

Divinations, Oaths, And Ordeals: A Miju Traditional Approach To Conflict Resolution

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Abstract:

The Miju have a tradition of settling disputes using an arbitration method known as 'pharai', and the arbitrator is called 'pharai kathai'. But if the pharai kathai fails to bring resolutions to a conflict then he seeks the help of divine beings for guidance through a priest. The priest invokes the divine beings using divinations, oaths, and ordeals to act as a supreme judge. Hence, this article is an attempt to explore approaches to justice that relies heavily on supernatural powers as the ultimate judge.

Keywords: Divination, Oaths, Ordeals, Miju, Mishmi.

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I. Introduction

The Miju, also known as Kaman, is a sub-tribe of the larger Mishmi tribe found primarily in the Anjaw district and sparsely in the Lohit district of Arunachal Pradesh. They are demographically concentrated in areas like Manchal, Hawaii, Walong, and Kibithoo Circles of Anjaw District, and Wakro Circle, and in a few of the segmented sections in Tezu Town— primarily in Changliang, 32 Mile, and Lower Loiliang villages— and Sunpura Circle in New Hatidubah and Paya villages in Lohit District (Kri and Chikro, 2007). To this day, the precise meaning of the word 'Mishmi' remains unknown. It is a highly debated term among scholars, some opine that it is an Assamese word; others, on the other hand, say that it is derived from the Sanskrit word "Mishrita," meaning mixed. There is also a theory that suggests that the term was coined by the British. Likewise, different theories exist regarding the origins of the term Miju. J.P. Mills proposed that the Miju could be a corruption of the word "Minju," the name of one of the northern clans within the tribe. On the other hand, according to F.P. Mainprice, Miju is an Assamese word. Hence, just like the word 'Mishmi', it is difficult to pin down the exact definition of the term Miju. The term Kaman, on the other hand, remains undefined. Also, neither of the Mishmi uses the term Miju or Kaman to refer to them. Miju is known as Inju by the Idu Mishmi and jhaow by the Digaru Mishmi.

Since times, the tribe has settled disputes within their society using an arbitration method known as 'Pharai', and the person who arbitrates the dispute or case is known as 'Pharai Kathai'. Whenever a case comes to him, he makes sure to deliver justice and punish the offender. However, when his human effort fails to settle the dispute then he turns to divine beings for supernatural interventions. The act of asking for assistance is based on the notion that their supernatural abilities surpass those of humans. Hence, the help of divine beings is sought through divination, oaths, and ordeals. Help can be sought only with the intervention of a priest; they act as an intermediary between men and supernatural beings.

Before delving into detail about the practice of divination, oaths, and ordeals, it is crucial to understand the religious beliefs held by the Miju. First of all, the tribe holds faith in a supreme god called *Matai*, the creator. They also believe in the presence of spirits such as benevolent and malevolent. The natural world is considered to be the residing place of these spirits. The spirit that represents the sun is known as *Amik*, likewise, the spirit of the mountain is called *Sutoh*, the spirit of the river is known as *Bru*, and the spirit of soil is known as *kagam*, the spirit of underground water is known as *timik*, and so on. All these spirits are benevolent and are revered as gods as well. On the other hand, spirits such as *Shupa* (the spirit that resides in huge trees), *Takjow* (the spirit that causes chronic diseases), *Kambi* (the spirit that resides in the swamp), *Ksha tapei* (the spirit that consumes), etc. (Kri, 2008) are considered malevolent. These malevolent spirits in general are known as *ksha*, or evil spirits.

It is believed that gods are impartial and that everyone is equal in their eyes. Hence, their intervention is sought in solving both criminal and civil cases. This article is an attempt to explore approaches to justice that

relies heavily on supernatural powers, as the ultimate judge. The study will add to the existing knowledge since the available works do not shed enough light on the divination, oath, and ordeal systems of the Miju. The present study is based on both primary and secondary data. Primary data was collected through interviews, and secondary data was collected from existing literature.

