

**DENOTIFIED COMMUNITIES: COLONIAL AND POSTCOLONIAL
CONSTRUCTIONS**

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CERTIFICATE

This is to certify that the dissertation entitled “**Denotified Communities: Colonial and Postcolonial Constructions**”, submitted by **RAHUL KAMBLE**, in partial fulfillment of the requirement for the award of the degree of **Master of Philosophy** of the University, to the best of my knowledge an original work and may be placed before the examiners for evaluation.

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Though utmost care has been taken to make this work error free, however I am solely *responsible for any mistake that may occur*.

Rahul

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Introduction

Post-colonial studies, especially Said's (1995) work, has accelerated the study of colonial discourse... blossomed into a garden where the marginal can speak and be spoken, even spoken for. It is an important part of the discipline now (Spivak 1993, P. 56). Said's (1995) work has extended Foucault's paradigmatic account of the alliance between power and knowledge to colonial conditions. As Foucault explores the contiguity of power and knowledge in order to explicate the ways in which the knowledge transforms power, changing it from a monolithic apparatus accumulated within the state into a web-like force which is confirmed and articulated through the everyday exchanges of 'Know how' or information which animate social life (Gandhi 1998). It is in this context that this study focuses on questions of knowledge, and more specifically tries to explore and criticize the conditions under which knowledge is transformed and vitiated through the influence of power. Further, it also analyzes the colonial discourse in India, its role in developing categories, the process of indigenizing within Indian minds and its continuation in the postcolonial Indian administrative discourse.

1.1 Colonizing India

Colonization serves to subordinate other cultures and spread the idea of western space, destroying all "irrelevant values and ideas" prevalent in colonized world. The colonized are excluded from European spaces not only in physical and territorial terms, and not only in terms of rights and privileges, but even in terms of thought and values. The colonized subject is constructed in the metropolitan imaginary as the Other, and thus, the colonized is cast outside the defining bases of European civilized values. The colonized subject seems at first obscure and mysterious in its Otherness. This colonial construction of identities rests heavily on the fixity of the boundary between metropole and colony. In other words, cultural meanings are subjective and colonial development crushes other cultures and imposes austerity among them. As Said (1995) writes, "Orientalism as a western style for dominating, restructuring, and having authority over the Orient". Thus, one should see how the India's past was restructured, disciplined and controlled by colonial history and anthropology.

The segments of the discipline of history were also deeply embedded in the scholarly production of alterity, and also led in the legitimization of colonial rule. For example, when Britishers arrived in India and found no historiography they could use, the British administrators wrote their own “Indian history” to sustain and further the interests of colonial rule. The British creation of Indian history, however, like the formation of the colonial state, could be achieved only by imposing European colonial logics and models on Indian reality. India’s past was thus annexed and restructured so as to become merely a portion of British history or rather; British scholars and administrators created an Indian history and exported it to India. The historiography supported the Raj and in turn made the past inaccessible to Indians to write their own history. The reality of India and Indians was thus supplanted by a powerful representation that posed them as ‘other’ to Europe, a primitive stage in the teleology of civilization.

In the case of anthropology, it represented non-European subjects and cultures as *underdeveloped versions of Europeans and their civilization as the signs of primitiveness that represented stages on the road to European civilization.* The anthropological presentation on non-European ‘others’ within the evolutionary theory of civilization served to confirm and validate the eminent position of Europeans and thereby legitimatizing the colonialist projects as a whole.

By taking these two examples into account, one can take Dirks (2004) argument, “*Colonial governmentality was not merely dependent on knowledge, but also embedded in the forms of knowledge that provided the basis for the principle practices of the colonial state*”. Taking the above into consideration, colonialism is conceptualized as, *combining cultural difference with a-symmetry of power and, most obviously, achieved its pragmatic expression in the Age of Empire, between the late eighteenth and mid-twentieth centuries, when the military, economic and scientific domination of western over non-western societies reached extraordinary levels and was buttressed by self-conscious ideologies of racial ‘difference’ (Washbrook 2004).*

1.2 Restructuring Colonial India

In the eighteenth century, as Britishers extended their rule over India, they were confronted with the problem of governing and justifying their rule over the

Indian sub-continent. They had to seek out means of how to make Britain's rule legitimate and that was possible only through just governance, as argued by Edmund Burke and other leaders (Metcalf 2005). The question confronting them was how to secure such governance, and what principles might give the English a claim upon such legitimacy?

In the initial phase, the Britishers had to devise a vision about India's past and future. There was, hence, a rapid acquisition of knowledge of classical languages of India by a few British officials. For administrative purposes there was a need for the knowledge of the structure of Indian society, and thus the intensification of the Indian society began to develop rapidly from 1760 onwards. They were convinced that the texts were indeed authentic guide to perceive Indian culture and society. This acceptance of the textual view led them to conceive India as being static, timeless and spaceless. Methodologically, it relied heavily on translation and commentary, setting those texts up as sources of knowledge and tradition, much as, during the age of renaissance, classical texts were discovered and restructured.

Politically, it supported a conservative relativism that was partly a reaction to the French revolution: respect for (textual) tradition nourished a sometimes feudalist and paternalist respect for the uniqueness of cultures and their past (Metcalf 2005). This was quite important as it led to the supply for creating theoretical structures which dominated and directed the constructions of the ethnologies of India. It also led to comprehending India within the notion of 'Oriental despotism', which further carried a connotation that Asian countries had no laws or property, and hence its people have no rights. This was a kind of indirect rule to justify their rule over India, as Partha Chatterjee (1994, cited in Dirks 2004) argues, by calling this process the "colonial difference", referring thereby to the historical fact that colonialism could justify itself if under the regime of universal history it encountered the limit of alterity, the social fact that India must always be ruled because it could never be folded into a universal narrative of progress, modernity, and ultimately Europe. This sustained and strengthened their rule over India. In other words explained by Dirks (2004) "Colonial Knowledge both enabled conquest and was produced by it; in certain ways, knowledge was what colonialism was all about".

The early orientalists paid much attention to textual knowledge, giving birth to a discipline of Indology. The formative phase of Orientalism outlived the early Indologists but the configurations of knowledge did not. Sanskrit texts were no longer used; instead they came into a heavy criticism of making and keeping India uncivilized, static with no historical change, no good governance and no moral obligations from missionaries as well as British officers. This made Britishers to introduce major policy questions like land revenue settlements, educational and administrative policies. In late eighteenth century the British rule increasingly made their power visible, beyond text and started applying their ideas, through gradual extension of “officializing” procedures that established and extended their capacity in many areas. They took control by defining and classifying space, bifurcating public and private spheres, recording transactions such as the sale of property, by counting and classifying their populations, replacing religious institutions as the registrar of birth, marriages, and death, and standardizing languages and scripts (Cohn 2002 and Dirks 2004). The British rule licensed some activities as legitimate and suppressed other as immoral or unlawful.

With the growth of public education and its rituals, it fastened official beliefs in how things are and how they ought to be. The Britishers consciously made education as a tool to create to form a class who may be interpreters between Britishers and the millions who they governed, a class of people who are Indian in blood and colour, but English in taste, in opinions, words and intellect (Metcalf 2005). Finally, nation states came to be seen as the natural embodiments of history, territory and society.

Colonial knowledge played a significant role in reconstructing, reconceptualizing and transforming what was traditional and by creating new categories like ‘tribes’ and ‘criminal tribes’ and oppositions like Modern and Traditional, European and Asian and East and West (Cohn 2002, Metcalf 2005 and Dirks 2004). The reason for creating this binary opposite was in the perception of Britishers; they figured Indians as inert objects in texts (Cohn 2002). As Indians were separated from the orientalist knower, the Indian as object, as well as its representation was constructed to be outside and opposite of self (Britishers); thus, both the self and the other, the rational and materialist British, and the emotional and

spiritual Indian, appeared as autonomous, ontological and essential entities (Inden 1986). This was because, the orientalist textual and other institutional practices created the spiritual and sensuous Indian as an opposite of the materialistic and rational British.

Thus, Dirks (2004) argues, colonialism was not just the result of power of *superior arms, military organization, political power, or economic wealth* as important these things were, but it was made possible, sustained and strengthened, by cultural technologies of rule as it was by the more obvious and brutal modes of conquest that *first established power on foreign shores*.

Colonialism is seen as a process, in which the goal was achieved by *manipulating, changing and re-transforming what was old and traditional into a new order, which made things, like caste manageable within the framework of dominant discourse and by the dominant powers*. It creates asymmetries in power between the *colonizer and the colonized and the cultural dissonance which is further associated with epistemic ‘violence’ or ‘rupture’* (Washbrook 2004). Edward Said (1995) sees this process through with which the Orient was “Orientalized”. According to him, *Orientalism was responsible for generating authoritative and essentializing statements about the orient and characterized by a mutually supporting relationship between power and knowledge* (cited in Prakash 1990).

By keeping this in mind, the dissertation will analyze the various forms of colonial knowledge fabricating India by concentrating on three key elements, which gives colonial knowledge its coherent status. First, its authoritative status in terms of *defining India’s past, transforming and controlling it*; second its the internalization and acceptance of colonial knowledge, i.e., the European theories; third construction of the orient in terms of sensation in knowledge and creating new categories and forms.

These three elements will further provide an insight to describe the ways and *the context in which the colonial knowledge has survived and changed, how far the British rule fundamentally alter the structure of Indian society or did it just build on the top of pre-existing structures and served to sustain established elites, the nexus*

between the Indian elites and the growth of colonial knowledge in India, and its implications on the marginalized sections like 'tribes' and denotified communities.

Objectives of the Study

1. Critically explore the development of colonial knowledge and the process of *internalization in India*.
2. The role of colonial knowledge, like ethnology and its implication in terms of *constructing new categories, like 'tribes' and 'criminal tribes'*.
3. To look at the way the colonial anthropologists have perceived and studied *'tribes' and 'criminal tribes'*.
4. To analyze the role of caste system in making and institutionalizing the category, *'criminal tribes'*.
5. To examine the change of social status of the criminal communities before and *after the passing of criminal tribes act*.
6. To examine the nexus between Indian elites and the growth colonial *knowledge in India*.
7. To critically examine how *'tribes' and 'criminal tribes'* are conceptualized in *post-colonial India*.

