

# **‘Perfecting the Women’ : Some Aspects on the Ideas on Women, Crime and Sexuality in Early Colonial Assam : c.1840-c.1900**

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*“Tiri Mirl Bhatoi aru Koa  
Eai charir ashoi nopowa “*

(One does not earn trust from these four  
Women, the Miris, the parrots and the crow)<sup>1</sup>

*“Through their passion for men, through their mutable temper, through their natural heartlessness, they become disloyal towards their husbands, however carefully they may be guarded in this (world).*

*“Knowing their disposition, which the Lord of creatures laid in them at the creation, to be such, (every) man should most strenuously exert himself to guard them.”*

Manu Shamhita, Chap-lX, 15 & 16<sup>2</sup>

*“An Assamese woman is a house keeper, weaver and cook as well as a wife, and in many cases a farm labourer as well; and parents and guardians do not always see why a young man should be given such a valuable help-mate.” B. C. Allen (1905).<sup>3</sup>*

The nineteenth century in the history of Assam was a period of great political, socio-economic and cultural transitions, which saw the end of the Ahom monarchy and the establishment of British colonial rule. In a short span of time, the Assamese society of the Brahmaputra valley (in this paper the term Assam will be limited to the valley alone as the concept of Assamese nationality first grew here, and also for the sake of convenience) that it found itself in a totally new situation. In this situation the condition or status of the Assamese women became an important site of discourse both for the colonized and their colonial masters. Although they were an important factor in the emerging discourse, they were not asked to identify themselves, and this resulted in a new kind of identity that marginalized many aspects of the women’s lives, particularly among the tribal women. The present paper will try to

look in to how the Assamese women's issues relating to crime and criminality was viewed by the contemporary discourse and whether the women themselves were asked to participate in it. It will mainly deal with the attitudes of the subject people rather than the colonial policies, since the state in most cases did not directly try to interfere with the domestic sphere. So utilizing Michel Foucault's concept of power that it has plurality of source the paper also seeks to highlight that even in the limited space available under colonialism the patriarchal ideas and institutions tried to recover some amount of the loss of political powers by instituting some new regulations upon the women in the name of modernity.

The term crime is referred here as "*offence which goes beyond the personal and into the public sphere, breaking prohibitory rules or laws, to which legitimate punishments or sanctions are attached, and which requires the intervention of a public authority.*"<sup>4</sup> Another related term criminality is employed to mean the attachment of criminal tendencies to particular class and community, or in other words in the Saidian view of the 'Self and the 'Others'.<sup>5</sup> The British as a part of better governance of the country tried to introduce a uniform or standard type of legal system of administration in the country. Radhika Singha writes that while introducing new set of criminal laws and institutions the British colonial authorities viewed the erstwhile systems as barbaric and backward as Lord Macaulay's famous Minute brilliantly portrays.<sup>6</sup> Yet, they failed to evolve a uniform personal law and as a solution gave primacy to the Hindu and Islamic laws.

In the period of the present study, as mentioned earlier there were great socio-political and economic transformations and the very identity of the Assamese nationality was itself developing. In this process, the heavy influx of persons of different nationalities from different parts of India and the neighbouring countries seeking economic opportunities and the various colonial policies like withdrawal of Assamese as the official language (1836-1872), and the developments in communication facilities etc. made many people sensitive to these transformation, and blamed the outsiders particularly the Bengalis<sup>7</sup> Anti-Bengalism was a major ingredient in the growth and development of Assamese nationalism. Moreover, through the developments in communications and opening up of new opportunities<sup>8</sup> made the movements or mobility of men and women faster. Women became a major site of contestation of the nationalist discourse. To use Partha Chatterjee's terminology the Assamese women become the

“site” of the “imagined” Assamese nation, the “inner domain of sovereignty” free from the outer domain of the subjugated colonial (male) world.<sup>9</sup>

