



Birappa narrative: An anthropological reading of pastoral law in the kuruma of Telangana

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Abstract

This article examines the Birappa narrative of the Kuruma pastoralist community of Telangana as a living system of customary law. It analyzes the Birappa myth as both a religious and cultural narrative and a functioning legal system with the assistance of Bronislaw Malinowski's functional theory of law. Storytelling, ritual enactment, and moral retribution are means by which communities maintain the value of their norms in the absence of written laws and structural hierarchies. *Oggu Katha* dramatizes and narrates the Birappa story that maintains community order enshrined in mythical symbols and ritualized narration and imparts lessons in ethics, social role control and so forth. In Kuruma society, concepts of responsibility, family solidarity, correct comportment are certainly a reflection of the story's values in divine retribution, mild punitive behavior, confrontation against tyrannical regime. Affirming that the formal state law regime coexists with orature and custom is not the only thesis advanced in the paper; the paper also locates this indigenous system in the overall context of legal pluralism. *Oggu Katha* enables governance of the community, mediation, and the formation of public morality through performance and group memory.

Keywords: Oral narrative, Customary Law, Legal pluralism, Performance.

Introduction

Customary law as already mentioned, in societies without formalized norms, customary law is expressed in collective narratives, ceremonies and commitments. Kurumas of Telangana have successfully defended their moral and legal tradition through oral testimony of the *Oggu Katha* particularly the story of Birappa. The traditional narrating art form of *Oggu Katha* is an important part of the Telangana heritage in India. Religion, myth, music and theater are all skillfully combined in this living oral performance art. *Oggu Katha* and other religious rituals are not just fun sideshows at neighbourhood gatherings. The narratives generally feature the Celestial, a protagonist who serves as a moral authority, hero or mediator in the realm of good and evil and who pursues a spiritual voyage. Set to the beat of soulful songs, the past lives of these stories animate in those who have been reading them all their lives, allowing us to forge a powerful link with our spiritual history. This dynamic narrative style and emotionally moving framework of story-telling of *Oggu Katha* is a means to sustain the traditional values, community spirit, and collective memory of Telangana people. With Malinowski's (1926) ^[4] notion of custom law as theoretical framework, I examine how the Birappa narrative sanctions laws, sanctions and conventions of the community through the performance of orality.

Malinowski's Functional Theory

As Bronislaw Malinowski mentions, when a society does not have a state, it does not have written law. Yet it is in fact the rituals, obligations, and transactions of communal life that play the largest role in the articulation of legal norms. Malinowski, argues that Law has a pragmatic function in such societies to control relations, maintaining harmony and order in society. Such communities of persons, he contends, rely on mutual respect, communal customs, and shared rituals rather than formal institutions (e.g., courts, police) for the maintenance of social order. Malinowski claimed

that social means of punishment such as gossip, social ostracism, and criticism would enable individuals to maintain their obligations by complying with societal norms. These informal processes not only help prevent bad behavior, they help to resolve disputes and create community. When there are conflicts, community leaders carry out mediation or public discussions.

From this perspective, rule of law is itself a product of a strong state and a hierarchy of institutions that challenges Eurocentrism. Even in "simple" societies, solid systems of laws might come from deeply embedded social norms, as Malinowski demonstrated. He expanded our understanding of law beyond the "technical" meaning of "law" by emphasising the diversity of legal systems across the world and the vital role that law plays as a social institution, rather than as an instrument of the state.

Narrative of Birappa

In ancient days, the Nagulakonda kingdom was ruled by King Shiva Donthi. One day after hunting, he stops at the Shiva temple for rest. Seven daughters of Indra come to the lake near Shiva temple, Shiva donthi, who falls in love with Amara kanya, one of the seven daughters of Indra. Shiva donthi marries Amara kanya (gandharva vivaham). For many years, they did not have children, so the couple worshiped Shiva with sweet lime and constructed a water well called Kalikichengola well, and they were blessed with a boy child named Nara Bhupathi. Later, the couple worshipped Shiva with a banana and were blessed with a girl child named Surama Devi. When Surama Devi was five years old, her parents died. The astrologers said that the death of their parents was because of Surama Devi's birth timings and asked him to keep his sister far from human contact. So, Nara Bhupathi builds and keeps her in an isolated tower from where she can see the people of the village. She can see people of her age getting married and feasting, and feels sad about her pathetic condition in the presence of lord Shiva. The tears of Surama Devi disturbed