The dissertation is divided into five chapters. The first chapter introduces the work and the last chapter concludes and spells out the findings. The other three are main chapters.

The chapter "Constructing Colonial India" describes the growth and establishment of colonial knowledge in India. It describes colonial knowledge, by breaking it into three phases. The first phase is the Formative Phase, the second is the Constructive Phase and the third is the Methodological Phase. The chapter stresses more on the

colonial scientific tools applied in restructuring and systematizing India and also simultaneously observes the role of Indian elites in building colonial knowledge. This further shows that Britishers were not solely responsible in categorizing Indian population. At the last it provides a brief sketch of how colonial knowledge which was developed through scientific tools like ethnography, anthropology, philology etc, got indigenized in India.

The next chapter “Imagining Tribes”, analyses the role of colonial knowledge in creating and establishing the category ‘tribe’ in colonial India. It also makes an attempt in how tribes were conceptualized and studied during the colonial period and its continuum in postcolonial administrative discourse in India. It also establishes that the category ‘tribe’ is a colonial construct, by reviewing postcolonial literature.

The following chapter is on ^{“Constructing} Denotified Communities: Colonial ^{to} Postcolonial. This chapter argues that apart from ‘tribes’ there was another category created by the Britishers, ‘criminal tribes’. It argues that these communities were not tribes but a distinct category. It shows the process of how colonial knowledge and its projects were employed in creating this category, with the consensus of Indian elites. As this category is not homogeneous, it describes the process of how different communities were labeled as ‘criminal tribes’.

Methodology

Methodology is the procedural aspect of how to proceed in a given research in terms of methods and techniques to be employed.

This study is essentially descriptive in nature, based on a survey of various studies already made by sociologists, social anthropologists and historians. This study is definitely not conclusive in nature. There has been an attempt to bring together various studies made on these communities and develop a coherent picture of the whole situation.

Constructing Colonial India

One should see the growth and development of colonial knowledge as a *process, its genesis, its importance and what constituted colonial knowledge and the ideologies prevalent in fertilizing colonial knowledge*. To understand and describe the process more clearly, it is better to divide it into phases, say between 17th to 18th century as the *Formative period*, 18th to 19th century as the *Constructive period* and *Analytical period* from 19th century till independence.

2.1 Formative Period

The formative period, is known for the textually and philologically trained ‘Orientalists’. In this period India was essentialized as a land of ‘village republics’ and more stress on learning religious texts and languages.

British started their rule with preconceived notions which included how a *society should be structured, surrounded by its societal values, the rule of law and right to property and above all defining civilized people (Metcalf 2005)*. These notions or ideas which were in the minds of the Britishers were a product of an *Episteme, a form of knowing and thinking, that they are superior and whereas Indian land is fundamentally different, the ‘Oriental’ society (Inden 1986)*. Understanding ‘Other’ societies as ‘Orients’ was an artificial construct, that reality transcends the *knower and the knowledge of the knower is not a natural representation of an external reality, but an artificial construct which precedes in actively participating in producing and transforming the world. It produces hierarchical relationship between the knower and the known, and enhances their ability of the former by changing and subjugating the knowledge’s of the people who comprise the later (Inden 1986)*. This thinking led the Britishers to find out India’s societal institutions and till what degree it should be *altered or extended to suit the European culture*. For making this possible they started laying out ordering principles on Indian subjects.

As Cohn (2004, p 4) states, “there was a consensus that Indian society can be *governed, known and represented as a series of facts. And the matter of fact is that the administrative power stemmed from the efficient use of these facts. They believed*

that Indian society can be knowable in an empirical fashion, not only the territory, institutions but also, its epistemological space. This can be made possible through translation and establishing correspondence with the Indians”.

One way was to get acquaintance with the local language. It was considered important in issuing commands, tax-collection, knowing their past through texts, societal institutions and also other forms of knowledge. The learning of language and translation of texts enabled them to modify, codify and translate in their own language and perception (Cohn 2004).

2.1.1 Writings on India

In 1770s, Alexander Dow wrote the *History of Hindoostan*. As the Britishers indulged themselves in to the writings on India’s past, few assumptions were also being made about Indians. For instance, the Hindus as a people who ‘had been in possession of laws which continued unchanged from the remotest antiquity’, the country’s structure is very much intact and hence in order to govern this particular country the Britishers had to take these ancient laws which were based in text into consideration. Hence learning the language of these ancient scripts beforehand is a must. These texts were seen as the hub of all the customs of Indians. As Warren Hasting, the Governor-General of India writes “We have endeavored to adapt our regulations to the manners and understanding of the people, and the exigencies of country, adhering as closely as we are able to their ancient texts and institutions” (cited in Metcalf 2005). As this knowledge which the Britishers tried to control was to be instrumental through which they were to issue commands and collect ever increasing amount of information. This information was needed to create or locate cheap and effective means to assess and collect taxes, and maintain law and order; and served as a way to identify and classify groups within Indian society who could be made to see that they had an interest in the maintenance of the British rule.

This created a need to study the ancient Indian’s learning and languages for practical as well as scholarly work. It was in this context, the Asiatic Society of Bengal founded in 1784, with William Jones as its first president and under the patronage of Hasting. This establishment shaped number of translation of texts and other scholarly activities in the 18th century. The study of Indian languages was done

not only for political advantage but also to develop in ideology that languages as a separate, autonomous object in the world which could be further classified, arranged and deployed as media of exchanges (Cohn 2004). The scholarship was largely based on Indological discourse largely descended from empiricism and utilitarianism, to a curious and contradictory mixture of societalism, in which Indian actions are attributed to social groups- caste, religion, linguistic region and joint family. In order to govern these social groups one needs to have control over the language and the texts. This process gained momentum during the later eighteenth century, as the British secured greater knowledge of India and its languages.

This thinking is criticized by Cohn (1987) “in the seventeenth century, Europeans lived in a world of signs and correspondences, whereas Indians lived in a world of substance. The meaning and the premise on which the Indians constructed actions were different than those of British. They generally operated on an idea that everything and everyone had a price which further made a generalization that all are established in terms of a market determined price and this perception failed them to understand that all objects like clothes, jewels, animals and arms are culturally constructed systems by which authority and social relations were literally constituted and transmitted”. This had several consequences as it disrupted the Indian social and political institutions and further depicted that Indian thoughts were based on inherently symbolical, irrational and mythical rather than rational and logical further labeling as being despotic. Another is the translation of languages and interpretation of texts was not ‘literal’ because, as Cohn (2004) opines “meaning for the English was something attributed to a word, a phrase, or an object, which could be determined and translated, at the best with a synonym. However, that was not the case with Indians, meaning was not constructed in the same fashion, as for Britishers. For example a Brahman chant in Sanskrit did not entail meaning in the European sense; it was to have one’s substance literally affected by the sound and when a Mughal ruler issued a *farman* or *parvana*, it was more than an order or an entitlement”.

In this formative period, Britishers saw the significance of language as an *effective medium for systematic rule in India*. Many British officers started to learn Indian languages and writing discursive texts and producing it in a systematic way like grammars, dictionaries, treatise, pedagogical texts and translations about ancient

texts and from the languages of India, in collaboration with experts who have an authority over them, which were all Brahmins, picked out sentence by sentence from various originals in Sanskrit languages. This led the Britishers to view Brahmins having a supreme authority over knowledge and considering them as a principal group in the Indian society. The best example would be N.B Halhed published work 'A Code of Gentoo Laws', subtitled, The Ordination of the Pundits (1776). This work was first translated in Persian and then in English. This book gave an idea of the customs and manners of the people. It provided materials for the legal accomplishment of a new system of government in Bengal. For Britishers learning Sanskrit was important because of two reasons; one was scholarly inquisitiveness about the ancient knowledge and second immediate practical necessity for better governance of Bengal.

By studying ancient texts Britishers assumed that there were fixed bodies of prescriptive knowledge in India, one for Hindus and one for Muslims and the closest was to know them was to gain acquaintance with the texts (Metcalf 2005). This assumption gave rise to a further assumption that Indians should be governed by Indian principles, particularly in relation to law, made possible by gaining access to ancient texts and institutions through experts like Brahmins. These texts like Halhed's, were to be complete digest for the Hindu and the Muslim law, which could be enforced in the company's courts, and would preserve 'inviolable' the rights of the Indian people (Metcalf 2005). For example in civil courts, suits regarding inheritance, marriage, caste and other religious usages and institutions, the laws of Koran with respect to Muslims and the Shastras with respect to the Gentoos shall be invariably adhered.

This had an adverse effect on Indians as they came to be bracketed or divided in terms of Hindi and Urdu and languages came to be associated with communal identities – like Hindi for Hindu, Urdu for Muslims. This discursive formation participated in a large way for creating and rectifying social groups with their varied interests. This established and regularized a discourse of differentiation that came to mark the social and political map of the nineteenth century India. This further created an epistemological space and a discourse, Orientalism, which had an effect of converting Indian forms of knowledge into European objects (Cohn 2004). Another

thing is the knowledge created on government premises was for government use and the translation of the code was intended as a tool of law enforcement and also for advertising the Indian culture in the home administration.

2.1.2 Altering British Structures

The idea of India as a country somehow lost in time nevertheless remained and this had profound effects on the fundamental structures of Raj. Britishers main effort in this period was to justify its rule in India. They had to set place governing principles that would justify their presence and governance in India. And another thing was to decide whether to place East India Company, as a body to be involved in governance and trade. The principles which Britishers put together as a set of governing were most drawn from their own society, which included the security of private property, the rule of law and the idea of 'Improvement'.

In 1757, the role of East India Company was minimized and transformed by changing the job patterns of its servants and traders into magistratès and judges. As it was seen as a barrier in the direct rule and further it was abolished. As a result, the company's supervisory body came into direct contact with the Indian population as day-to-day administrators.

This was one of the foundation steps for their rule. Further to justify, it was felt necessary not only to discipline the British agents in India but also to reorder their activities. It was argued that England should construct a colonial enterprise by constructing a government in the interest of Indian people. This was done by considering Burke's view, by refraining themselves from destructing ancient establishment and adopting new projects such as implementing Right to Property and Rule of Law (Metcalf 2005).