During the period of the present paper the status of the Assamese women was varied according to the caste, class and religion. There were also several social problems like polygamy, early marriage and among the upper caste Hindus a ban on widow remarriage, which greatly reduced the position of the women. The impact of the Bengal Renaissance also made the educated Assamese men to emulate many of its ideals, many of which tried to strengthen the patriarchal institutions. Moreover, as most of the agendas of reform were male engineered and mainly concerned with the caste Hindu social norms it had very limited visions about the nature of the problems of the lower caste and class women. Many of the educated middle class men like Ratneswar Mahanta, Lombodar Bora and others openly accepted the views of the ancient Hindu law-givers like Manu whose views upon the women were very biased. For example, Ratneswar Mahanta in his article, *Tirutar Kartavya* published in the Assamese news magazine *Assam Bandhu* in 1885 expected the Assamese women to imitate the ideals of the Dharmashastras and to ignore most of the fashionable or new western learnings. Although there were also some progressive views on women yet due to the environment and failure to evolve an independent or alternative ideology of reform the ideal for the Assamese women was to appropriate the ideals of the Aryan women, many of which themselves were inventions of the late nineteenth century. As in the other parts of the country the Assamese middle classes also identified themselves very closely with the Hindu religion and the impact of the revivalist movements were also noteworthy. In fact, as Manorama Sharma has argued in context of the growth of the Assamese middle class that the majority of them who had been to Kolkata for study and consequently became the harbinger of the literary cum social reform movement in the province belonged to some Vaishnavite sects.<sup>10</sup>

The question of regulating the free movement of the women was a global phenomenon in all the patriarchal societies in the nineteenth century. Judith E. Walsh has shown that the ideas of European domesticity was began to be naturalized throughout the world during this period.<sup>11</sup> In Europe itself the Quakers and the other rightist groups constantly strived to reform the behaviors of the lower class women, whom they believed easily fell prey to crime and immorality. The concept of the original vice of Eve had a very dominant impact upon a large section of the people and the contemporary development in the natural and social

sciences like Social Darwinism, Psychoanalysis and Anthropology etc. in most cases only strengthened this view.<sup>12</sup> But interestingly, as Michel Foucault tried to show through his concept of 'repressive hypothesis' that although the Victorian society tried to impose several controls upon the behavior of the people (which it considered immoral or deviant) it failed as it also created several new techniques of knowing and revealing.<sup>13</sup> The contemporary Assamese educated middle class was also influenced by many of these debates and ideas like their other Indian counterparts.

The contemporary Assamese society was divided into various class, clans and communities, and the upper strata of the society (consisting mainly of former nobility and feudal leaders) regarded the lower classes as "itar" or primates. For example, in the first Assamese news paper *Arunodoi* Vol. VIII No.II, 1853, an interesting article appeared with the name, "*Pradhan aru itar lokak byabahar karar katha*"(Conduct toward Inferior and Superior) written by an anonymous author, B.N. Even enlightened persons like Gunabhiram Barua and Anandaram Dhekial Phukan were not free from these prejudices.<sup>14</sup> These existing prejudices made the perception of crime almost a marker between the old nobility as well as educated and a large section of the common masses.<sup>15</sup> The *Arunodoi* vividly reported various crimes associated with women.

## **Violence against Women**

Free mobility and independent decision-making power of women are great markers of progress in any society towards modernity. But in this account the early colonial Assamese society like those in most other parts of the country did not fare very well. Although the status of the Assamese women was much better in comparison to that of their counterparts in many other societies of India, yet the society was very much dominated by patriarchal ideas and institutions. As a result, the contemporary society perceived the deviancy in women as a major crime and resorted to various methods to control them.

