

A Study of Customary Laws and Child Adoption Practices by Infertile Parents amongst the Rongmei Tribes with Special Reference to Noney District, Manipur

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Introduction:

The study on “**A study of Customary Laws and Child Adoption practices by Infertile Parents amongst the Rongmei Tribes with special reference to Noney District, Manipur**” is intended to find the customary practices related to the child adoption practices and its issues. It also intends to find the rites and rituals related to fertility. This work will be a significant contribution to the lacking documentation of oral traditions which are richly practice by this community. It also will give light to the future generation to consider their traditional laws and customs significantly beyond legalities. Customary laws are usually practiced from time immemorial and persisted till now. It is an important part of life of this community. If such culture is not documented the future generation will not be able to treasure and cherish their own customary laws. The research will provide as valuable assets for the future generation. Rongmei is one of the major recognized tribe of Manipur which lacks proper documentation of their laws, rituals and culture. Informally observing the society, it seems to suggest that there are increasing numbers of infertile parents in the society (Jyoti, 2022). This will help the Rongmei community to have more ideas about the customary laws of adoption as well as the dignified rites and rituals that is being prevalent among the Rongmei tribe towards increasing the fertility. This will also help the coming generation of Rongmei community assist in their journey of research for the further understanding of their own people. Rongmei tribal community lacks written documents regarding their rules, laws and their traditions which pass down to the next generation orally by their forefathers. The current study maybe a small contribution to the world however not the least, a big lift to the community to understand their customary practices. It is a small exposure to the world but for the Rongmei tribal community the current study attempt to support as a future asset for those who want to know more about their customary laws regarding the adoption of child.

Customary laws are the informal traditional norms established by a local tribal community where each individual are expected to do things or behave in a certain acceptable way and this norms are internalized part of their cultural life. There are pattern of action, words, deeds, etc. in which people of the community are expected to follow. Customary laws are unique in nature. It identifies a particular group behavioural pattern, their obligation and responsibility. In fact it is hard to give an exact definition of customary law. As Rongmei tribe is strictly patrilineal (Kamei, 2017), a married couple

without child, especially without a male child in the family is considered incomplete. Because of their kinship, lineage, and clan system are the basic foundation of the Rongmei's tribe (**Thaimei, 2002**). Adoption in Rongmei community is more or less producing an offspring outside the affinal relationship of the married couple for some reasons.

Infertile parents in Rongmei society has many different meaning, the first, are those married couple who cannot produce a child of their own. The second are those who chose to be infertile by choice. For instance a woman decided not to get married and stay infertile trying to take care of her siblings for some reasons. The third, as mention earlier, couple without a male child in a strictly patrilineal society is considered in complete, their status is almost equivalent to infertile (**Thaimei, 2002**). For this reason they can adopt a child when their daughter/s get married or if their daughter and son-in-law agrees to be part of the family the son-in-law is accepted as the adopted child of the family.

Manipur is a state where there is different ethnic group of people living together. There are more than thirty three recognized tribes living in the state of Manipur. Rongmei is one of the major tribe. Their traditions, customs, rites and ritual are very much treasured by the Rongmei tribe. They mostly occupied the western districts of Manipur namely Tamenglong and Noney however the majority of the Rongmei people who followed their traditional religion called *Tingkao Raguang Chapriak* (TRC) (**Budha Kabui, 2008**) lives in Imphal city the heart of the state.

Here in this research the major focus is to find the customary laws and rituals related to fertility, infertility, adoption practice, adoption issues faced by the infertile parents, children, and families. This study will also focused on the parental attitudes towards adoption and traditional adoption practices related to customary laws. In this research the portion is divided into two parts, first part concerns with the customs and traditions of the Rongmei community. In this part the data will be collected from the priest and elders of the community who is familiar with the rites and rituals. The second part of the research consists of the issues related to adoption especially infertile parents in the community.