In Right to Property, the Britishers conceived that India possessed an ancient aristocracy, i.e., the land or estate, as it is always pass from one generation to another. The land owner, *zamindar* was a proprietor and performed various activities like collecting tax revenue from peasants, regulating the land holdings, maintaining order and justice. The *zamindars* did not have entitlement over the land but possessed customary rights to their dues. Technically they remained only intermediaries

between villagers and the government for collecting taxes. The Britishers preserved this idea as an ancient institution of the country by awarding proprietary rights to the *zamindars*. They thought as this is the way Indian political order is situated and they made it more institutionalized and gave a legal form, later focusing the regulations of land revenue, etc. Consequently, lead to a conception of proper ordering of the Indian society. This was in fact guided by the ideal of improvement. In the end the idea of permanent settlement in Bengal was a failure and was not repudiated. But the idea of private property and improvement which defined it remained central to the Raj till the nineteenth century.

In 1793, the company's structure totally changed. The Company's servants were no longer allowed to trade. The district collector assigned to collect public dues, act as magisterial authority, and control of police and to secure property and order. Despite of these reforms the government still dependent on the Brahmins especially in collecting revenues, in courts and in administrating justice. But this scenario was changed when Jones arrived in Calcutta. He was frustrated in having dependence on Brahmins, as there were instances of defective translations of Hindu law books. Once he said to his subordinate 'I can no longer bear to be at the mercy of our pundits, who deal out Hindu law as they please... and we can no longer be sure that we have not been deceived by them' (as cited in Metcalf 2005). Jones and others also believed that in India historically there are fixed body of knowledge like codes and law, which had been corrupted by interpretations and commentaries and this knowledge, as was held presently by Brahmins and Maulavies, which were contemporary referred to as Indian lawyers, seems to monopolize it and using it for their benefit. This made him to learn Sanskrit and then compile it from the best available sources a digest of Hindu and Muslim laws, which could be further translated into English. As they believed the Hindu and the Muslim law which was located in the texts there should be a body of knowledge which could be specific, set into hierarchies of knowledge, linearly ordered from the most 'Sacred' or compelling to the less powerful. This created a stereotyped sense of Indian 'difference', in the British imagination and helped in shaping an enduring ideology that marked out Indians as fit only to be colonial subjects.

This period also allows analyzing the articulation of colonial knowledge in the

making of colonial government. Eradicating East India Company and make the officials to exercise direct administrative control, the production of orientalist knowledge served as a foundation for Indological scholarship and government policies, and further institutionalizing it in the form of Asiatic Society of Bengal. This represents an intimate relationship between political and intellectual concerns of the period.

Further the growth of Romanticism in Europe brought to India a new kind of sensibility that enhanced the appeal of a more personal style of rule (Metcalf 2005). This made the district collector the central figure of the British administration and came to embody the British vision of proper Indian governance. This led to an understanding that for good governance, knowledge about India should go beyond learning language and ancient text and more concentrate on its people. Hence, from 1800 onwards many detailed surveys started to come up to define Indian land and its people and further collected in lists and in other statistical ways.

2.2 Constructive period

In the formative period the colonial knowledge was confined in studying ancient texts with the help of the Brahmins but Hindu religion was further held responsible by the Britishers for the lack of civilization, by keeping the caste system in mind, and this was the period when Eurocentric ideas were applied in India like revision on policies on tribes, establishing criminal tribes act. In the eighteenth century these ideas were further professionalized as linguistic, ethnographical, archaeological and census surveys and district gazetteers. In this period more attention was paid to topics like caste, customs, tribes, religious and cultural practices, linguistic diversity, agriculture, revenue, rent, population, etc. Among these, 'caste' came to be the central point in studying India (Cohn 2004, 1987, Metcalf 2005, Dirks 2004).

In the eighteenth century, the British administration was based more on direct contact with the Indian subjects like direct observation and measurements, rather than depending on the ancient texts, this was a part of the larger positivist enterprise which sought empirically verifiable information about all societies. The strategies which were devised by the British were always made to justify their principle of rule in India and this was implemented through administrative practices. In addition the ordering

and classification was done in accordance with scientific systems of knowing. It was also part of the larger Enlightenment endeavor, by observation and studies about the world outside the European landmass.

The systems devised by the Britishers were philology and ethnology, anthropology, census etc, as these were familiar to them. The Britishers saw the Indian population in groups rather than individuals and hence categories were built up to denote India's differences in terms of caste, criminal communities, and tribe. And before ordering people, they must be studied in detailed and thus the colonial projects started.

2.2.1 Ethnographic project

The Britishers started to describe its subjects in India through a variety of classificatory systems. For instance, occupation was taken as a criterion to order the Indian society. The Britishers saw a link between caste and occupation and this perception came through religious texts. The texts showed that every caste is predefined with an occupation and this occupational role has to be played for sustaining the society. In order to play safe and not to disrupt the stability ethnographic studies on various communities was needed and was initiated.

Among the colonial ethnographers cum administrators, Colin Mackenzie is said to have inaugurated the scientific understanding of India (Dirks 2004). He collected statistics on housing, health, education, family, occupation and population, with the help of the Brahmin assistance. Imperial survey and census had made 'caste' as a central object of their investigation and social classification. Caste under colonialism was taken for granted by the colonial rulers in maintaining social order, justifying colonial power, and sustaining a very particular form of indirect rule. Indirect rule, according to Dirks (2004), are those mechanisms that were used to buttress and to displace colonial authority. In the 18th century, these were linked to the modes of property, agrarian relations and revenue collections (Ibid). There were heavy attempts to have a detailed compilation of empirical data on British India. First was done in occasional manuals of local district and then in gazetteers and statistical surveys. District level gazetteers began to write whole chapters to the ethnography of caste and customs. By the time of the first decennial census of 1871, caste had become primary

subjects of social classification and knowledge (Cohn 1987). Village was also continued to be seen as the dominant site of Indian social life but it was understood as a setting of caste relations than the primary building block of Indian society (Metcalf 2005). At that point of time, the British government was more concerned about the process of getting a uniform knowledge of India and for this purpose William Hunter was appointed as the director of general statistics in 1869 by the then government of India. He was in charge of supervising a series of manuals and gazetteers, which was done for systematizing the official colonial knowledge. In these manual and gazetteers an *ethnographic chapter* was dedicated in which castes and tribes were listed and described; under the heading of “Marriage and Customs” (Dirks 2004).

After 1875, the Indian mutiny had an impact on the ethnographic project and its objectives were changed. Initially, before the rebellion of 1857, the writings on India was started to know the Indian languages and ancient texts, so that they could rule India better and they did not took caste very seriously as they did not want to disturb the prevailing social institutions. But after the rebellion, the Britishers started to mark out some communities as loyal communities. These loyal communities consisted of so-called lower castes and other castes which were further labeled as *Martial races*, for example the Mahars. They were also recruited in the British India army. This concept of Martial races was translated into a state policy. To assess the loyalty of these communities appropriate knowledge of these communities and their cultures was very much needed and hence for this purpose, anthropology was used as a principle colonial modality of knowledge and rule (Pels 1997, Raheja 1996, Dirks 2004). Anthropology gained impetus from this period. As gradually the institutional provenance of caste expanded, affecting the recruitment of soldiers into army, there was an implementation of legal codes according to caste lines, the criminalization of entire caste for local policing and the assessment of the political implications of different colonial policies in the local administration in terms of caste (Dirks 2004). For fulfilling these particular purposes a detailed account of empirical data had to be collected. Hence, after 1857 various ethnographic accounts had specific chapter on each caste and its customs in the district level manuals and the gazetteers. There was a feeling among the Britishers that India can be ruled by using anthropological knowledge, first by understanding them and then by controlling them.

The ethnographies which were written in this period were mostly explanatory and interpretative accounts of the Indian population. These accounts had an influence on the Indian population as well as on the Britishers, as Inden (1986, pp 414-415) states, “these explanatory texts which presuppose the existence of all single, fixed, external reality, analogize a society, nation, all civilization to an organism and see its particular configuration of thoughts and institutions as the outgrowth of adaptation to a given environment or as the development or unfolding of an essence consisting of fixed, defining attributes... the Indologist while going through the passages of his text make the thought and practices of the ancient Indian to be alien and different from the western mind and he takes the credit for providing the orderly façade for the Indian practices. Here the scientific theorist... the physical anthropologist, the racial historian, historical materialism, comparative mythologist, social psychologist, historian of religion, structural-functional anthropologist—truly comes in to his own”. These accounts further go in theorization, explanation or interpretation, and are termed hegemonic (Inden 1986). By the end of eighteenth century the subject matter of ethnology had become standardized by taking five separate subject on Indian people which were race or descent, language, caste, religion or sect, traditional habits and customs (Cohn 2004).

Special importance was given to caste, as all the British officers held a strong view for it for two reasons. Firstly, it secured to serve the colonial power and sustaining it in a particular way. Secondly, census on caste became a vehicle for collecting empirical knowledge of Indian people (Cohn 1987, Metcalf 2005). One of the first compilations done on caste was assembled by Reverend M. A. Sherring, who published an influential three volume entitled Hindu tribes and castes. This work provided a detailed account of various castes in India. Another colonial ethnographer cum British official, Walter Elliot, who was posted in the Madras presidency, was quite known for this ethnographic work. He writes “I will call attention to another race from all over India, a study of which will well repay the ethnologists. It is composed of certain predatory tribes who have established themselves on the hills or other places difficult to access, where they enjoy a considerable degree of independence, furnishing contingents from their retainers or where the sovereign is weak, establishing petty principalities for themselves, and levying blackmail from their more peaceable neighbors” (Metcalf 2005). From here the concept of tribe must

have emerged and the colonial ethnographers got engaged in studying these communities.