**Rape & Molestation :** Rape was a common feature in the early colonial period when the colonial judiciary system was not properly established. The *Arunodoi* in its February 1854, Vol. IX, No. II issue reported a case of rape and abduction of a rich and estranged "Bamuni" (Brahmin) woman from Kamrup district named Tepuripriya by a Muslim man, Abdul Haque Munshi, when she was returning from Bhutan with three men companion. Her abductor attacked the party and killed one and

the two others fled..For three months, the unfortunate women was raped, tied and fed chicken, which was considered as a taboo by the upper caste Hindus. But, somehow she managed to escape and reported to the police. Interestingly, the culprit was awarded light sentence as the *Arunodoi* informs bribed the judge. When the victim protested, the Sheristereder interned her in his own house for 6/7 months. In disgust Tepuripriya returned to Bhutan. To the Judge, the deviancy of Tepuripriya was a major cause for her sufferings. To control the deviancy of women is also a major agenda of many contemporary and educated elites. For example in their plays Rudraram Bordoloi in "*Bangal Bangalani Natak*" (1872) and Majinder Baruah in "*Mahari*" (1896) and Nilakanta Barua in his novel "*Mem*" (1894) etc. dwelt upon this theme. They identified the outsiders or the new emigrants as the culprits and tried to impose new regulations for the women.

A major determining factor for the status of women in any society is the recognition of her property rights. In this account the early colonial Assamese society did not fare very well. The *Arunodoi* in its issues of December 1852 and March 1853 carried an interesting news item from Guwahati. A woman from the respectable Barphukan family left her husband's house due to some "familial" discords along with her two-year son and two maidservants, and landed at the house of a Muslim family of the same town at the dawn of November 30, 1852. Her disgruntled husband made an appeal at the Faujdary Court,- against the Muslim man, demanding Rs.6, 000 for the three women and their jewelries which, belonged to him. The Judge Mr. Hudson reduced the penalty to Rs. 200 on the "*tiri chor*" (women lifter). But, the later being unable to pay was sentenced for six months imprisonment, and the plaintiff was advised to appeal at the next higher level court, the Diwani Court to reclaim his money. It was not reported what happened to the women afterwards, but it seems most likely that they were disowned including her "beautiful" son, for allegedly transgressing the barriers of caste and class. It was no doubt a very radical act for the woman, but what seems more interesting was the fact that even among the higher classes the value of money or property was more important than themselves. The contemporary society was greatly shocked by this event, and anonymous Assamese gentlemen from Kolkata blamed it for the lack of education between the spouses.<sup>16</sup> It was however not debated about the fate of the maidservants, which was not the concern of the contemporary educated elites.

## Slavery

Although, the colonial state formally abolished slavery through the Act V of the (Bengal) Regulation of 1843, and the Indian Penal Code of 1860 made it an offence to engage in trafficking or keeping slaves, the early colonial Assam saw many instances of the evil practice. Women were sometimes even sold by their parents and husbands in times of dire needs, and here the religion, caste or community did not matter much. The *Arunodoi* in vol. I. No.V. 1846 recorded the news of a sale of a woman by her opium addict husband to a Muslim man. Their owners made some of them slaves. James Matthie, a colonial official had identified the slaves in Assam into three categories : (i) "such as those born of parents who were slaves, (ii) born of female slaves, and, females (consequently their offspring's) who might have been purchased or voluntarily married to slaves."<sup>17</sup>

Opium induced abnormalities in social norms : The increasing addiction of opium caused a major havoc/demoralizations in the socio-economic structure of the early colonial Assam.<sup>18</sup> Many Assamese women were its addicts, particularly among the lower strata. The *Arunodoi* in the case of the above-mentioned woman, who was sold to a Muslim man, became an addict and had to suffer a great deal for that.

The contemporary Assamese elites were very much disturbed by the normalness or anomie caused by it. Maniram Dewan in his petition to A.J.M.Mills describes the ill effects upon the Assamese women as, "*Moreover by the facilities afforded now-a-days, such low people as Doomnees, Gorianees, Meereonees (wives of Dooms, Mohomedans and Meerees) have become inveterate opium-eaters, is the cause of the increase of such characters... And when women become opium eaters they will sell their domestic utensils without the knowledge of their husbands, and even barter their chastity or forsake the path of virtue to get the drug.*"<sup>19</sup> Anandaram Dhekial Phukan, a leading intellectual of the Province in his petition to the same writes, "*Woman themselves are often not excepted, and in many parts of the country opium is freely administered to the infants and the children.*"<sup>20</sup>

The contemporary Assamese educated elites were also disturbed by the flexible marriage norms prevalent among a large section of the common people. In the *Arunodoi* Vol.I.No.VII. July 1846, there was a news report that one 'Ahom' man named Bhadia was caught red handed by his neighbour, Krishna Ram (another man of his community), while he was allegedly indulging in "illegal" sexual relations with his own aunt.