Literature Reviews:

Budha Kabui (2008): Rongmei worship many different gods, above all gods there is one supreme God called 'Tingkao Ragwang'. The supreme God has all the authority in the universe. He controls every phenomenon of the human matter, and he give blessings to those who comes to him for it. In religious matter of rites and rituals the priest(mhu) holds a significant role in the society from birth to the funeral. Concerning the rites and rituals the priest will offer prayers to the gods of human creator called 'Dampapui' and 'Dampapu'(the supreme God grants them permission to create human) for the human offspring of the family who needs a child. In Rongmei community Fruitful women has the rights of a wife, she becomes a true wife of a man only after she gave birth to a child. Infertile woman is compared to a land unfit for cultivation. Unaware of the human anatomy Rongmei belief that women has two intestine, 'naplei'(food intestine) and 'nahlei'(childbirth intestine). Infertile woman is believes to lacks 'nahlei' in their body. It seems like women is the only issue in traditional Rongmei community and man has nothing to do with infertility.

Lamalu Thaimei (2002): Rongmei tribal community is strictly patrilineal in nature married couple without a male child in the family is incomplete and considered almost equivalent to infertile couple. In order not to erase or wipe out the name of the family lineage the parent has to adopt a child. If at all they have a daughter and the daughter and her husband agrees to take care of them (wife's parents) the son-in-law acts as the male child of the family. Here in this case the son-in-law does not bear the

surname of his wife's family. Rather the main function here is just to take care of the in-laws (wife parents) until they die.

Gangmei (2013): The property right in Rongmei community is the youngest male child inherits most of the father's property, along with taking care of the parents till they die. It is the decision of the father to share the properties with the rest of his children in the family. If at all a man has no children or has no male child in the family the nearest kinsman take charge of his property. On the other hand if a man adopts a male child the adopted child has the right to take charge of his adoptive parent's property. Inheritance in Rongmei community is strictly patrilineal. If a man has no son or does not adopt a child then the nearest brother takes the properties. In some case the ancestral property (which did not earn by the father) has to be decided by the kinsman and other elders of the family.

Kamei (2017): Rongmei is strictly a patrilineal society and women has no property rights, except those movable properties given to her by her parents before marriage or which she earns before or after marriage. Concerning the property of the family a man who only has daughter is almost equivalent to childless or infertile when his daughters get married. Because it is believed that daughter have no rights to inherit the immovable properties of the family. During this type of situation a man can either adopt a child or pass the property to his nearest kinsman.

Jyoti 2020: There has been increase in cases of infertility in India and only one per-cent of the people suffering from infertility visited the clinic for treatment. Women on the other hand think that they are incomplete without having a child of their own.

Warrington (2023): Most of the people in the world looked at woman without child as dry and barren. They took pity on them considering as merely an object in the society. Some barren women look up at other fruitful women as their idol longing for their own child. There are some serious social stigmas for such women when people think they (the barren women) are inferior women in the society. From neighbors the repeated torturing conversation seems to be hearing when will she has her own child not knowing the struggle she has inside.

The above issues seems to be common everywhere, while still there are some women who wants to live without child of their own by choice. Every monthly period seems to remind her about her roles in the society as mother but nothing seems to care.

Cherian (2015): Adoption is an age old tradition of serving the society helping the unfortunate child in need of care and protection. Beyond care and protection needed by the child there are factors which influence adoption which is the parental inability to produce their own for different reasons. In some way it is a win-win situation where both parties get what they are looking for. Cherian in her research found that the majority of parents looking for adoption were infertile. There are some parents who are looking for male child as there is no male child in the family. There are still some parents adopting a child out of humanitarian background. Adoption practice is different, in different family background based on composite age of the parents, economic background, education, cultural and religious factors. Some of the parents wish to adopt their child through a formal channel while there are still parents adopting their child through illegal or informal channels in both cases there are different reasons. Some reason seems to be ineligibility of the adoptive parents, not willing to undergo tedious process, religious factor and confidentiality reasons. For formal adoption procedure adoption agency serve as a major platform for parents looking for adopting a child.

Kolhe (2018): The future of the nation lies in the hands of the children. One of the most important assets a nation could have is the child well train in every aspect of life, whether it is social, mental,

physical or emotional. In India there are constitutional rights and justice for every individual especially children who will lead the nation in the future. The focus here is orphan, abandon and surrendered children. These children need extra care as there are no bodies to look after them. For this reason the state took up a step to provide a safe place for these children finding suitable homes or care centre. The main finding here is that the adoptive parents with higher education level are more open minded and majority of them adopts a female child. The main motivation among the adoptive parents is to complete the family. The majority of the family financial status is stable, because most of them are in Government service.