Lord Shiva, so he came in disguise as a sage to Nara Bhupathi and said that within seven days, Surama Devi's wedding should happen; otherwise, his kingdom would burn into ashes. Nara Bhupathi thinks that if his sister, after marriage, begets a girl child, he has to marry her to his sons; if she begets a boy child, he has to give his daughter to him. So, he chooses Bhrama kondaiaha, who is lame and blind, for his sister and performs the marriage. After marriage, while going to her in-laws' home, Surama Devi weeps about her and her husband's condition; her tears reach the Kailasa place of Lord Shiva. Shiva blesses the couple when Bhrama Kondaiaha becomes normal and builds their city, Chandragine. The couple has everything in the world but no children. Surama Devi cries unto Lord Shiva for children. When Shiva hears her prayers, he, with his third eye, tries to see the eligible one to become Surama Devi's child, because of Nara Bhupathi, no Gods want to take birth in Surama Devi's womb. Shiva sees Veerabadhra, one of his sons, and asks him to take birth in Surama Devi's womb to teach the proud Nara Bhupathi a lesson. Veerabadhra, as per his promise to Shiva, becomes as small as a neem fruit and hides in a fig fruit. Disguised as a sage, Shiva goes to Surama Devi and says he wants to bless her with a child, but that cannot be given in hand, so he drops it directly into her mouth.

In those times, nine months equal nine hours. When people learned about the Chandragine city, potters, fishermen, and weavers from Nagulakonda came to Chandragine to sell their goods. Surama Devi, who was buying things from them, asks them to convey a message to her brother that she is pregnant. After knowing the message, Nara Bhupathi made a conspiracy to kill the child in the womb of Surama Devi, so with the help of fishermen, he got poison, and with that, he asked weavers to weave sarees and food items made with poison. Nara Bhupathi visits his sister's house with all the gifts, and when she asks him to eat food, he says Today it is Monday, without bath, I would not touch a grain so Surama devi goes to fetch water for her brother. Till she returns, the maids who ate the food given by Nara Bhupathi die, and the maids who wore the sarees made out of poison die, and fire burns the remaining items made with poison, and with that, the ashes people become unconscious. At that moment, she gives birth to Birappa. With the birth of Birappa, the throne of Nara Bhupathi trembles, and the people get it into their consciousness. When Birappa was twelve days old, Nara Bhupathi wanted to kill him. He sent his soldiers as fishermen to Surama Devi. They told her that the time of Birappa's birth was not good for the whole family, so he had to be far from his parents in his uncle's place for 12 years. She believes and gives Birappa to them on their way back. They try to kill the child, but Birappa, who has mystical powers, becomes an adult and kills the soldiers and sends their heads to his maternal uncle, Nara Bhupathi. With this deed, Nara Bhupathi shakes in fear. Birappa, after killing the soldiers, again takes the form of a 12-day-old child and is perched on a banyan tree. Ujjayani Mahankhali, crossing that way with the seven sheep given by Mallanna, hears the child's cry and stops near the tree. Birappa, who recognises his sister, fell into her lap. From that day, Mahankhali started taking care of Birappa.

When Birappa became twelve years old, he started learning the Vedas. He once fought with the children of King Veerabhujala Rayudu, and with fear, he went to a pond and hid there as a golden linga. Mahankhali comes in search of