What makes the report more interesting was the use of the term "Beshya" (prostitution) to define the act, which shows that the contemporary Assamese society in some cases categorized the trespassing the established norms in a flexible manner. This is also testified by Rudraram Bordoloi's play *Bangal-Bangalani Natak*.

Another important cause of concern among a section of the elites was the wide prevalence of the practice of widow remarriage prevalent in a large section of the people, known variously as "Dhemni" or "Batlu". Gunabhiram Barua, although a pioneer for the cause of the widows, regarded the offspring of such marriage as "bastards" in his Assam *buranji*.<sup>21</sup>

## **Bihu**

A section of the educated elites were against the festival of Rongali Bihu, prevalent among a large section of the common masses, in Upper Assam. Men like Anandaram Dhekial Phukan, Gunabhiram Barua and Kamalakanta Bhattacharya etc. felt that free physical movements and the songs were openly loaded with strong sexual messages and pleaded for its abolition in order to make people "morally strong". Moreover they also felt that, as the festival in some cases involved elopement or "run-away marriage", without involving any standard Hindu practices it did not constitute an ideal social practice. It was no wonder that Ratneswar Mahanta even praised the "uncivilized" Garo's for not having such a vulgar practice among them.<sup>22</sup> Ramakrishna Vidyaratna, a Brahma preacher who visited the valley during 1869-72 also shared this concern in his *Udshin Satyasrabar Assam Bhraman* published in 1886 in Bengali from Kolkata. It was not unexpected as the Brahma view on women as expressed in the *Bamabodhini Patrika* was an effort to assimilate the ideas of modern patriarchy.<sup>23</sup> But these views were not universally shared by all section of the middle class and men like Lakshminath Bezbaruah, Padmanath Gohain Baruah and others focused upon its positive aspects also. Gradually, however these criticisms over Bihu began to disappear under the impact of nationalist ideas. In fact, it is an interesting example how in the next century Rongali Bihu transformed itself as the national festival of the Assamese people.

So, Anandaram Dhekial Phukan pleaded for the registration of marriage as a panacea for the reform of the Assamese people. In his own words, " In no part of India are the bonds of matrimony so unscrupulously

violated, or connubial relation so little regarded by the mass of the population, as in Assam. In some Districts, more than one-fourth of the cases relate to questions of marriage, and their number has often been so great that the legislative (section II. Clause 5 of the Assam Rules) has found it necessary to authorize the Courts to dispose them generally in a summary way. Cases of elopement, seduction and dispossession of wives are of constant occurrence in the courts of the Province, and men fight for their wives in the same manners, as they do for their lands and goods. It is often impossible to decide between contending parties who among them have been legally married: the evidence adduced on both sides being equally conclusive in favour of the pretensions of each. Generally men and women among the lower orders, live together as husbands and wives without ever undergoing the nuptial rites. Whenever either a charge of adultery or an action for the recovery of a wife is preferred, the complainant fails to make good his charge, either because he cannot, under conflicting evidence prove his marriage, or because omitted to perform the requisite nuptial ceremonies. To encourage the people therefore, to observe the rites essential to the validity of marriage, and to prevent the recurrence of the insurmountable disputes that arise for the possession of wives as well as to obviate the occurrence of offence against the conjugal happiness of the people, we would beg to suggest the expediency, nay, the necessity of rendering imperative on the people to register their marriage at the Mofusil courts of each thannah jurisdiction, entitling every person to have marriage entered in the at a trifling cost."<sup>24</sup>