II. Divinations

For aeons, people have been practicing divination and no ordinary man can perform this task. The intervention of a priest is crucial in performing divinations. Each society might employ a wide range of techniques but in every society its purpose is the same. It is practiced to gain insight, guidance, and information on the past, present, and future. Likewise, the priest of the Miju Mishmi tribe employs numerous techniques for divination. According to Merriam-Webster, divination is the art or practice that seeks to foresee or foretell future events or discover hidden knowledge usually through the interpretation of omens or by the aid of supernatural powers. Hence, the rituals performed by the Miju priests to know the unknown are as follows:

Mik-sung-tan-thong: ‘Mik’ means ‘eyes’, ‘sung’ means ‘divine, and ‘tan-thong’ means ‘to see’. It means to see through the eyes of divinity (Kri, 2008). There are different types of priests in Miju society. Each of them holds unique powers, and they are all often broadly categorised into high and low ranks. The highest-ranking priest is known as *kambring* and the priests who possess less power than *kambring* are of lower rank and are known as *katuwat*. The priest who possesses the ability to perform this ritual is known as *kambring*. In this ritual, divination is performed in two ways; using water or by dreaming. The *kambring* performs divination with water by reciting incantations over the water filled in a brass plate known as *pati*. It is believed that he sees the truth in the water with the help of his guiding spirit (*Ji*). Next, to perform divination by dream, darkness is required. Hence, the *kambring* executes it in a dark place or a dark room during the daytime. After chanting, he lies down, covered with a traditional shawl known as *baang sal*, and closes his eyes. It is believed that the dreams are sent by his *Ji*, helping the priest discover the hidden knowledge (Interview with Jiwan). *Mik-sung*, however, can also be performed by the *kambring* during the course of other rituals.

Moon tan-thok: “Moon” means a pack of close possessions of an individual; it may be a thread from the cloth or sputum (Kri, 2008). The term “tan-thok” means “to infuse something that gives power and strength” (Kri and Chikro, 2007). Hence, it means to imbue power into one’s close possessions. This ritual is typically performed by a *katuwat*, however, not all the *katuwats* have the ability to perform this ritual; only those *katuwat*’s that have the special power known as *Moon Boot* can do so. It is believed by the tribe that under circumstances such as direct contact of the one seeking divination with a deceased person or the birth of a newborn, human or animal, in the seeker’s house, the power becomes ineffective.

Moon tan-thok is typically performed in the quite early morning hours before sunrise, when there is little human activity. The divination in this ritual is performed using either *Thli* (Bow), *Langweet* (Phrynum Capitatum), or *Chikrok* (a mini drum with a long chain tied to its cylindrical handle). The choice of divination tool is determined by the *katuwat*. If the *katuwat* deems that the divination must be done using *langweet*, then a *moon lambao* is presented to the priest. *Moon lambao* is a pack containing the close possession of an accused person in a *langweet*. Sitting on the *medo* (verandah), chanting over the *moon lambao*, taking the name of the accused in his chants, the *katuwat* tears the leaves one by one. It is said that if the leaves move three times, then the person whose possessions are in the pack is the culprit.

Likewise, if the *katuwat* deems it necessary, then the divination will be performed using a *thli* or *chikrok*. These divination tools do not need to be offered to the *katuwat*. Only the name and close possessions of the person are to be given to *katuwat*. The *thli* used in the ritual is usually small in size and made from a bamboo known as *changring*. For this ritual, a *thli* is made by using a *changring* that faces the sun (east). The close possession of the accused, whatever that is, is tied to the string of the *thli*. Holding the *thli* by the string, the priest repeatedly recites the name of the person in his chants. As for the *chikrok*, *katuwat* ties the possession of the accused to the chain of the *chikrok* and chants by taking the name of the person. And it is believed that if the person is guilty, these divination tools move three times. The movement of all these objects can only be seen by the *katuwat* themselves (Interview with Jiwan).

