
Social Institution of the Bodo tribe in Assam with Reference to Bād

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Abstract: Social institution usually refers to a bunch of individuals who come together for a typical goal. This institution is a part of the social order of each society. It is generally outlined that the traditional law is a set of rules to be accepted by a section of people or tribes in a society. Such a law was earlier an administrative catalyst for them. In Northeast India, particularly of Assam, the Bodos who consist of a major tribe still followed a certain type of customs and laws in their society. This law is termed as Bād through which the justice for the offender in society is dispensed within the village court. This is not the written law but earlier executed orally. It contains solely a set of rules of behaviors, social control procedures and penalty for misdeeds. The justice of bād as being the social norms was earlier very effective to any village social disorder, chaos and confusions. Through this social establishment the Bodo tribe has maintained peace and harmony in their respective villages since the remotest ages. The study however, reveals that some changes occurred in this institution whenever they came into contact with Hindus and Christianity as well as some other culture. The present paper thus, intends to explore the extent of which the bād institution stands for the regulation of society, religion and culture in Bodo villages. This will also focus on some aspects of changes already taken place in bād institution.

Keywords: Bād, Custom, Tradition, Law, Bodos, Society.

1. INTRODUCTION

The Bodos are one of the earliest and largest indigenous tribes of northeast India, particularly of Assam. Racially, they are Mongoloid origin and their spoken language belongs to a branch of Tibeto-Burman speech family. Traditionally, they are the most cultural community, and liked to live together mostly nearby the forests and foothills. They lead their life very purity, chastity and simplicity. As the majority of them are agriculture by profession, their economic structure is primarily village based economy fully dependent on agriculture productions. There is evidence in the historical literatures that before the advent of the British colonists in Assam, the Bodos were once the most powerful ruling tribes. During those periods, they had maintained the powerful kingdoms by representing varied historical dynastic names, like Kacharis, Chutiyas and Koches (Barua, 1969). Traditionally, the Bodo society is free from the casteism and class distinction. The Bodo tribe has their own traditional religion, -Bathou worship, and has allegiance to their traditional social customs and traditions which have been very effective since ages. In so far as the traditional religion is concerned the Bodos have the customary law called *Bād khanti* in Boro through which they have regulated their community, society, religion and culture since time immemorial. Consequently, the peace, integrity and harmony are certainly prevailed in their society. The *bād* institution however, contains only a certain set of rules commonly accepted by the group of traditional Bodo people in each regions and villages. This is of course, in the context of Indian set of laws, an unofficial law wherein a certain legal practice is cautiously viewed and the pertinent performers deem it to be a law in the social setup. In accordance with this law, the social offenses are by and large considered as individual wrongs or injuries rather than felony against the state or the society. The traditional pattern of law in fact, has become an administrative catalyst not only for the Bodo tribe of Assam but also for all the tribes of the Northeast India from the remotest past. The present paper thus, tends to examine the extent of which the *bād* institution stands for the regulation of society, religion and culture in the Bodo villages. This will also look into some aspects of changes being taken place in the traditional *bād* institution.

2. MATERIALS AND METHODS

The study for the present topic is merely descriptive and analytical as well as partly orality. The materials used for the preparation of this topic are mainly collected from the primary and secondary sources. The primary source consists of interviews taken mostly with village elder well-informed persons, and the consulted secondary sources are books, journals, souvenirs, e-resources, etc.

3. DISCUSSION AND ANALYSIS

Traditional law is generally defined as a collection of rules ordinarily accepted by the group of individuals or tribes in a society. In keeping with the customary laws, the tribes regulated their community, social affairs and culture for ages. Such a customary law was actually an administrative catalyst for numerous ethnic groups and tribes of India before the advent of the British colonists in the Indian subcontinent. It may be referred that the laws of the Kamar tribe of Madhya Pradesh deals with numerous forms of offences, and also the punishments awarded to the culprits, aren't the same as those who would be awarded by an Indian court. This difference is explicable with regard to the varied conceptions on what constitutes crime as between the Indian Penal Court and also the traditional law of those folks. However, that closely contacts with the British-sponsored judicial system have brought in partial disintegration of the normal pattern of laws and justice and administration (Majumdar and Madan, 1986). Despite of this, most of the tribes of India still preserved their own traditional pattern of laws that is taken into account to be terribly intrinsic to their culture and identity. They are very excited to regulate their social affairs and culture according to their customary law. Not in contrast to this, most of the tribes of the northeast India have also their allegiance to their traditional law in their communal, social and cultural life alongside their fidelity to the formal legal system of the Indian Constitution. This law is in fact, very supportive in reinforcing their age-old traditions, and even in binding themselves together through some formal rules. In the case of Bodo tribe in Assam, the traditional pattern of laws which had already been maintained in thoughtfulness since time immemorial especially deals with some social offences of their society. Their social offences are specifically settled according to a set of rules contained in the traditional institution of *bād* (Laws of *Bād*).

