



*Reb gong sa khul gyi stong 'jal ba'i yul khrims kyi lo rgyus
'pho 'gyur*
(Penalties for breaking regional rules in Rebkong)

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There are many local rules in Rebkong. However, this present study is concerned specifically with *stong 'jal* (penalties for breaking rules) before and immediately after the Liberation with reference to historical cases.

1. Historical Background

Before the Liberation, Rebkong was under the rule of a feudal system, with an administrative structure embracing Tongpon, Nangso, Gyapon and Cukpon. This structure employed a combination of religious and civil law, to rule twelve tribes in Rebkong. Many regional rules were promulgated in accordance with various conflicts (*gyod gzhi*). Additionally, the present study will introduce the social situation after the Liberation and laws on regional autonomy.

2. Analyses of penalties with reference to historical cases

There are three kinds of penalties for breaking rules: *gshin stong*, punishments for homicide; *gson stong*, fines for harming others; *mo stong*, fines for breaking marriage agreement.

1. Punishments for homicide vary according to the circumstances of the crime: whether the killing was intentional or not, whether the victim was from inside or outside one's tribe, whether the victim was from the Rebkong area, and whether the crime was perpetrated between individuals or groups. Sentences also vary according to the social status of the victim: whether the deceased was a man or a woman, a monk or a leader (*bla dpon*) or an ordinary person, a child, an adult or an elderly person.
2. In cases of bodily harm not involving homicide the offender was required to pay a fine, called (*gson stong*). The amount of the fine varies according to the severity of the

injury, and whether the action was intentional or accidental. Furthermore, a person who raised his knife toward another would be required to pay a fine, commonly known as *rmas pa khrag gi zhal lce*.

3. The so-called *mo stong* refers to a fine which was paid by a woman for changing her spouse. This fine includes payment of beer (*chang*) and a *kha btags*. When a woman or her family broke a marriage agreement, it might happen that the abandoned husband would cut her hair or nose, or tear her mouth, but such measures could often be forestalled if the payment of *chang* and the *kha btags* were made to the spouse in advance with an apology.

The present study - based on the sources, historical documents and the present situation - analyses penalties for breaking local rules in Rebkong. Moreover, based on an examination of historical Tibetan laws, the laws practised in Tibetan areas after the liberation, as well as the findings of other scholars in this area, this paper will analyse the influence of written law on local law, and local people's attitudes towards local rules and the laws of regional autonomy.