Interestingly, Anandaram never bothered to ask the opinion of the women, and their fate was placed at the hands of their husbands and the colonial state machinery. In fact, the perceived dominant notion of voicelessness on the part of the women, was not only confined in the case of Anandaram and a large section of the educated Assamese elites, it can be seen throughout the country, especially in the 19th century. For example, Lata Mani has brilliantly shows that in the debate over sati, although the women were the victims their opinion was never sought both by its supporters and opponents.<sup>25</sup> They shared the view that a standard type of systems should be invoked to regulate the deviancies prevalent among the large section of the common people, in conformity with the contemporary Victorian social ideals. Uma Chakravarti correctly argued that even in the nationalist construction of an ideal image for the Hindu women in the late nineteenth century India the class and caste

bias can easily be seen, which ignored the lower caste/class women.<sup>26</sup> The Assamese educated middle class were no exception to this.

It is also interesting to look what role the colonial state was playing in the whole process. These issues did not directly bother the state but morally and through its various policies like introductions of new legal codes, educational curriculum etc. it only strengthened the existing patriarchal ideologies and institutions. In fact, even in contemporary Britain the situation was not significantly better than the Victorian concepts of morality.

So, they wanted to reform and regulate the “popular culture” or the popular practices in conformity with their new or “progressive” ideals. The colonial rule offered them a platform or a “public domain” to debate about social reforms through the “print culture”. In this public domain a few educated women did participate like Padmavati Devi Phukanani (daughter of Anandaram D Phukan), Bishnupriya Devi (wife of Gunabhiram Barooah) and her daughter Swarnalata etc. did participate but since they were also moulded in these ideas their writings also reflected the new patriarchy.<sup>27</sup> The modern education system was also structured to strengthen these views. But, as Sumanta Banerjee argues, in another context that the marginalization of popular culture was not very beneficial for the women.<sup>28</sup> In Assam, the gradual decline of some of the practices like widow remarriage in the long run enhanced the burden upon the women, and aping the role model of Bengal also brought many new social evils, like increasing expenditure upon marriages and other festivities. These in turn increased class and caste stratifications in the Assamese society.<sup>29</sup>

### *Notes & References*

1. A popular proverb prevalent among a large section of the Assamese people, which clearly portrays patriarchal attitude towards the women.
2. The Laws of Manu in the *Sacred Books of the East Series* vol. 25 ed. by G. Buhlor, Motilal Banarsidas Publishers Pvt. Ltd. 2001, p. 330. But, Manu in other contexts in spite of his strong bias towards patriarchy was not totally insensible towards the women. For example, in the same chapter extolled both the spouses to remain faithful to one another. In his own words, “Let mutual fidelity continue until death,” this may be considered as the summery of the highest law

for husband and wife". *Ibid* p.345. This clearly shows that Manu also enjoined upon the men to be responsible and keep control over his passions.