The ethnographies projected a particular discourse, a colonial discourse¹, which was more powerful than the colonial state. The attention is drawn here to the fact that frameworks of knowledge embody a political relationship, like ideas, concepts and theories, which were put in the colonial ethnography, carry meanings which have a political history. The colonial knowledge, which was projected by the *colonial ethnography no doubt it enslaved the human beliefs. It colonized the values of the local people by a variety of means including the most effective means of colonizing the imagination by imposing a colonial language, which led to an emergence of local elites, these elites were the ones which were in the higher position of the hierarchy, who acted as an translator between the Britishers and the locals especially for writing ethnographies. The educational institutes which were setup by the missionaries and the government produced these kinds of elites. The colonial knowledge took away the colonized people's right to imagination, rights to understand history in their own way, right to interpret nature from their own vantage point.*

The institutionalization of colonial knowledge was done by introducing the *British education system and the legal system. Missionaries played an important role in setting up schools and colleges, which were the channels of introducing European knowledge system in India. These students were further recruited in government offices as surveyors and record keepers in lands and property rights. This in turn needed courts of laws to settle the disputes by using the law which was imported from the British legal system. This led in minimizing or stopping the functioning of the existing local systems of laws. The state formation in British India and the projects of colonial rule legitimized the colonial system of knowledge. It shaped new terms of discourse about the Indian society and its nature by analyzing it with the discourses prevalent in Europe. The 18th century European expansion in India generated qualitatively new knowledge. Much of it served instrumental functions for capitalist, military, and administrative expansion for the Britishers. The most instrumental*

¹ In this dissertation, the term discourse is used in the sense as The term discourse is used in the sense of concepts and ideas, it means governing the conditions of knowledge

knowledge produced to sustain technologies of colonial rule; *colonial knowledge* was produced in the frame of objective science. Additions to knowledge about India were understood as scientific discoveries whose veracity was based on methodologies authorized by scientific standards of the being (Baber 2001). This is how the colonial ethnography institutionalized the colonial knowledge and gave for the emergence of another, the European governmentality (Pels 1997).

2.2.2 Colonial Information: Statistics and Census

Statistics and ethnography were the carriers of modern classifications of race, nation and ethnicity (Pels 1997). The botanists pioneered the colonial deployment of statistics. Initially statistics was used as exploring the new land, and then later used more specifically in traveling accounts and in developing and classifying new forms of knowledge through methodological predecessor of statistical questionnaires and the anthropologists' *Notes and Queries* (Pels 1997). India was defined and redefined through questionnaires based on race and caste. Taxonomy was also given emphasized and given importance in making a new 'art of government' (Pels 1997). Colonial statistics yielded more results, as the *Numbers* generated through reports where of important uses including setting of agricultural taxes, resolving land disputes and for providing political representation and policy change (Appadurai 1994). *Numbers* were used as a part of bureaucratic control and a key to the colonial imaginare in which countable abstractions, both of people and of resources, at every imaginable level and for every conceivable purpose, created the sense of controllable indigenous reality (Appadurai 1994). The idea of *Number* as an instrument of colonial control was taken along with other concepts like "landscape" and "people" (Ibid). These concepts formed an integral part of political imagination for the Britishers and the state cannot survive without these concepts as they are very much needed for social control. The role of *Numbers* while gathering information had two sides, one described as justificatory and the other as disciplinary (Appadurai). Statistics had a critical importance in formulating and enacting any major social or economic related policy. *Numbers* further gave an opportunity to compare place and people which were different and also served as a short form for capturing and appropriating otherwise recalcitrant features of the social and human landscape of India. One can see that *Numbers* became an indispensable part of bureaucratic control and discipline the colonial state.

The detailed scientific surveys initiated in the second half of the 18th century were possible due to large number of amateur scientists employed in the company (Baber 2001). These surveys played an important role in transforming the trading company into a colonial state. The knowledge produced from surveying played a major role in formation of nation-state of India (Ibid). The accumulated scientific knowledge imparted concrete shape to aid fixed territorial entity, inhabited with people who were further classified, categorized, ordered and invested with the help of new scientific discourses. This is how the information order in colonial India was framed (Bayly 2001). As argued by C. A. Bayly (2001, 293), “colonial information had two aspects, one is that it consolidated and subordinated to British interests in the information of existing communication media and the knowledgeable communities and second this information collected created new ‘epistemological communities’ and novel institutions in which knowledge was stored”. Some Indians were more significant in providing information and which was further processed in creating new knowledge. This also specifies networks of information and social power in the colonial state. These developments in the collection and diffusion of knowledge should be seen against the background of the foundation of new types of epistemological communities among the Indians. All the information which was previously collected through first hand information like noting down the speech of the ‘natives’ and religious texts were all adjusted, polished and incorporated within the domains of western sciences represented by geography, geology or medicine. This also creates an understanding that the generators of knowledge and the institutions of information collection collaborated with the discourses which they give rise to create a kind of change in favor of them (Ibid, Raheja 1996).

This information which was collected initially was collected through Indians and later deposited in a structured manner in anthropological reports, archives and in gazetteers reports.

In 1830 and 1840, most of the local officers were ordered to obtain total population of the district through revenue surveys, settlement reports and then have to crosscheck with the local Indian information collectors. The population on caste was emphasized along with agriculturalists and other occupational groups. But there were conceptual problems regarding occupational categories, like problems in defining

agriculturalists. Vague definitions were given to occupational categories and the local officers were left for defining the term (Cohn 1987). This led to more confusion in defining what caste was.

Just before the first all-India census in the 1870s, a memorandum was presented on the need of census requirements emphasizing the necessity and clarity in studying the social customs of Indians. The British Government then commissioned a number of researchers and administrators to write accounts of the customs and manners of the people. This period also coincided with the period of anthropological researches characterized by intellectual liberalism in the wake of findings of the studies of Darwin and Spencer (Metcalf 2005). This was the formative period of anthropological studies in India- the evolutionary as well as the diffusionist (Pels 1997). To do this kind of study, census was the best available tool in the hands of the Britishers. This kind of anthropological study was done mostly under Asiatic Society of Bengal which was set up by Sir William Jones and the contributions were made in the journal 'Indian Antiquary'. Anthropological investigations in the real sense began in the post-1860 era, particularly with the Indian Census entering the field.

In view of the interest taken by the British administrators in the institution of caste, the recording on the caste of individuals was necessity to keep it alive in government records, if not to exacerbate, the numerous divisions already present in Indian society (Cohn 1987). Hence, the first universal census questionnaire adopted for the census of the 1871 included separate items on 'religion' and 'caste or class', besides 'race or nationality or country of birth' (Dirks 2004). The 1871 census reports have provided short ethnographic accounts of castes and tribes and for the first time an introduction to the life of the most primitive people and ethnic groups living in isolation in inaccessible areas of the country was provided. But there were problems in defining village and drawing the boundaries of villages from town. In 1881, the question on caste was modified to read 'caste, if Hindu, sect, if of other religion' (Cohn 1987). The question on caste, in fact, received more attention in 1891, as there were attempts to get more details by providing for a separate item on the sub-division of caste or race in addition to the question on the main caste or race. In 1891, census started indexing and classifying castes, races and ethnic groups, etc., under sixty major groups. like military and agricultural castes, land-holders, cattle breeders and

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grazers, agricultural laborers, singers and dancers, traders, silver and goldsmiths, barbers, blacksmiths, carpenters and masons, tailors, weavers and dyers, washermen, fishermen, forest tribes, etc. along with the population and territorial distribution of each (Ibid).

2.2.3 Anthropological studies

For analyzing colonialism, the role of anthropology should be taken into consideration as it is a broader field of ethnographic activity which existed in the colonial period and before the boundaries of these discipline emerged (Pels 1997). Colonialism here is taken as a particular strategy in domination and exploitation of the Indian culture, societal values in understanding the Indian population. Anthropological studies conceived as one of its projects to achieve this goal. Anthropology as a project started with the need to understand customs and traditions and later established for revenue settlement and legal codes.

The classical anthropologist's in the colonial period studied the culture of the colonized holistically same as they studied their own society. They stressed more on the study of changing native and looking up on theories and building fieldwork methods which were meant to serve as instruments of governmental planning (Pels 1997). First, it helped to classify non-European population in ways that would be consistent with the European notion of progress. If one sees the role of anthropology and the method used in a particular historical context tells us that it was also a part of expansion of European power.

Christian missionaries have played an important role in the anthropology of colonialism. As to maintain colonial rule and develop relationship with the Indians, the Britishers required a language of command. For this purpose a dictionary and grammar of the Indian languages was provided by the missionaries (Cohn 2004 and Pels 1997). The studies on colonialism have shown that it is quite impossible to neglect the relationship between the missionary movement from broader processes of propagating morbidity and the development of anthropology (Pels 1997). They played an important role in professionalizing ethnology and anthropology in the British colonies. Their role was very much indirect and subtle, as they had developed the

opportunity for themselves to involve with the masses through religious teachings and conversion. This gave them a special juncture of colonial technologies of domination and self control individually; missionaries often resisted collaboration with the British officials but did support them indirectly by providing western education and converting them into Christianity (Pels 1997).

By 1860, the idea of difference was defined and India had become a laboratory of living museum (Metcalf 2005). The Indian people were defined with racial and cultural identities with caste as the most important aspect. In this period lot of literature was produced in forms of gazetteers and manuals, these were in fact the first reports to study the customs and manners of the castes and tribes. The colonial ethnographers systematically started to collect these facts, as they were needed for administrative purpose. Much of the ethnography emerged for the requirement of administration (Dirks 2004).

The importance of the anthropological study of India of this period was reflected a century later. For instance, in the 1969, the Ethnological Society of London invited specialists to map the ethnological composition of Indian regions according to the established scientific criteria of ethnology which were 'physical character', 'language', 'civilization' and 'religion' (Bayly 2001).

The ethnology presented in this environment pictured India in which race co-existed with caste. India was seen as a land of two separate racial groups which has different and distinct culture, language and racial types- the Dravidians and the Aryans. The former racial type was characterized by long headed, dark-skinned, dark-eyed men with very black hair. They speak Dravidian languages and living in their primitive conditions and are through out savages. The later were characterized by pale face, speaking languages affiliated with Sanskrit, which forms basis of all the dialects of civilized India (Bayly 2001 and Trautman 1997). This racial discourse was initiated by Jones, an orientalist scholar, who spoke about the historical significance of the shared familial roots of the Indo-European or the Indo-Aryan languages (Metcalf 2005). It is through the linguistic kinship which provided the basis to identify a legacy of the Aryan or the Indo-European migration, religion and political culture both in Europe and in Asia. In his work he tried to establish the ethnological thought about

India in terms of two races through the myth of the Aryan conquest. This idea of race was taken further by Forbes, an orientalist scholar, who opined that the Aryans are linguistically defined as 'race' or 'nation', who came from west Asia and started the principles of *varna* scheme. He emphasized and separated them from other through skin color as a marker of rank in the *varna* scheme keeping them into highest order and the dark skin Dravidians as of inferior rank (Bates 1999).