her brother and cannot find him. She sits beside the pond and weeps. Hearing Birappa emerge from the pond, she shares his fear with her sister. Mahankhali, listening to her brother's decision, says she will fight with Veerabhujala Rayudu, but Birappa denies and says he will go for herding the herd. Mahankhali, who cannot deny her brother's wish, agrees and warns him about the rules of herding. The person who goes for herding as a nomad should not wear clothes washed by washermen, should not cut hair, should not sleep in the shelter, and should not have intercourse at the time of herding. Boganna (Ganesh), who is already caring for the herd in the absence of Mahankhali, helped Birappa in herding. Birappa is equivalent to ten Boganna. In due course, take good care of the herd, which will multiply in lakhs. Years passed, and Birappa gave alms to many and fed many sages with milk and curds from goats and sheep. Shiva, who was seeing all this from Kailasa, felt happy for what Birappa is doing and sad that he is not thinking of marriage (the whole purpose of his birth is to get married to the daughter of his maternal uncle so that he can teach a lesson to Nara Bhupathi's prideful nature). All three Trimurtis, Brahma, Vishnu, and Shiva, went to Birappa disguised as sages and said that they could not accept the alms given by the kid. (Proverb: baludu chesina dharmam bhagavantudu mechadu, which means the alms given by a kid/unmarried person are not pleasing to God) If they accept the alms, it is not profitable for the receivers and giver, making Birappa think of marriage. He goes back to his sister, Mahankhali, and asks her permission. When he said he wants to get married, Mahankhali feels happy and says she will call the daughters of all kings around for a match. Birappa denies the Mahankhali decision and says he wants to marry the daughter of his maternal uncle, Nara Bhupathi. Mahankhali panics and says that Nara Bhupathi is a wicked man and that he tried to kill Birappa in the womb of Surama Devi and after birth. However, stubborn Birappa does not want to change his decision, so Mahankhali accepts, makes Birappa the groom, and sends him to Nagulakonda. He came across a river (Ganga) that he could not cross, so he prayed to Ganga and poured his blood as a sacrifice. Ganga appeared and recognised him as Veerabadhra. Birappa tells his mother, Ganga, the purpose of his visit: he wants to go to Nagulakonda. Ganga suggests that he meet Yellamma (sooth) and ask about the daughters of Nara Bhupathi. He takes leave from Ganga, saying that before his wedding, they worship and offer things to her (Ganga techochavam cloth, dried coconut, vermilion, and turmeric with betel leaf and nuts). That Tuesday, Yellamma came to Ganga to take a holy bath and pray for her husband, Jamadhagni. Birappa meets Yellamma and asks a soothsayer about the daughters of Nara Bhupathi. Yellamma told him thirty-two qualities he must see before selecting a girl for marriage. Yellamma also said that she will go as a soothsayer to Nagulakonda before Birappa and tell soothsaying to the daughters of Nara Bhupathi and bring them to the kalikichindole well-constructed by their grandparents. Yellamma, as a soothsayer, goes to Nara Bhupathi's house and tells his daughters that the sins committed by his grandfather are still on them, so they are not getting good matches for the wedding. As a remedy, they should go to a well-constructed house built by their grandparents and bathe. All seven daughters of Nara Bhupathi (Nagaie, Kalavathi, Pedda Revathi, Chinna Revathi, Leelavathi, Mohanangi, Kamarathi) go to Kalikichindole well to get redeemed from