4. BĀD – ORIGIN AND EMERGENCE

Bād is a Boro word which generally derives from the term '*bāduwa*' meaning a wrongdoer or culprit. Any person, who is found guilty for committing any wrongs against the social norms, values and laws, is named as '*bāduwa*' or '*bādunga*' in Boro society. He/she is treated as a guilty person and ought to be purified through a ritualistic performance, particularly *udrainai* which means penance. The concert of atonement can be worn out accordance with the system of *bād*. The cases of wrong doings are invariably brought beneath the jurisdiction of the *bād* institution. However, there is still a belief on myth amongst the Bodo community concerning the emergence of *bād* system in their society. Shortly, the parable goes like this, - since ages, every Bodo village had own village court. But, when the case of three wrong doers, namely Chandw Bawdiya and Ashagi and her younger sister Bwisagi weren't given the proper trial in the village court, Mwnsin-sin Bwrai, the Bodo progenitor who lived in *Rangrasi* (paradise), came down with the help of a golden ladder at the prayer of the Bodo villagers. In the presence of the villagers, he tried at least twelve years day and night so as to give them proper trial. Accordingly, at last the three wrongdoers and sinners were punished with fines and expiation in accordance with the system of *bād*. Afterwards, the Bodo ascendant, Mwnsin-sin Bwrai went back to heaven (Khakhlary and Basumatary, 2010). It then becomes usual that any social crimes of sins or misdeeds committed within the villages are directly or indirectly brought under the jurisdiction of *bād* institution. Thus, the *bād* system became a very important social establishment for the Bodo community.

5. BĀD – FORMS AND THEIR EXPIATION

There is a saying in the hymn of traditional *Bathou* religion ...

"Sijouni siria siriba

thaigir bikhonga khongba

Boroni asara asarba

Boro Bwraini raoabw fongba" (Brahma, 1992; Machahary, 2004; Boro, 2004).

(English rendering: *Sijou* tree (*Euphorbia splendens*) is of five ridges, the *thaigir* (elephant apple) is of five rinds, Boros have five numbers of principles and Boro *Bwrai* (elder man) has five moral words or *bāds*) This verse suggests that the concept of five elements is very common in the philosophy of *Bathou* religion. Accordingly, Boro *Bwrai*'s five moral words or *bāds* became the social institution under which a wrongdoer in the society is expiated

in accordance to the solemnity of the misdeeds. The maintenance of peace, discipline and free from social offence amongst them lays stress on these restrictions which have the force of the law. Thus, this is the basis of the Bodo customary law (Brahma, 2009).

5.1 Ogorbād

The *Ogorbād* is one of the largest of the five *bāds*. The word 'ogor' is believed to have originated from the term 'ogrong' meaning a small shed, especially built for pig, goat, fowls, etc. Some of the social offences or misdeeds committed by any member of the Bodo society are brought and dealt under the jurisdiction of *Ogorbād*. These social offences may be listed here without exhaustion.

- (a) When a sexual intercourse takes place between the male and female member with close blood relation.
- (b) When anybody makes physical assault or kills his parents or his grandparents.
- (c) When anybody harms fatally or kills a cow or an ox. However, the owner of the cow could not claim any compensation for the cow and no fine is imposed for this crime.
- (d) When a sexual intercourse takes place between any Bodo person with other person belonging to different religious sects, especially Christianity and Islam.

In *Ogorbād*, there is a system of *udrainai* (penance) specifically held outside the premises of the village. Normally, a small shed is usually built of thatches or dry banana leaves on the banks of the rivers, ponds or lakes of nearby village. The convicted wrong doers are stripped naked of their cloths and put inside the shed and after that, its door is shut closed from the outside. Then it is set afire from the four corners of the shed. When the shed is burning the wrong doers are supposed to come out after breaking through the wall of the shed and jump into the river directly (Brahma, 1992; Khakhlary and Basumatary, 2010). Earlier, there was also a tradition to prick the wrong doers by spear after they had jumped into the river or pond. But, this type of the physical torture on wrong doers has been discarded long back from the Bodo society. This practice was also prevalent in the society of Karbi tribe (Machahary, 2004).