These were the early orientalist's construction on race but in the later stage of orientalism priority was given to the notion of climate, terrain and physical environment as a determinant of human character (Metcalf 2005). This stage of orientalism was rooted in the idea of Scottish Enlightenment who perceived human attainment through environmental schemes of analysis (Ibid). This environmental theme was taken by colonial anthropologists for classifying races in India and from this so-called 'civilized' and 'savages' races were distinguished on the basis of habitat (ibid). Though at that time there were various criticisms on this by Christian missionaries but it hardly had an impact. Walter Elliot, an ethnographer, had done detailed ethnographies on the basis of race, where he classifies people according to their physiology, their moral attributes, and their level of 'civilization'. Racial ethnology produced a diverse and unpredictable discourse of Indian differentness and never conceived India as static and universal caste categories, as conceived by the early ethnographers (cf. Inden 1986)). In the 19th century the notion of race was changed and it was used to distinguish and identify different Indian communities into caste and tribes.

These two categories, caste and tribe, were used in colonial anthropology in *defining and identifying* Indian communities, one was the use of photography and another use of proverbs (Metcalf 2005 and Raheja). These two were used more systematically used in the 19th century ethnographies.

2.2.3.1 Photography

Many early practitioners thought photographs reflected reality in an objective and unbiased manner. Photography seemed to conform to the methodology of science as its images were the product of direct and close, personal observation. Photographs provided eyewitness "evidence" of what was being studied; visible "facts" or "proof"

in support of anthropologists' statements. By the end of the 19th century photography was considered by *Notes & Queries on Anthropology* to be a trusted means of ensuring a veritable objectivity; and fieldworkers were advised "to devote as much time as possible to the photographic camera.

In India this view was adopted by the early pioneers of ethnographers and anthropology. The matter of fact, photography had a big role to play when it came to systematization of caste and tribes in India. As Britishers conceived different castes as representing distinct racial types and hence to make one caste identifiable and differentiate it from other castes, there was a demand of an exact image of one typical members of a particular caste with a precise characteristics of physiognomy, dress, manners and behaviour (Metcalf 2005) As different castes were conceived to have different and distinct racial character, a photograph of a typical member, with their traditional dress and clothes, from that caste or tribe was needed to identify the whole community (Dirks 2004). Hence much effort was given in search of "exact" image by photography followed with information and statistics of the community. For instance, Mackenzie's ethnographic drawings provided a typical representation of different communities, castes, tribes and groups. In his drawings costume was the main indicator to differentiate people and communities. It was an important marker of difference in the context of occupational categories (Dirks 2004). A directive issued by the Government of India's Foreign Department: "Each Local Government is expected to collect into one collection such photographic likenesses of the races and classes within its borders as it may obtain and furnish a very brief notice of each. The likenesses are to be sent to the Central Committee of the London Exhibition in Calcutta" (Dirks 2004). It is 'types', not 'individuals', which emerge in these photographs of Indians in colonial photography.

The drawings were generally of groups and communities who were separated by the mainstream and were mostly of tribals and nomadic communities, which created stereotypical images. With these photographs, the characteristics were also provided in the ethnographies which further led the Britishers to label these communities. As the Britishers were still confused with the various terms they mixed castes with tribes and with others occupational categories. The initial stage of photography in ethnographies was just a curiosity but it passed this stage by applying

scientific theories and judgments. Nor did the photography stand alone; it was always accompanied by a brief account of what purported to be that groups essential characteristics. There was a live display of caste and tribes blended with racism and also contributed to the formation of European identities and 'white hegemony'. Photography in India also reflected the rise of racial science. From the late 18th century on, the concerns of physical anthropology were joined to the power of photography to order and classify visually the "type" people in India. Administration was clearly in mind during the compilation of the massive colonial study, *The People of India* (1868-75). This eight-volume work replaced paintings of Indian "types" with over 400 photographs and descriptions of every Indian group and caste. In each of these anthropological writings, the traits of Indian castes, tribes and criminal communities were described as deviations from a familiar mainstream and western norm. It is the likeness about these communities which is shown in the photography. This shows a relationship in the growth of anthropology, the administration of "caste" "race" and "tribe" under colonial rule, and colonial photography

2.2.4 Summary of 18th century

These colonial projects created knowledge which led the Britishers to control and legitimate their rule in India. The first thing is to know India and its subjects was through the European lenses and thus, transformed and molded the traditional cultural forms through reconceptualizing, reconstructing and decontextualizing it within the framework of that colonial knowledge (Dirks 2004). The colonial projects represented India through the mastery and display of archaeology and ritual texts, assessment of land, property, agrarian structure and classifying and enumerating the population through the census. These projects stressed on the nonverbal and tactile dimension of social practice that is the exchange of objects, the arrangement and disposition of bodies, clothes, buildings and tools in agricultural practices, religious performance, regimes of domestic and kinship, physical discipline and the instruction of landscape (Dirks 2004).

2.3 Methodological Period

European ideas were conspicuously applied to India during this period. In the course of time, the application of Eurocentric ideas added to represent India; it was further used in official reports, papers, and reports and in surveys during the first half

of the 17th century. The European ideas applied on India became more systematized and professionalized as social sciences like linguistic, ethnology, archaeology and anthropology in government reports, census and district gazetteers. With the help of these professional subjects and its methods, a detailed and extensive study on peasants, revenue, caste, customs, tribes, religious practices and linguistic diversity was initiated. They were used as a tool for labeling, categorizing and justifying the Indian hierarchies, which already existed.

2.3.1 Census

In the late nineteenth century, the Government felt that for proper administration of the country it was crucial to understand the social structure of the country, its people, their religious beliefs, and their ethnic affiliations, besides their customs and manners, which was the focus of the colonial projects in the 18th century.

There was an assumption by the Britishers that to understand Indian population two major indicators—religion and caste are needed. All the colonial ethnographers and anthropologists in India were also census commissioners and their understanding and conclusions on caste were totally based on data and conceptions going out of the census operations (Cohn 1987). In 1901 census which was done under the supervision of Risley, the question of caste precedence and of race came together. He stressed that social precedence was based on a scale of racial purity (Bates 1999).

The schedule adopted for 1901 Census, in addition to items like 'religion, and language ordinarily used', provided for the first time recording of 'tribe' and the relevant question was amplified to read 'caste of Hindus, tribe or race of others'. The investigations of anthropological nature during this phase of the Census can be grouped into three broad categories, given below,

- (i) Population statistics and fertility data,
- (ii) Occupational classification of caste/ethnic groups and caste ranking
- (iii) Ethnology including racial classification of the Indian people.

In 1921 Census, population data were collected and published for each individual castes and tribes separately at the state and district levels. In 1931 Census,

these figures taken from 1921 census were confined to castes and primitive tribes. The 1941 Census data on population of tribes were presented on a somewhat modest scale. It was also felt by the Census Commissioner that in the then prevailing circumstances, the scope of enquiries on castes and tribes could be dissociated from the Census. The term 'primitive' tribe was given up during this Census.

2.3.1.1 Occupational Classification

As mentioned earlier, the British administration was particularly attracted by the institution of caste, partly for political reasons and partly out of the scientific interest. On the basis of census data, Risley, the Commissioner for 1901 Census, classified castes into seven main categories according to their social standing—tribal castes, functional castes, sectarian castes, castes formed by crossing, national castes, castes formed by Migration and castes formed by changes in customs. He went a step further and ranked the '*jatis*' in the local hierarchy and '*varna*' affiliation of each. The ranking of '*jatis*' and castes by the census created an unparalleled situation. Whatever their de facto status Indians had, most of the communities at the lower rung of the caste ladder thought that it was a good opportunity for social climbing by laying claims to higher status and registering a higher ranking in the census documents to have an official stamp, indicative of their higher social origin (Dirks 2004). Thus it set in motion a process of social mobility whereby a caste claimed a higher social status by '*sanskritising*²' its religious beliefs and rituals, if necessary. A number of caste associations were formed and overnight new caste names were adopted, showing descent from high castes. In this regard Ghurye (1924) observed, "Various ambitious castes quickly perceived the chances of raising their status. They convened conferences of their members and formed councils to take steps to see that their status was recorded in the way they thought was honorable to them. Others could not but resent this 'stealthy' procedure to advance and equally eagerly began to controvert their claims. Thus, a campaign of mutual recrimination was set on foot. The leaders of all but the highest castes frankly looked upon the Census as an opportunity for pressing, and perhaps obtaining some recognition of social gains which were otherwise denied by persons of castes higher than their own".

² Sanskritization is defined here a 'low' Hindu caste, or tribal or other group, changes its customs, ritual ideology, and way of life in the direction of a high and frequently 'twice-born' caste. Generally such changes are followed by a claim to a higher position in the caste hierarchy than that traditionally conceded to the claimant class by the local community...". taken from M.N. Srinivas.

2.3.1.2 Anthropometric usage in census

The Census of 1901 by all accounts was the first organized attempt to provide anthropological and ethnological data on the castes and tribes. The 1901 Census initiated anthropological and ethnological investigations. The results of the studies were published in the ethnographic appendices as part of Census of India, 1901. As a result of the efforts of the Indian Census in the field of ethnology it was possible to bring out for the first time short ethnographic accounts on some of the most primitive societies or tribes.

The ethnographic studies of castes and tribes continued till 1911 Census. In fact, the 1901 and 1911 Census reports were considered largely anthropological and their chapters on castes and tribes came to be regarded as 'anthropological classics'. The Census of 1921 gave emphasis on economic aspects, but the following Census in 1931 in the scholarship of Hutton made contribution in the field of Indian anthropology in general and Indian ethnography in particular. He studied Naga tribes in the early twentieth century and in bringing out full-scale monographs on these for the first time. In 1931 Census, a special ethnographic volume was brought out in two parts, the Part B of the volume containing interesting material on important tribes by way of contribution from Scholars and census superintendents, besides data on physical anthropology

2.3.1.3 Racial Classification

The 1901 and the 1931 Census reports made far-reaching contribution in the field of ethnology including physical anthropology by providing data on physical and racial types based on anthropometric measurements. Risely's classification of race became a pioneer in the field of anthropometry. The 1901 Census study was an extension of his earlier work *The Castes and Tribes of Bengal* (1901). His classification made a systematic attempt to isolate the physical types and lends support to racial affiliation or the racial basis of castes. The 1931 Census could be regarded as a landmark in the history of ethnological studies as it provided the basis of the racial classification of the people of the sub-continent. The census later carried out a survey in the entire sub-continent on the basis of anthropometric observations. The survey covered various tribes and the low castes at that time.