their ancestor's sins, Birappa, who was already there in disguise as a fish and frog after observing the qualities which Yellamma told them to see in a girl before marrying. He sees Kamarathi as perfect and approaches her in a filthy disguise. Kamarathi, knowing that it is Birappa, pretends like she likes him but wants to go home to get the necessary things for marrying him. Birappa, in a trance of her love, accepts and sends her to get things from Nagulakonda. Reaching home, Kamarathi complains about Birappa to her father, Nara Bhupathi. To save his daughter, he keeps her in a tower with seven gates and seven creatures guarding the entrance. Birappa, waiting for Kamarathi with his magical power, sees what is happening at Nara Bhupathi's house. He wept for trusting Kamarathi so unquestioningly. He cannot return to his sister, Mahankhali, who may taunt him, so he prays to Lord Shiva for help. When Siva appears, he asks which disguise to use so that Kamarathi will believe him and come out of the tower. With the help of Shiva, he takes the look of a magician and approaches Nara Bhupathi. He gets impressed with his magic skills and offers him a wish. Birappa, who was waiting for the time and in his heart thinks that they anyway will not come for the wedding go he decided to take all customary deeds from them, he demands both Nara Bhupathi and his wife Kamalachi devi have to carry the palanquin in which he sits and all six daughters has to give sacred fire and Sukracharudu brother of Kamarathi to carry Birappa slipper on his head. With the fear, they do everything he asks for, and finally, he gets a pigeon egg from his maternal uncle's daughters. He goes to an old lady called Mudda Mallamma and gets rats, sugarcane, fodder, food made of crushed corn (Jonna gatka), jaggery, and sugar. Birappa goes to the tower where Kamarathi is. At the first entrance, two cats were guarding the gate, so he fed them poisoned rats, and they died. At the second gate are two lions, so he feeds them the dead cats so they die. On the third gate, the white elephant, he kills it by feeding it poisonous sugarcane. On the fourth gate, guarded by two bears, he feeds them poisonous food made with corn, and they die. At the fifth gate, elephant-sized ants are fed poisonous jaggery and killed. A poisonous pigeon egg killed a six-headed snake at the sixth gate. Finally, at the seventh gate, it was guarded by fire, so he took the form of fire and jumped into it with his ferocious anger; fire turned into ashes. He gets Kamarathi and takes her to his place to marry. It was Tuesday, so he went directly to his herding place. He tells Boganna to ask Mahankhali to tell him that he got Kmarathi and will marry her. Friday is like preparing him as a groom (surya pellikoduku), Saturday is a holy bath in water (Ganga snanam), and Sunday is the wedding. However, Boganna forgets to inform Mahankhali. All Gods and Goddesses attend Birappa's wedding, and Nara Bhupathi sends some wrestlers to bring back Kamarathi or at least disturb the wedding. Wrestlers who learned that all gods and goddesses were at the wedding decided to steal and harm the herd. Knowing this, Birappa tells Shiva to make the marriage of Kamarathi with his sword and goes to save the herd. After killing the wrestlers, he returned but could not see his sister Mahankhali, so he wept because of her absence. Brahma and Vishnu go to call Mahankhali for Birappa's wedding. However, Mahankhali feels upset that his brother did not call her for the wedding later. When Brahma explained Birappa's heroic deed to save the herd and the fact that Kamarathi got married with a sword to her, Mahankhali forgives his brother and attends his wedding.

After the marriage, Birappa goes for shepherding, and Mahankhali teaches Kamarathi how to make buttermilk and butter. When Birappa returns home, Kamarathi complains about Mahankhali, hearing that Mahankhali feels sad and goes out of the house searching for Birappa, and Birappa and Kamarathi go. Mahankhali, under the Kanchala Banyan tree, becomes the idol Birappa and Kamarathi. After seeing Mahankhali, they too become idols.

Birappa as Pastoral Deity and Legal Archetype

The narrative of Birappa powerfully depicts Bronisław Malinowski's concept of law as existing in myth, ritual, and everyday life, apart from official governmental institutions. The people hold Birappa in high esteem since he was born during a time of conflict with a tyrannical ruler and was shaped by divine influence. A spiritual leader and protector of the flock, Birappa takes on this role. His life is structured around the taboos and regulations of the pastoral society, which include not touching anything that has been washed, not cutting his hair, not engaging in sexual interactions, and not resting in a shelter when herding. Beyond mere superstition or individual preference, these actions constitute binding moral standards essential to the herd's health and prosperity, and the herd is the community's lifeblood.

Every member of the society adheres to these customs, which function as unwritten laws backed by religious doctrine. They are essential for maintaining order and controlling the behavior of the herding group. One way in which law is articulated and imposed in non-state communities is through ritualized norms, as we have seen in the Birappa tale. Considering the social and spiritual repercussions of the breaking of these rules, it becomes clear how closely myth, ritual, law, and society are related. According to Birappa, "Law is like a living body... it has its culture, and it has its character." This is in line with Malinowski's idea.

Pastoral Norms and Social Sanctions

The Kuruma use the Birappa story as a measurement of good character or deviance from their culture it is the way that they judge someone based on their particular actions, and it is an important part in keeping them in check. Infidelity, betrayal and disrespect to the elders are stunning communal taboos in the Birappa story as much as they are personal failings. His shepherd life revealed his steadfastness in moral training and many esteem him. Contemporary leaders and community elders preach from Birappa's tale to choose the right path in life and often scold community members and herders when they are wrong about something but do not raise their voices and instead just point to the white sheep and tell them this is what happens when a shepherd is ignorant and does not follow the crowd.