The process of performance is not complete. Religious rituals need to be performed. Actually, the performance consists of sacrificial rites. The wrong doers are offered to drink a little quantity of water mixed with, faeces of dog, pig and cow. This mixed solution is prepared by taking three broomsticks of length of about four to six inches long and holding these together, it is dug into the faeces of dogs, pigs and cows and dipped into a bowl of mixture water. In earlier times, an old man from the *Narzary* clan used to prepare this mixture. At this moment, nine pieces of meat of the sacrificed chicken kept separately is pricked to each of nine arrows which are then shot by nine bows towards the sky. This practice is known as '*gu-bwrla-ni-udrainai*' meaning the penance of nine bows. Afterwards, the wrong doers are given to drink the sacred water, called '*dwi gwthar*' in Boro, which is prepared by the *Douri* or village old man. In earlier days, any old man of the village having *Narzary* title used to put his finger ring in this sacred water and it was then sprinkled around the households and cowsheds of the concerned village going from house to house (Khakhlary and Basumatary, 2010). This is called '*gami tharnai*' meaning purification of the village. In accordance with the Hindu philosophy, the neighbouring Hindu people also practice a system of penance and it is called *Dhenu parachit*. According to this system, a cow was given as a gift to the Brahmin priest (Brahma, 1992).

The practice by burning the '*ogrong*', a small shed became redundant in the society except in a few Bodo villages in interior areas. It may be mentioned that now the burning of a small shed in the penance is carried out only in the cases of crime of a sexual intercourse taking place between the male and female member with close blood relation. But all other offences of the *Ogorbād* are purified accordingly without resorting to the burning of the *ogrong*.

The wrongdoers under *Ogorbād* are also charged an amount of money as a penalty to be paid to the village council. But the rate of fine seems to have varied from village to village. Thus, the penance of *Ogorbād* is still found in practice in some interior Bodo villages. However, the cases of sexual intercourse among close blood relations are rather very rare in the Bodo society.

5.2 Fongslodbād

There are some social offences which fall under the jurisdiction of *Fongslodbād*. These social offences are cited below:

- (a) When pre-marital sexual intercourse between persons not of close-blood relation.
- (b) Any villagers causing grave injuries to a cow by beating or cutting its tail, ears, legs or other parts of the body by all means.
- (c) When a cow dies along with rope in its neck in the cowshed and other place and.
- (d) When someone takes the prohibited items of meat, like beef and other meats of fox, dog, tiger, cat, etc. He/ she is liable to be justified under the jurisdiction of *Fongslodbād*.

The performance of penance for wrongdoer in the *Fongslodbād* institution is very simple in its manner. It is generally carried out in the village. This is usually done by shooting the seven arrows into the sky with seven pieces of meat each by the seven bows. It is known as the '*sini bwrla-ni-udrainai* (Narzaree and Narzary, 2008; Khakhlary and Basumatary, 2010) meaning the penance of the seven bows. The system of performing penance in *Fongslodbād* is almost in the similar manner as done in the case of *Ogorbād*, but the burning of '*ogrong*', a small shed and stripping the convicted wrong doers naked while keeping them inside the shed is absent.

5.3 Daokhibād

Literally, the word '*dao*' means bird and '*khi*' means dung or stool and thus the word '*daokhi*' means bird's droppings (Machahary, 2004). The *Daokhibād* is applied in case of social offences committed by any person in the society. These offences are, if

- (a) a husband sucks wife's breast.
- (b) anybody takes money for shaving the hair.
- (c) anybody carries a business in the earthen wares, fish and animal skins.
- (d) anybody trades his cow for goat or pig and consume it.
- (e) someone is shitted by a vulture or a crow.
- (f) someone's wound is laid eggs by the fly.
- (g) a wife's thrashes her husband.
- (h) anybody takes meal in the house of other religion persons, particularly Christianity and Islam.
- (i) anybody consumes the leftover meat eaten by vultures, tigers, crows, dogs, foxes, etc.
- (j) the vulture or crow perches on the *Sijou* tree (*euphorbia splendens*) of the courtyard or on the roof of '*Nomano*', the main house (Brahma, 1992; Khakhlary and Basumatary, 2010).