2.3.2 Ethnography and Anthropology in 19th century

The role of ethnography and anthropology in the 19th century was different from that in 18th century. It shifted its focus from understanding customs and traditions, revenue settlements, and legal codes to policing, identifying and categorizing communities in the European framework of science and knowledge (Dirks 2004).

In the 19th century the effort to understand customs for the better governance of Indian society gave rise to anthropology. Dirks (2004) notes that customs which, eventually became a site on which British colonial forms of knowledge was constructed, remained decontextualized from its original rendering as the parameter of intervention and regulation were constituted by the kinds of knowledge that were being produced under colonialism. Further, he describes the role of anthropology as policing the tradition of Indians, gave new meanings and applications to Indian customs and traditions within the European notion of knowledge (Ibid).

The British rule by the mid-century became secure and the colonial search of knowledge took a new shape. In various collections, volumes, official manuals and gazetteers, caste was held important and used as a primary means for classifying Indian population. As noted earlier during the time of revenue collection there was a need for knowing Indian population and its social order for maintaining British rule. There was a felt need among the Britishers that for sustaining their rule and to keep India in its total control, the knowledge about India is must and should not be just confined to political economy. This gave rise to colonial ethnography and a legitimate authority in studying Indian communities. From 19th century ethnological knowledge became privileged more than any other form of imperial understanding (Dirks, 2004). There was a belief that India could be ruled and known better using anthropological knowledge to understand and control its subjects and to represent in a systematic manner. It got a legitimate authority from the state, with the backing of theories produced by Risley and his colleagues. As Dirks (2004) insists that Indian anthropological writings were born directly out of the colonial project of ruling India on the basis of the writings of Risley and Thurston.

In the early 19th century the missionaries still had an edge over the ethnographic accounts of India because of direct contact with the natives, tribal groups in particular, and hence had an authority over the colonial ethnographers. The British anthropologists used these ethnographic accounts for their further development of theories.

The Indian people were denied their own history, and were defined by unchanging racial and cultural identities. The most important among these identities was caste. As Cohn (2004, 1987) states, for the late Victorian ethnographers and anthropologists 'a caste was a "thing", an entity which was concrete and measurable... above all it had definable characteristics like endogamy, commensality rules, fixed occupation, common ritual practices' and these things can be easily quantified for reports and surveys. Once this system is fitted into an organized hierarchy, the system could be taken as providing a comprehensive and authoritative understanding of Indian society (Cohn 1987). Hence through out the 19th century, the collection of material about the castes and tribes, their traditional customs and cultural forms, social, religious and kinship patterns were done in a systematic and canonic manner. Caste held a special importance and was very much institutionalized. This can be seen in the 18th century as the army recruitment was carried out on the basis of caste, implementation of legal codes, criminalization of entire caste, and classifying population on the basis of caste in census. But these were still inadequate to know India in terms of ethnological curiosity (Dirks 2004, Metcalf 2005).

Ethnographic Survey of India also announced that the census was necessary for colonial knowledge but not sufficient in its debut issue of *Man* in 1901. It was justified on the following grounds, "it has come to be recognized.... that India is a vast store house of social and physical data which only need be recorded in order to contribute to the solution of the problems which are being approached in Europe with the aid of material much of which is inferior in quality to the facts readily accessible in India' (Dirks 2004). The need to collect ethnographic information was considered the same because the primitive belief and usage in India could be completely destroyed or transformed. Finally, the surveys were justified on the grounds that ' for purposes of legislation, of judicial procedure, famine relief, of sanitation and dealings with epidemic disease, and almost every form of executive action, an ethnographic

survey of India and a record of the customs of the people is as necessary an incident of good administration as a cadastral survey of the land and a record of rights of its tenants” (cited in Cohn 1987). Caste in the 19th and the early 20th century was central in getting details about customs of people, which was seen as a hub of all information. This information was further systematically collected, organized and disseminated for a wide variety for the governmental initiatives for every executable action. Indian ethnography stressed more on scientific claims with the passing time. Its categories were embedded in census, gazetteers and revenue records and it became more even closely tied to the administrative concerns of the colonial state.

Risley, being the census commissioner in 1911, proposed anthropometric measurements to be used in census, for classifying ‘caste’ based on ‘race’. According to him, caste, which is like race immutably inscribed on the bodies of Indian people and could be ascertained by measuring through anthropometry (Metcalf 2005).

In the Ethnographic Survey of India, a proposal forwarded by Risley to employ anthropometry for future research in India and the rationale for choosing this method was caste system. In his words,

“Anthropometry as a science that would yield particular good results in India precisely because of the caste system that organized social relations through the principle of absolute endogamy... the marriage takes place only within a limited circle; the disturbing element crossing is to a great extent excluded; and the difference of physical type, which measurement is intended to establish, are more marked and more persistent than anywhere else in world” (Dirks, 2004).

The ethnological survey at that time was heavily influenced by Risley’s ideas and his theories about Race and its relationship with caste. The ethnographic survey, thus, resulted in a series of volumes studying the customs, manners and anthropometric measurements of the castes and tribes of the different regions of India. Each entry included salient ethnographic facts as caste origin stories, marriage and funeral rituals, manner of dress and decoration, as well as assorted stories, proverbs, observations and accounts about each group (Dirks 2004). These were also used by colonial administrators like revenue agents, district magistrates and army recruiters, as

it served as a reference guide to know Indian subjects by their caste. As for example, this is a particular caste and a person belonging to that caste has particular characteristics drawn from ethnographic sources. Such characteristics formed a basis of creating groups into martial races and criminal communities.

Despite of having general agreement on the centrality of caste as an organizing principle for Indian society, what caste actually was or how should it be defined was always controversial. Not all surveyors shared Risley's view, one of his critics was William Crook, and he differed with Risley's point of view of perceiving caste on physical basis and suggested to define caste as occupational groups. Therefore, occupation was used as main criteria in understanding caste.

Risley was acknowledged as an expert in Indian anthropology. According to him anthropological research is conducted by two methods: first, by inquiry into customs and second, by recording the physical characteristics (Dirks 2004). Hence anthropometry was well established *one* because of caste system and *second* due to Risley's and Thurston's rationality and the theories. When Risley was appointed as a census commissioner of India, his contemporary the same time Edgar Thurston became a superintendent of Madras museum. Thurston began to do an extensive Indian research with the work in numismatic and geology. He used anthropometry as the principal means for collecting physical data about castes and tribes in India. According to him "it has often been observed that anthropometry yields good results in India by reason of caste system which prevails among Hindus and of the divisions, often closely resembling castes, which are recognized by Muhammadans". From there onwards, ethnographic surveys were specifically directed to collect the physical measurements of castes and tribes. The ethnographic project was defined within the framework of anthropometry and its theories advocated by Risley and Thurston. As anthropometry was a principle tool for collecting physical data on castes and tribes, it was heavily used in 1931 census by J.H. Hutton, who made seminal contribution in the field of Indian anthropology in general and Indian ethnography in particular. Hutton's monographs on Naga tribes, like 'Angami Nagas' (1921) and 'Sema Nagas' (1921 b), in the early twentieth century, were first ever brought accounts of these tribes.

Thus the British did not view Indian society only through the prism of race and caste. Descent or 'tribal' affiliation mattered as well (Metcalf, 2005). For example, in Punjab the British made kinship the organizing principle of the entire society. After studying the social organization of Punjab society, the native institution found while preparing the customary laws, was the 'tribe', which was defined as a patrilineal descent group encompassing those who preserve the memory of the common ancestor. The Britishers set off accordingly to define and systematize this tribal system and built it into their imperial order (Metcalf 2005). As a result, the creation of a distinctive tribal Punjab took place with the creation of the category of 'agricultural tribes' (Metcalf 2005).

The huge apparatus of revenue settlements, land-surveys, and legal-bureaucratic changes in the 19th century did something beyond commoditizing land. For instance it transformed lords into landlords, and peasants into tenants and changing reciprocal structures of gift and honor into saleable titles, which were *semantically fractured and were rendered saleable, while retaining some of the metonymic force that tied them to named persons* (Appadurai 1994).

2.3.2.1 Shaping Communities

The colonial ethnography also played an important role in shaping Indian communities, by creating a notion of difference as the 'Hindu' and the 'Muslim' communities. This was simply a product of administrative practice, as they devised a *comprehensive system of law that would at once respect the customs of Indians and also in a manageable order*. By defining the differences it further demarcated the two religions on the basis of binary opposites, like Muslims were more violent, despotic *and masculine; whereas Hindus were indolent, passive and effeminate*.

Ethnography and anthropology also shared a significant relationship especially in the context of defining and identifying criminality. Criminality under colonialism was about classification and control of few communities (Dirks 2004). Anthropology provided a theoretical base for identifying communities. It stressed more on genetic *and racial character of criminality and was applied to the whole community which later came to be known as criminal communities*. The importance of anthropometry in identifying habitual criminals was noted by Thurston. He promoted the use of the

Bertillon system to measure the criminal castes or tribes (Dirks 2004). The basic theme was that only members of criminal tribes and persons convicted of certain definite crime should be measured. As crime was committed by a group or community, anthropometry is the best means of identify these groups. By the 19th century these conceptions of Indian communities were firmly based and internalized within the structures.

2.3.2.2 Use of proverbs

As the description and classification of castes came to be the key element in the colonial administration and colonial discipline, the collection and translation of folklore and proverbs played a critical role in constructing and representing castes and criminal castes or tribes in colonial documents. Proverbs were used as referential function, as abstracts of inherent characteristics of particular caste (Raheja1996). The speech of the colonized which represented folklore and proverbs was appropriated at critical junctures to foster the illusion that native opinion on caste and criminal castes or tribes and their caste specific identities was unambiguously congruent with these colonial representations, in other words, to create the illusion of consent (Ibid). The best example will be the labeling of Meo community as criminal castes, by studying and translating their folklore and story of Darya Khan (Mayaram 2006).

