could involve rituals or oaths to determine guilt, which relied more on perceived divine judgment than empirical evidence. While this practice may have fostered social compliance with the verdicts, it sometimes resulted in decisions that were neither logical nor fair.

Access to justice was another significant limitation. While community-based mechanisms provided a degree of accessibility, these were not always impartial. Elders or village heads, who served as mediators and judges, were often influenced by their own biases or vested interests. Marginalised groups, including women, slaves, and members of smaller clans, found it difficult to voice their grievances or challenge unjust decisions. In the absence of formal legal representation or advocacy, their ability to seek justice was severely restricted.

The punitive measures employed in the pre-colonial justice system also highlighted its limitations. Punishments ranged from fines and restitution to physical penalties and exile, and while these measures aimed to deter crime, they were often arbitrary and disproportionate. Physical punishments, in particular, could be harsh and dehumanising, reflecting a focus on retribution rather than rehabilitation. This approach not only failed to address the root causes of criminal behaviour but also left little room for reforming offenders and reintegrating them into society.

Conclusion

Despite the challenges, the justice system in pre-colonial Manipur possessed several strengths that contributed to the maintenance of order and harmony in society. It played a vital role in maintaining social harmony and resolving conflicts within a framework that was largely accepted by the people.

One of the most significant strengths of the pre-colonial justice system in Manipur was its community-centric approach. Disputes at the village level were often resolved by local elders or councils, who were deeply familiar with the customs and norms of their communities. This localised system ensured that justice was not only swift but also culturally relevant. The reliance on consensus and reconciliation in resolving conflicts helped to maintain social cohesion and reduce animosity among disputing parties. This emphasis on collective decision-making fostered a sense of responsibility and accountability within the community, making justice an inclusive and participatory process.

The justice system was also deeply intertwined with the moral and ethical principles of the society, influenced by Sanamahism, the indigenous religion of the Meitei people. The integration of spirituality into the legal framework provided a moral compass for decision-making, reinforcing the idea that justice was not merely a human construct but a divine obligation. Rituals and ceremonies were often used to ensure fairness and legitimacy in the resolution of disputes, instilling a sense of respect for the process among the people. This moral foundation helped to align the justice system with the broader values of the society, making it an effective tool for maintaining order.

Accessibility was another notable strength of the pre-colonial justice system in Manipur. With dispute resolution mechanisms operating at the village level, most people had direct access to justice without the need to travel or incur significant costs. This decentralised structure reduced the burden on the central authority and allowed for a more efficient handling of local disputes. Moreover, the informal nature of these mechanisms meant that even those without formal legal knowledge could participate in the process, making justice more inclusive.

The adaptability of the justice system was also evident in its ability to accommodate the diverse cultural and social dynamics of pre-colonial Manipur. The kingdom was home to various ethnic groups, each with its own customs and traditions. The justice system allowed for the application of customary laws specific to these communities, ensuring that justice was contextually appropriate. This flexibility helped to manage the complexities of a multi-ethnic society and prevented the imposition of a rigid, one-size-fits-all legal framework.

The emphasis on restorative justice further highlighted the strengths of the system. Instead of focusing solely on punishment, the justice system often sought to repair the harm caused by conflicts. This approach not only resolved disputes but also restored relationships and reinforced the interconnectedness of the community. In many cases, offenders were required to compensate their victims, which provided tangible relief and facilitated reconciliation.

In summary, the pre-colonial justice system in Manipur was a testament to the ingenuity of traditional governance. Its community-based structure, moral foundation, accessibility, adaptability, and focus on restoration were key strengths that contributed to its effectiveness in maintaining social harmony. These features continue to offer valuable lessons for contemporary justice systems, particularly in fostering inclusivity and cultural sensitivity.

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