In non-state societies, the law is generally codified through religion; that is, the code of law is tied to religion. This also explains his consistent statements. The myth of Birappa is not just a myth – it is a 'living metaphor' of community spirit and social solidarity. The social isolation that comes as a result of ritual penalties—far more than a ban on participating in religious ceremonies, group prayer makes for a potent deterrent on its own. By such exclusion an individual's social standing is endangered and his spiritual tie to the community broken, stressing once more the role of the ceremony in enforcement of the law. This technique is

what Malinowski derived from his study of the Trobriand Islands, where informal sanctions (gossip, social ostracizing, etc.) maintain social harmony. It is evident from the story of Birappa that the social control structure of the Kuruma community revolves around myth and ritual.

Narrative as Regulatory Mechanism

Birappa's life narrative begins with his miraculous supernatural birth, goes on to describe his faithful submission to pastoral discipline, and ends with his defiant revolt against despotic royal authority. And this tangling of events creates a strong community ruleset. At a fundamental level, it is more than the content of a story; it is the way in which social life is managed, decisions are made. To maintain and pass on these oral traditions, elders of the community, and ritual specialists, in particular, the *Oggu* performers, often invoke significant events in Birappa's life at village meetings, rituals for conflict resolution and ceremonies. All of these traditional roles of gender, family, marriage and self are reinforced by the references given.

The legend of Birappa is not just a myth but a legal tale rooted deep in the village psyche. The narrative "provides clear guidance in moral quandaries and disagreements, and promotes communal life," enabling people to work out their differences and stay together, as a town and in common worship. Here's the concept of "living law," as Bronislaw Malinowski put it, in operation. In this model, the system of law is not created or administered by a formal body, but is ever-present law that governs behavior, ritual practice, and myth alike. Belief is here intertwined with action within a common culture where, as Birappa's story indicates, myth fuses with law. This amalgamation influences the community's way of thinking and its decision-making.

Performance and Legal Pluralism

Oral traditions such as the Birappa narrative are an important means of conserving aboriginal legal notions in situations where traditional practices coexist with formal legal institutions. Not just story-telling, the *Oggu Katha* performances are also a public space for debate and discussion on justice, social order and morality. Community norms are supported and contradicted in these performances, providing a context-laden model for conflict and for behavior. State law rubs up against indigenous-community based, customary law within a single country. This is a case of legal pluralism as described by Merry (1988)^[7].

For pastoral communities like those to which Birappa belonged, the story of Birappa is telling in how it reveals the interaction between the oral traditions and legal practice and testifies to the close relationship between cultural memory and legal authority. The narrative is a synthesis of commonplace reason and of heavenly assistance: it supports what is current and antique. Customary law does not exist on the fringes; rather, it competes and even contradicts state law. This tension ensures realism in the government's response to the concerns and needs of the community. The *Oggu Katha* is folk law that represent and regulate pastoral life by evoking communal identity, historical background and ritual traditions which underpin social justice and equity.

Conclusion

This study has brought into focus the disabling role oral traditions play in the Kuruma pastoral community of Telangana in performing, preserving and contesting customary law, with special reference to the Birappa tale in *Oggu Katha* enactments. Designed from Malinowski's theory of the social and anthropological functional roles of law, the study reveals that beyond the domains of predefined legal institutions, law functions as an embodiment of practice married with myth, ritual, and community living. As folklore, Birappa's tale serves as a documentary script for social control by ritual performance and communal sanction of moral norms, social values and sanctioning system. This article shows how an indigenous legal system complements rather than competes with a state legal system, thereby indicating the pluralist nature of the legal order and disrupting the notion that law is reserved for the state. This article contributes to conceptualizations of law as culturally embedded and engages with the complex nexus of narrative, ritual and governance by mobilizing *Oggu Katha* as a performing art and site of public moral debate. With its focus on the oral tradition of a pastoral society in relation to the promotion of social control, the attribution of authority and identity formation, this study makes a final, if modest, contribution to broader anthropological and legal literature. It offers crucial understanding of the diversity and intricacy of law beyond institutionalized forms.

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