Proverbs were used for three purposes; one is to identify castes, second is for disciplinary control of criminal communities and third for military recruitment. The colonial administrators were careful in recording caste identities for land revenue and for disciplining criminal communities. In census and in publications of colonial ethnographies included chapters of various caste and tribes by describing them through proverbs and other quotations

Proverbs were thought to provide authentic mode of thought of a particular people or group and consequently Britishers could easily control the deviant population at that time by knowing their thought. Most of the colonial writers assumed that the Indians speak true when they transform it in proverbs (Raheja 1996). Proverbs were used by the Britishers as interpretation of a particular mode of thought in laying down the characteristics of people which further made them easy to know Indian communities and to govern India.

But one interesting thing is the proverbs which were recorded, were used only by Brahmins and other high castes groups. This had a big effect on the criminal castes or tribes, as it articulated a set of assumptions about the caste ideology as a whole, in general; and developed a perspective on the characteristics of a particular caste, specific in contributions to the development of criminal groups. In both the cases, colonial text was connected explicitly in the surveillance and disciplining of the Indian population, viewed as a congeries of castes (Ibid). This was an easy way of defining and characterizing castes. In some of the ethnographic accounts, the proverbs were not of castes but about propensities and situations that might be attributed to people of many different social categories (Ibid).

As it was assumed that Indians are authentic while they speak in proverbs and *it expresses as a true sentiment of Indian population. But this is actually not true, as one must see that the informants were from the elite stratum, that is the high castes, and as a result the cultural and legal institution which emerged from this interaction reflected very little, mostly the Brahminical values and the Britishers priorities.*

2.3.3 Race in 19th century

The concept of race changed dramatically from the late 19th century, when theorists speculated about the distinguished political and moral character of the so-called Aryan and non-Aryan races who they defined linguistically and environmentally, rather than in evolutionary terms (Guha 1998, Metcalf 2005 Bates1999). The drive to understand social classification in terms of races of descent was a central element in the mid-19th century science, predating to the publication of *The Origin of Species* and the formulation of Social Darwinism (Guha 1998). As the development of geology and the sciences undermined the authority of the church and political and social change appeared to be destabilizing western societies, the concept of race was invoked to support threatened hierarchies, both in colonies and metropolises (Ibid). The developing science of geology undermined the biblical account of creation and on that basis the proponents of racial anthropology also wanted to form and establish as a science of man. Geological concepts like stratification and uniformitarianism, were used in anthropological paradigm (Ibid). This idea soon started to be implied in the colonial world, where most of the interested colonial scholars were send to implement and test this science and the idea that the most

recently added stratum was intrinsically superior to the others was bound to have considerable appeal to the newly arrived colonizers. This shows a critical link between genealogy and anthropology with the kinds of investigative inquiries and reports that the British collected. This metaphor became a central part of the anthropological exercises in the colonized world in the 19th century. The hierarchies were defined and new categories were created on the grounds of racial difference (Dirks 2004 Guha 1998). This had a good amount of impact in colonial India, for instance most of the colonial and official ethnographers made an attempt to trace the tribes and castes to their region by giving names to the specific region, like Dheds to the Dharadas and Mahars the source of the regional name Maharashtra. It was not the merely continuity of nomenclature, but substantial continuity of racial descent (Ibid).

One thing that receives attention is the process employed in information collection. C. A. Bayly (2001) shows that, while Indian participation in the process of gathering colonial knowledge was equal with the British rule itself, the nature of the information regime was changing through the later 19th century. This can be seen by analyzing the inclusion and the role of *proverbs* in ethnographic accounts. This shows that racial ethnography was also being appropriated by the elite Indians to justify south Asian hierarchy on the one hand, and to assert purity with the European upper class on the other (Bayly, S 2001 and Dirks 2004). This led to an emergence of *ethnological orthodoxy* which portrayed India as a composite social landscape in which only certain peoples, those of superior Aryan blood, had evolved historically and confined to hierarchies, as Brahmanically defined ideology of caste. At the same time large numbers of other Indians – those identified in varying racial terms as Dravidians, as members of ‘Servile’ classes, aborigines, wild tribes, and those of so-called mixed racial origins—were portrayed as being ethnologically distinct from this so-called Aryan population, and were not all thought to belong to a ranked Brahmanical caste order (Guha 1998). In other words, Hindu was to be a single racial classification within their broad schemes of rank and the categories were vast and crude, and were rooted in a notion of the historical immutability of ‘savage’ or ‘backward’ races.

This later got more intensified when Risley and his associates were able to convince the value of ethnography in policy-making to the Government of India and

in the census of 1901. The census publications in turn contributed much to assertion and claims of status of various groups in Indian society, the upper strata of which had taken enthusiastically to racism and the academic study of 'raciology' (Ibid). This new science confirmed the old hierarchies in new form. The so-called upper caste measured themselves against the untouchables and tribals and made them to form a group at the lowest stratum. This was easily integrated within the British minds through the belief in racial theories (Ibid). To cite an example, when the Brahmins of Pune were consulted by an officer, on the traditional ranking of castes, they placed the mountain Kolis and Bhils in a very low hierarchy and declared their hereditary occupation to be "killing jungle animals and feeding on wild fruits and roots" (Metcalf 2005). So the Indian and western anxiety combined to create a stereotype of the tribals that was to have a powerful effect on society and politics in India.

2.3.4 Summary of 19th Century

By 1940s the study of Indian society cumulatively had the following components, a broad-scale humanistically oriented tradition which emphasized the relationship between textual studies and a static model of contemporary Indian society. An administrative tradition centered on the census for the study of caste which sought to see *Indian society as a collection of discrete entities whose traditions and customs could be classified and studied*. A tradition of economic study, which sought to describe the working of village economies with some attention to the social structure of villages. An anthropological tradition centered on the study of tribal peoples. And historical administrative strain with centered on the general theory of village organization in the broad comparative framework, but without an extensive ethnographic base (Cohn, 1987).

2.3.5 Indigenizing Colonial Knowledge

In 1920 anthropology as an academic discipline was introduced for the first time in Indian University, with the establishment of the Department of Anthropology in the University of Calcutta. Until then there was a tremendous growth of *anthropological knowledge in India, but at the time of introducing it as an academic discipline the knowledge was ignored* (Danda, 1996). The impact of this was large, as there no critical thinking on the syllabus being adopted and also no bridging the gap *between the traditional knowledge and the content of the borrowed knowledge in the*

academic discipline. Hence, there was a continuation of the basic knowledge of anthropology as a biological, social and human science which reflected the social and the cultural experiences of the Indian communities. They started providing the model for anthropological investigation, which followed primarily the European tradition. As Danda argues, when any particular research approach through rigorously methodological exercises is evaluated to the status of science, one logical consideration there should not be any serious objection to its getting adopted on counts of its being space-specific in origin. But when such an approach to a study is shrouded in some epiphenomena that could at best be designated as prejudices, serious problems occur. This is exactly what happened when the British tradition of tribal ethnography was transplanted into the Indian situation. It was not only in anthropology but even in other areas there is a continuation of colonial knowledge. For instance, nationalist historiography accepted the patterns set for them by British scholarship, like periodization of history, policies for tribes, etc.

The process of indigenization of colonial knowledge should be seen in two phases, namely transmission and appropriation on. In *transmission* education has played a vital role in the construction of identities. The texts in post-colonial India played an important role in popularizing racial classifications which was produced in the population census. Take the example of tribes. Another is the concept of time. The colonial authors wrote Indian history according to the calendrical time and chronology and India has incorporated it as the same. For example, the acceptance of periodization of Indian history into Hindu, Muslim and British periods. Later addressed as the ancient, medieval, and moderns eras; relegated caste to sections on “society”, that is, to the history of society with politics left put, and reiterated the long and unchanging existence of a Sanskrit civilization. The Indian nationalists saw the origin of the modern nation in that same ancient India which was perceived by the Britishers; and for such historians, the old orientalist scholarship’s sympathetic remarks on the India of the texts, such as Max Muller’s studies, became objective and authoritative statements that affirmed India’s great past. About the appropriation of the colonial knowledge one can see the example of using anthropology for studying tribes and Denotified communities in India, which forms the focus of this dissertation.

Imagining “Tribes”

3.1 Overview of tribal studies

Two set of assumptions have generally governed the writings on tribes in colonial India. First conceptual framework was developed by the administrators-ethnographers and the anthropologists. They perceived tribes within the prevailing *models of anthropology, in which they perceived them as isolates, as Noble Savages, and the primitive condition was described as a state of Arcadian simplicity* (Singh, 1985). Actually because of the industrial revolution in Europe and the political conquest which followed brought about the Europeans face to face with the people who were some what archaic in terms of technology and standard of living. So to Europeans they were nothing but queer and exotic. The necessities of colonial administration, led the bureaucrats to study the life and culture of such people, especially tribes, intensively (Danda, 1996). This model somehow justified the role of Raj and the missionaries. The second framework came from Indian anthropologists who visualized tribes as a sub-system of Hindu system in which they were being absorbed. For instance anthropologists like G.S. Ghurye, Kosambi, S. Sinha, N. K. Bose, etc, saw the integration of tribals into Hindu society through cultural and economic organization of caste.

As Nongbri (2003) notes, the development of tribal studies were shaped by three main factors, “First, the colonial system, which established anthropology as an academic discipline in the country but also served as an important agent of modernization and change that broke the isolation of tribes and brought them face-to-face with the larger society. Second is the rise of the freedom struggle and mass political movement which weakened the hold of colonialism, and invested sociology and social anthropology with more nationalist orientation. Third, the establishment of the Indian nation-state following the country’s independence, with its firm commitment to democracy, social justice and development and finally, the internalization of tribal issue by the International Labour Organization”. These three processes influenced the studies on tribes in India.

3.2 Colonial ethnography, Anthropology and 'tribes'

During the British rule, the tribal population of India was, by and large, concentrated in four major areas—northeastern parts of the country (erstwhile province of Assam), the North West Frontier province (NWFP), the Western tribal region (in the Bombay Presidency, i.e., South Gujarat and Western Madhya Pradesh) and the Eastern tribal belt (in the provisions of Bengal and later that of Bihar and Orissa) (Prakash, 2003).