Jisha, (2017): The married infertile couple in some way has trauma which is adjusted with social adjustment, strong mentality, and counselling received from various agencies, and treatment. Comparing the quality of life between fertile and infertile couples it is evident that the quality of life scores higher among the fertile couples in emotional coping. Infertility couple feels isolated in the society and face different social stigma directly or indirectly. Infertile couple staying in the husband family is more significant in dealing with the infertile problem.

The Juvenile Justice (Care and Protection of Children) Act, 2015: The categories of child available for adoption are orphan, abandon and surrendered child. The common form of adoption practice accepted by the state is relative child adopted by the relative. The adoptive parents must be physically, mentally, financially sound. Procedures related to adoption must be strictly followed without which there could be penalty and punishment. Both the adoptive parent must consent to the adoption. Single parent can also adopt a child but special rule for man is that he cannot adopt a girl child alone. The effect of the adoption should be that the child after due procedure must considered as if he is from the same family coming from the mother's womb.

Objectives of the study:

The objectives of this research is -

- ❖ Documenting the customary laws of adoption and fertility rituals amongst the Rongmei tribe
- ❖ To bring out a comparative analysis between the educated and uneducated parents in their attitudes towards adoption
- ❖ To find out adoption related issues amongst the Rongmei tribe of Manipur

Research Methodology:

The primary model of this research is reviewing the related literature, this reviews helps the researcher build up a concept as follows. This research will be exploratory, qualitative-descriptive type. Interviews using self-made questionnaire will be used to collect relevant data. As mention earlier this research consists of two part. The first part consists of the data related to customs and tradition of the Rongmei community. Purposive sampling will be employ for collection of the data as only few village in Rongmei community follows the age old traditional religion called "*Tingkao Raguang Chapriak*" (TRC) (**BudhaKabui,2008**).The priest of the village temple will be interviewed for the collection of data related to the rituals and customary laws. The second part of the research will be related to the issues and attitudes of infertile parents towards adoption and customary laws. Here a non-probability snowball sampling will be employ as the population of Rongmei community who

follows TRC religion resides mostly in Imphal districts of Manipur and infertile married couples seems to be widely scattered.

Narrative research method is also another important approach which the researcher will employ in this research because Rongmei community does not have much documentation regarding their customs and tradition which traditionally pass down to the next generation orally. Relevant information will be gathered using this technique because customary laws cannot be quantified. If this method does not employ in this research the result cannot be fully documented.

As the researcher is Rongmei, interaction with the informant in Rongmei will make it easier for collecting the needed information. The medium which will be employed in this research for collecting information will be Rongmei language the mother tongue of the Rongmei community. This will make the communication much easier, without the mother tongue as medium of interaction some of the informant may find it difficult to understand in English.

Statement of the Problem:

The statement of the problem for the present research is “Customary Laws and Child Adoption by Infertile Parents amongst the Rongmei Tribe of Manipur”.

Hypothesis:

There is a significant difference of attitude towards fertility rituals by the parents

There is a significant difference of attitude towards customary laws and adoption issues amongst the educated and uneducated parents

There is significant difference in attitude and belief towards the ritual practices and the customary adoption amongst the infertile parents.

Limitations of the Study:

There may be many limitations which may come up during the research process, but below are some of the major limitations the researcher finds.

- This study is meant for only one community of Rongmei tribe living in the state Manipur and can't be compared with the legal laws of the state or the country.
- The study will only focus on the infertile couple who follows the traditional religion called *Tingkao Raguang Chapriak*(TRC)
- As most of the information passed down to next generation orally all of the rituals and customary laws may not be documented.

Conclusion

Studying one's own culture gives more ideas about who we've been. It is like venturing into a different world comparing the scientific and traditional ways of dealing things related to adoption and infertility. The customary law seems to be the highest forms of legality amongst tribal community. The customary law governing the tribal community is indeed unique and has its own texture. Although tribal community considers their customary laws beyond legality of the state it is in fact unscientific and lacks proper documentation so it is only valid for the local community. Unaware of the scientific explanation and realities the tribal communities seem to be more inclined toward myths and superstition which they believe is real. Infertility seems to be the issues of women who do not have the



babies intestine called “Nahlei”(budha kabui, 2008). One way to treat infertility is their rites and rituals and adoption. Scientific method like IVF (invitro-fertilization), sperm bank, sorogacy, etc are very new to their community. The pilot study gives so much information. Hoping the detail studies will be a delightful journey.

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