3. See B. C. Allen, *Assam District Gazetteers*, Nowgong, 1905, Vol. 6.
4. Gordon Marshal *Oxford dictionary of Sociology*. (Ed.), OUP, 1998 p. 125.
5. See Edward Said's *Orientalism* Penguin Books (1978). Said was inspired by Foucault's Discourse Analysis and this trend marked the beginning of the Post-colonial Studies. One of the important emphasis of this School was to look closely at the power structure of the Imperial gaze or perception of the colonized.
6. See Radhika Sinha, *A Despotism of Law, Crime and Justice in Early Colonial India*, OUP, 1998 pp.27-32.
7. The term 'Bengali' in Assamese did not apply to the Bengalis alone but used as a generalization to mean all the outsiders, See, *Assam Bideshi*, by J. Borah, (1927) Guwahati 1992, for a contemporary treatment of the issue.
8. See Amalendu Guha, *Planter-Raj to Swaraj Freedom Struggle and Electoral Politics in Assam 1826-1947*, New Delhi (1977) 1988.
9. For details see Manorama Sham, *Social and Economic change in Assam, Middle Class Hegemony*, New Delhi, 1989.
10. Partha Chatterjee, *The Nation and its Fragments Colonial and Postcolonial Histories*, OUP, 1999, pp.116-157. But this model is criticized by Himani Bannerji and others as not applicable to Bengal also in most cases and encouraged male patriarchy. See Bannerjee 'Projects of Hegemony Towards a critique of Subaltern Studies, Resolution of the women's Question', *Economic and Political Weekly*, March 11, 2000, p 916-17; also Gail Minault, "Secluded Scholars, Women's Education and Muslim ? Social Reforms in Colonial India" OUP, 1999, p.7.
11. See Judith E. Walsh, *How To The Goddess of Your Home, An Anthology of Bengali Domestic Manuals*, Yoda Press, New Delhi, 2005, pp 2-5.
12. For an excellent treatment of the issue of feminism and sexuality see, Lucy Bland, *Banishing the Beast, Feminism and Sexuality in Nineteenth century Britain*, Tauris Parkis, London, 2001.
13. See Michel Foucault, *The History of Sexuality, the Will to Knowledge*, Vol. I, Penguin Books, London (1978) 1999.

14. See Gunabhiram's *Assam Buranji* (1972) 2002 and Anadaram Dhekiyal Phukan *Jivan Charit* (2000) both published by Publication Board Assam.
15. See *Arunodoi* July 1854, pp.904-905.
16. See H.K. Barpujari (ed) *The Comprehensive History of Assam*, Vol. V, pp.209-17, Publication Board of Assam. 1993.
17. See H.K.Barpujari (ed) *Ibid.* Vol.IV pp.204-09, and Amalendu Guha, "Imperialism of Opium" in *Medieval and early Colonial Assam*, Calcutta, 1991, pp. 280-296.
18. See Mills, *Report on the Province of Assam*, Publication Board Assam. 1984,p.619; Benudhar Sarma, *Maniram Dewan (a biography)*, 3rd. edn. Guwahati 1993, p. 270.
19. See Mills Report. *op., cit.* p.132.
20. See *Assam Buranji*, Publication Board Assam. 2002, p. 172, *Bijuli* vol. III no.IV, p. 61 for the description of the Miris, *Ibid.* p.87 for the Singphos and p. 114 for the Khamtis.
21. J. Bhuyan (ed), *Rameswar Mahanta Rachanavali* Publication Board Assam. 1977, p. z206.
22. Ramkumar Vidyaratna. *Udashin Satyasrabar Assam Bhraman*, Kolkata 1982.
23. See Mills Report, "Observations on the Administration of the Province of Assam by Baboo Anadaram Dakeal Phookan" in Appendix J p. 130.
24. See Lata Mani, "Contentious Traditions: The Debates on Sati in Colonial India", in Kumkum Sangari & Sudesh Vaid (ed) *Recasting Women Essays in Colonial History*, Kali for Women (1989) 1999, pp. 888-126.
25. See Uma Chakravarti. "Whatever Happened to the Vedic Dasi? Orientalism, Nationalism and a Script for the Past," in Kumkum Sangri & Sudesh Vaid (Ed), *ibid* pp.27-87 for details.
26. The term was first coined by Benedict Anderson in his *Imagined Communities : Reflections on the Origin and the Spread of Notionalism*, London 1983; for the theoretic applicability of this term on Indian context see P Chatterjee, *Nationalist Thought and the Colonial World*, OUP (1986) 1999.

27. See the contemporary Journals like *Jonaki*, *Bijuli*, *Usna* and *Banhi*, etc.
28. See Sumanta Banerjee, "Marginalization of Women's Popular Culture in Nineteenth Century Bengal. in K Sangari & S Vaid (Ed), *op. cit.*
29. See Bipul Choudhury. "Women & the Questions of Social Reforms In Colonial Assam c. 1884-c. 1926," unpublished research project under One Year Research Programme of Omeo Kumar Das Institute of Social Change & Development, Guwahati 2001.