The penance of the *Daokhibād* is usually held at the house of the wrongdoers. Interestingly, at first the wrongdoers are given to drink a mixture of faeces of the cows, dogs and pigs. The *Douri* (priest) chants the mantras invoking *Bathou Bwrai* and other deities while the wrong doers, after taking the bath, kneel down near the altar prepared for the purpose. Then the five arrows are shot towards the sky. After that, the wrong doers are given to drink the *dwi gwthar* (sacred water) prepared by the *Douri* in a *lotha* (water pot). And then they are also sprinkled by the same water. From this day they become free from their offence but they are required to pay a small amount of money as fine to the village council. Each household of the concerned village is also sprinkled with the same sacred water in order to make free from the effect of the evil spirits on the village community (Basumatary; Informant).

It has been widely observed that some social offences dealt in accordance with *Daokhibād*, such as trading in fish, animal skins, taking money for shaving the hair as well as eating the leftover meat taken by tiger, vulture, cow, etc. gradually cease to be considered as the social offences in the society.

5.4 Khawalibād

Since ages, the act of stealing anything has been controlled by the Bodos through the institution of *Khawalibād*. Consequently, the cases of theft are very rare in their society. Besides imposing a heavy fine on the person accused of theft, the physical punishment was also inflicted. However, some social offences brought and tried under the

jurisdiction of the *Khawalibād* occur when, anybody steals and uses the cloths, utensils, coins etc. offered to the dead person at the burial or cremation ground and other places, and someone does business in cow. Besides this, when any person dies at the family belonging to another village, this is also considered as the social offense that falls under the jurisdiction of the *Khawalibād* and accordingly, the owner of that family is required to perform a penance at his home with the system of *Khawalibād*.

The performance of the penance at *Khawalibād* is almost similar to that of *Daokhibād* in its manner. It is carried out at the house of the wrongdoer or the house of the other family where the death occurs. In this penance, three arrows are shot into the sky by each of the three bows. The wrong doers are also liable to pay fine to the village council as decided by their own village court (Bargoyari, 2005). In fact, the main purpose of the *Khawalibād* is to thwart the act of stealing in the society. It may be said that from the last two decades of the twentieth century CE, some Bodo people began to indulge in the trade of cow, and escaped from being punished which apparently showed the growing irrelevance of the implementation of *Khawalibād*.

5.5 Khoulbwrbād

The last *bād* institution is *Khoulbwrbād* also called *lawkharbād*. It is believed to have derived from the word '*khuga*' meaning mouth and '*lwbwr*' meaning loose and thus it means the 'loose-mouthed' (Machahary, 2004). If anybody tells a lie to someone against any person of the society without authentic proof and puts him or her into trouble in the society then the defamer is tried under the jurisdiction of the *Khoulbwrbād*. According to the system of *Khoulbwrbād*, a meeting is called in the village when there is a case of harm by defamation and the offence is discussed openly. Either the fine or physical punishment or both is meted out on the wrong doers if it requires, in accordance with the degree of the offences committed, which is impartially decided by the village council. In fact, such activity in the society is considered as unpleasant activity which creates social disorder. In such case, the wrong doer is known to the Bodos as '*khugalwbwr*' meaning loose-mouthed. He or she is disliked by the village community. The fine is imposed in accordance with the words spoken recklessly by the wrong doer against another person without a valid reason (Ibid, 2004). However, the performance of the penance is absent in *Khoulbwrbād*. The offender is generally inflicted with a fine or physical punishment, and in some instances non compliance with the verdict attracts social boycott for the accused.

It is clearly evident that the Bodos consider the laws of the *bād* institution much stronger than the laws of the government and so, they dare not to commit any offence. As a result, the cases of crimes are very rare in their society.

6. CONCLUSION

From the very early period, the Bodo people have been able to maintain peace and order in their society through the institution of *bāds*. However, there is a great deal of local or regional variations in the manner of performance of the penance as per the *bād* institutions. The *bād* institutions are still found in practice, although orally in some interior Bodo villages. From the perspective of the tradition-modernity interface, it has been observed that some of their traditional social customs and traditions have changed tremendously. This is clearly evident from the fact that some social offences dealt in accordance with *bāds*, such as trading in fish, animal skins, taking money for shaving the hair as well as eating the leftover meat taken by tiger, vulture, cow, etc. have ceased gradually to be considered as the social offences in the Bodo society. Besides this, from the last two decades of the twentieth century CE, some Bodo people began to indulge in the trade of cow, and escaped from being punished which apparently showed the growing irrelevance of the implementation of *bād* institutions. This actually happened because of impacts of the modern inputs and the change of their religion as well as the contact with outside the world.

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