The outcomes of divination are not always accurate. Sometimes, the person accused by the diviner of being guilty ends up being incorrect (Interview with Somring). If the diviner has actually identified the culprit, and if the culprit has accepted his fault, then only the case is dismissed. However, the case will continue if the accused utterly refuses to confess and in such case the trial by ordeal is sought.

III. Oaths (Masai)

According to Richard Janko, “to take an oath is, in effect, to invoke powers greater than oneself to uphold the truth of declaration, by putting a curse upon oneself if it is false”. An oath is an utterance by which the speaker-the swearer firstly makes a declaration, secondly, he calls upon a superhuman power(s) as witnesses to the declaration and thirdly, the swearer calls down a conditional curse on him/herself, to take effect if the

assertion is false (Sommerstein and Torrance, 2014). To add, a swearer is also involved in a physical act as a contract with the sacred being. People have been swearing oaths since ancient times to demonstrate truthfulness and innocence. Oaths are more than just uttering a few words; it is connected to their belief system. An oath before a tribal council is very different from the oath taken, for example, in an English Court of Law, when the parties swear to tell the truth, the whole truth, and nothing but the truth. The tribal oath is rather in the nature of an ordeal, and to swear falsely can be extremely dangerous (Elwin, 2007). Taking an oath in the tribal council is like inviting punishments—a punishment that risks not only the life of the oath taker but also the lives of his family and future generations if his statement turns out to be false. Just like every other society, Miju society also adopted several ways to take an oath to prove innocence, and a man is free to swear any oath, regardless of the nature of the conflict. The date of oath taking is fixed by the *Pharai Kathai* and is usually done in the presence of *Pharai Kathai* and *Pharai* members. The priest who helps the people to take an oath is known as *Masai kasai*, a *kambring* with a special power. His responsibility is to summon all the gods by offering blood sacrifice to bear witness to the oath.

There are different kinds of oaths that a Miju man can take to prove his innocence and establish truth. They can be categorised into formal and informal oaths. A formal oath is usually taken during legal proceedings and informal types of oaths are taken in their daily lives. Informal oaths can be of any type, for example, when someone says something negative while simultaneously acting in a certain way, for instance, if someone throws away something or hits something in anger and says something negative while using the word *masai*, it is counted as an oath (Interview with Sothing). The oaths taken commonly during legal proceedings with the help of a *Masai Kasai* are as follows:

Oath by consuming the soil of the hearth (Tamaong phat mang): Before consuming the soil, one may utter, “If I am a liar, then after consuming this soil, I will die by stomach swelling.” It is believed that if the oath-taker is truly guilty, he will die of stomach swelling.

Oath by poking the eyes of a cat (Jami mik phat mang): There is also a tradition of poking the eyes of a cat while swearing an oath. It is said that if he is guilty, after taking such an oath, someday something will hit him in the eyes and make him blind.

Oath by breaking the limb of a fowl (Krey pla thal mang): It is said that if an oath is taken by breaking the limb of a fowl, the person at fault becomes crippled in the future.

The oath taken by slaughtering Mithun by cutting along its neck (Cha phlong mang): Slaughtering a Mithun while taking an oath is considered the most dangerous. It is only performed in big cases. A person at fault is believed to perish in a short period of time.

Oath by consuming a few pieces of wood from the stairs (Tah phlong masai): A person can also swear an oath by consuming a mixture of a few pieces of wood from the stairs along with soil and pebbles that are found near the stairs.

Oath by consuming a few pieces of a wood log (Changrang masai): A wood log just above the door, known as *changrang*, is also consumed to prove innocence.

Apart from the above-mentioned ways of taking oaths, there are many other ways of taking oaths too such as by biting a sharp knife. Some oaths make it very apparent what the oath-taker wants to happen, such as poking the eyes of a cat or breaking the limbs of a fowl. Some oaths, on the other hand, have different consequences depending on the person delivering them. He can declare death by vomiting blood, or suffer from illness for the rest of his life, but he will only speak of something evil. Not only the accused but also the accuser takes an oath to prove the truthfulness of his allegations. The swearer does not mention any specific period for the curse to take effect since it is believed that the curse will befall on him or her at the will of the supernatural power. It sometimes even takes ten years or more to take effect (Interview with Akongso). Hence, when both the participants take an oath, it can create a confusing situation; it becomes difficult for the *pharai kathai* to decide the guilt or innocence, and it is then that the trial by ordeal is sought.

IV. Ordeals

According to dictionary.com, an ordeal is a primitive form of trial to determine guilt or innocence by subjecting the accused person to fire, poison, or other serious danger, with the result being regarded as a divine or preternatural judgment. Ordeals of various types have long been used in almost every society to ascertain the truthfulness of allegations. However, in terms of Miju, they only practice ordeal by hot water known as *tilam*. A trial by ordeal is sought when there is a clash of oaths and an unwavering denial of the person who has been declared guilty through divination. It is considered one of the easiest and fastest ways to ascertain the culprit. It is performed by the high priest known as *kambring*. However, not all *kambrings* can perform *tilam*. *Kambring* who can perform *tilam* is known as *tilam-ka-athap* and he decides the date for performing *tilam*. The *pharai kathai*, on the other hand, is given the responsibility to set up all of the necessary elements that are required for conducting the trial, such as water, a large brass pot, bee wax (*humbong*), and fuel wood. The ordeal is usually performed in an open, undisturbed area, such as, a forest.

Tilam typically consists of two phases, but before the start of any of the phases, the participants will give their statement and affirm it as true. *Tilam-ka-athap* starts the ritual by offering blood sacrifice to all the gods to deliver justice and stop further chaos and conflicts. *Tilam-ka-athap* and the *pharai kathai* sit on one side of the fire, while the participants sit opposite them. So the first part of the ritual requires both participants to dip the *humbong* in the water with a stick once the water starts boiling. After that, they are instructed to remove the *humbong* from the water, and if any of the participant's *humbong* melts, it means that he is the culprit. Following this, he will be asked to confess, and if he confesses, the trial and the case will be concluded. However, if the person is unwilling to admit his fault, the trial as well as the case will continue. For the second part of the trial, stones are placed in the boiling water and each participant has to retrieve the stones from the pot using their right hand. If any one of the participants burns their hand by just dipping their hand in the boiling water, he is identified as the culprit. An innocent person, on the other hand, remains unharmed or uninjured. Occasionally, even after being injured, a person may refuse to confess. In such cases, the stones from the pot are placed in his hand; if he burns his hand once again, he is identified as guilty.

Divination and oaths play a significant role in determining the guilt; however, ordeal by hot water offers few distinct advantages; instant verdict and visual evidence in the form of physical burns. Some cases continue for years and years, even after the person involved is dead. Hence, families defend the case, and when *Tilam* is performed, a spot is reserved for the deceased as well. The priest who could carry out this ritual no longer exists in Miju society. Hence, to continue this traditional system of justice, the tribe is seeking the help of Idu Mishmi priests (Interview with Sublakho).

V. Conclusion

The fact that certain societies still use these techniques in modern times may astonish us. Be that as it may, it is imperative to recognise that it continues to be prioritized. Despite the developments in the legal system there is continued belief in the power and efficacy of divinations, oaths, and ordeals in solving cases. The tribe still clings to the beliefs of their ancestors though they are not as rampant as they were in the past; they have still not lost their importance. People still fear taking the oaths; they still believe that it incurs the wrath of the spirits. They take oaths extremely cautiously, only when they are certain of what they are saying. Divination, on the other hand, is also still practiced by the tribe, and people also still believe in ordeals. However, the priests, who play a crucial role in the preservation and continuation of these ancient practices, are on the verge of extinction. If the institution of priesthood is not saved, then the ancient practices that are intricately tied to it will disappear alongside it.

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