The studies on tribes started early during the colonial period with the establishment of Asiatic Society of Bengal. It was not the interest of the colonial rulers or their quest to study the tribes of India. It was the need of the Britishers for the effective and efficient rule all over the country, which called for a common administrative system, and aimed at taking the whole country within the scope of its rule. The administration had to deploy the army, its officers, police, etc, in every nook and corner of the country including the remotest areas of the land. This had led to a confrontation and opposition in some areas including the tribes of the forest areas, hilltops, and hillsides, against the British invasion in their land, which further demanded military and political policies to subjugate the uprisings (Vidhyarthi & Rai 1985, Prakash 2001, Noghri 2003).

With regard to law and order, the British rulers maintained a stern posture throughout the country including the tribal areas. But in tribal areas the degree varied, as the necessity of maintaining peace and order in the Frontier provinces prompted the British administrators to develop a system of exclusion that to some extent incorporated the traditional tribal elite (Prakash, 2001). Contrary to the case of NWFP, the Eastern tribal belt did not have the same strategical importance, but its long-established mineral wealth made the region significant to the colonial state. Effective utilization of the economic resources in this region required a far greater degree of direct control. The system of exclusion in this region was premised on direct paternalistic rule by the Governor of the provisions through district officers (Ibid). As the situation demanded the colonial administration sent their administrators, civil and military officers of all ranks into all inaccessible areas of the interior and the frontiers. For the British rulers, ruling and administering these areas involved detailed and objective knowledge of these tribal communities, like knowing their social and

religious life, their political and economic organizations, and their behavioral patterns and so on, for better administrating these areas. This initiated a series of studies undertaken by Dalton (1872), Risley (1891), Thurston (1909), Ethoven (1920), Crooke (1869), Russell (1916) and others (missionaries).

These administrators were the first ethnographers to study these tribes, so the *anthropological theories and government policies* were also simultaneously applied to the communities they studied. Their investigations involved deep probing into the lives and societies of these peoples, which led eventually to the formulation of *policies meant to guide the administration of these tribal communities*. This had an impact on the tribes in terms of their administration, identity, etc. For example the policy of 1874, the Scheduled District Act was formulated, enabling the government to *notify what laws should be enforced in the Scheduled Districts* and later another act of 1935, which provided for the reservation of certain predominantly aboriginal areas (known as Excluded or partially Excluded areas) (Nongbri, 2003). This policy was *responsible for abetting deforestation and for the formulation on the question of tribes*. This policy legally separated the tribes from rest of the society and laying the ground for the question whether they should be left alone, isolation, or assimilated in the *mainstream society*. Such *notion of isolation and assimilation bifurcated anthropologists* into two groups, one in favor of isolation and the other favoring assimilation. This further led their identity and role in the image of the identity of a *nation-state that has been constructed* (Savyasaachi, 2001). The colonial policy of exclusion of tribal areas operated within the larger colonial discourse. The policy carried within itself the twin ideas of protection and the ‘civilizing effects’ of the *British rule*. It was *this model of exclusion had a significant influence on the tribal policy of later years as well as that of independent Indian state* (Prakash, 2001).

3.3 Colonial discourse and ‘tribes’

The British colonial state in India was not only a set of institutions and structures but also a set of discourses³. The colonial state was absolutely dependent on a set of discursive structures premised on the discourse of Enlightenment. The *colonial state drew its power from the “grand theories of European rationalism – its*

³ Discourse meaning stream of inquiry into the relationship between ideas and state power in colonial states had been called ‘colonial discourse theory’.

theories, self-definitions, narratives, delusions and strategies... to define and describe itself, to negotiate and bring under control the alien social world it had entered” (Prakash, 2001). In general, however, the reaction against colonial discourse was stopped because the colonial state adopted multiple levels of dialogue at each level. As it had to address three kinds of audiences, one is the British public opinion, second is the Indian Western-educated intelligentsia and middle class, and third the masses of India. With each of these, it adopted a different kind of language while always employing this discourse. When addressing British public opinion, the colonial state used the language of reasonableness; that of education and legislation in its dealing with the Indian intelligentsia and the indigenous middle class; and that of force and power with respect to the large and distant masses of India, especially with ‘tribes’ (Ibid).

3.3.1 Colonial policy and the tribal areas

British colonial discourse, especially in the context of tribal regions, the early orientalist and Anglicist had two different strands of colonial discourse. For the missionaries all Indian practices were perceived as corrupt and backward and sought their replacement by the superior European practices. Where as the orientalist wished to work with what they saw as the foundation of Indian society, such as the caste structure. Nonetheless, many views were disseminated on the history of tribal society; it was ultimately perceived that ‘tribes’ are not a part of the Hindu caste system. Under British rule, the future of tribal society was seen as completing its transition to a market economy.

Within the broad framework of colonial discourse, ethnographers, anthropologists, sociologists, historian, administrators and Christian missionaries actively investigated the tribal cultures of India from which emerged two broad approaches towards the tribal areas.

As mentioned above the first conceptual framework for studying ‘tribes’ was built by colonial administrators and anthropologists, which became the dominant model. This model treated tribal communities as ‘isolates’, ‘tribals’ as ‘noble savages’, and their primitive condition was described as a state of simplicity. “These scholars overlooked the operation of the historical processes that led to the formation

of the state, the emergence of a complex regional system in the wake of the migration of non-tribal communities and functional castes and the penetration of cultural influences.....this led to the build-up of Indian that had bedeviled all historical writings.... and inspired all tribal movements" (Prakash, 2001). Thus a tribal was viewed as a person who was innocent of the operation of the socio-historical processes and therefore open to be duped by non tribals and moneylenders. These perspectives served the purpose to the continued presence of not only the Raj but also of the missionaries. The second point of view developed saw 'tribes' as members of a subsystem of Hinduism in the process of being absorbed into the Hindu society, this view was maintained by the Indian anthropologists.

Both these points of view, despite their obvious difference in approach, viewed *tribal communities as waiting to be absorbed into the mainstream political and economic system – either in the market economy or in the Hindu caste system.*

The central premise of the dominant strand of colonial discourse was that until *the time where tribal communities were integrated into the dominant politico-social systems, they required a great deal of protection (Prakas, 2001 and Noghbri 2003).* This formed the basis of the broad Colonial policy towards the tribal areas. Once the *structures of the colonial state were in place, the state had the ability to choose between direct intervention and maintaining a policy of non-intervention but intervening occasionally to enforce or disallow certain actions which were important to the colonial enterprise. This capacity to exercise a veto was also central to the tribal policy of the colonial discourse.*

The colonial state did not want to alter the structures of Indian society and hence it portrayed 'tribes' and their regions as primitive and backward, and to bring them into the mainstream of material rationalist discourse was seen as desirable. The concept of protecting the tribal communities from the adverse effects of too rapid *integration into the economy and polity was born out of the nature of the British rule in India. This direct rule was integrationalist in character whereby some of the tribal areas were incorporated into the general administration of the British provinces or the Indian princely states. At the same time, in the pockets of tribal concentration, a system of exclusion was developed where the concept of protection of tribal*

population gradually evolved. The tribal revolts and rebellions that occurred in this context of gradual implementation of direct rule during the 19th century, in turn, reinforced the policy of direct rule⁴. Moreover the operation of this policy of direct rule led to higher rates of in-migration of non-tribals into the region. Consequently, the tribal areas were integrated into the new economic and administrative set-up which ended the relative isolation of the 'tribes' and their political dominance in the region.

The colonial state still viewed tribals as a race inferior to the 'relatively more civilized Aryan races', without a sense of history or understanding of the results of their actions that were prone to revolts on imagined grounds. One can see the report of the Simon Commission which refers tribal population as, "*these backward races are commonly supposed to be remnants of pre-Aryan autochthonous people into whose strongholds in the hills and forests the invader found it difficult and unprofitable to penetrate. Some of them live by hunting, and by a type of shifting cultivation.... In the valley, the tribes have in great labor terraced isolated fields, producing abundant crops, but at no time before the establishment of the British rule were lots coveted by the plainsman, for he could not have collected rent from the occupiers. But the moneylenders and the traders took advantage of the new regime of law to reduce the volume of owners of the practical serfdom*" (Report, Indian Statutory Commission 1930). This statement shows that the commission agreed with the majority view of perceiving 'tribes' as primitive and backward and hence they need protection and some sort of assistance to get civilized. They also stressed on the race factor by saying that they were the remnants of pre-historic people.

3.2 Colonial Studies on 'tribes'

Anthropological studies were undertaken in India keeping the tribal societies perspective under the influence of the Asiatic Society. From there the series on tribal studies were initiated during the 18th century. The studies on 'tribes' were carried out in the form of monographs, handbooks and gazetteers. This task was carried by the anthropologists cum administrators who studied 'tribes' within the framework of individual, isolation, segmentary pictures of tribal life and cultures of

⁴loghbri also agrees to this view point. See Development, Ethnicity and Gender, 2003. Cited from Prakash, Jharkhand, orient Longman, 2001.

respective 'tribes'. This phase of anthropology was rudimentary in the form of ethnography which projected 'tribes' as aggregation of communities or sub-nations (Vidyarthi, 1977). The actual reason behind this inquiry was a proper understanding of society so that the government can come with a policy for administering these communities. Initially Britishers were not clear about the distinction of 'caste' and 'tribe', there was a lot of conceptual ambiguity with these two terms and were used interchangeably. Later the Britishers somehow got hold of the term and subscribed the policy of non-interference in the tribal areas there was a lot of influx of non-tribals, like traders and moneylenders, in their area which broke the isolation of 'tribes' and

- further accelerating to the breaking of their mode of production by the introduction of taxes, alien land and forest laws and system of justice. As the tribal communities shared a relationship with the forest in economic and cultural terms, colonialism brought about a significant change by implementing laws in tribal areas. As a result the tribal communities resisted the Britishers which led to various movements in the 19th and the 20th centuries. Britishers somehow realized it and thought it would be sensible enough to familiarize with the customs and practices of the tribal people. It was in this context tribal studies were developed (Nogbhri, 2003) and another thing to notice is that of the notion of tribe, which the foreign anthropologists had in mind, was that of Europe. When colonial anthropologists like Risley, Thurston, Russell, and others worked and studied Indian 'tribes' by keeping them within the frame of European notion of tribal situation. They had a hunch that if the British had to settle in India, they had to bring the Indian tribals within the folds of the British Raj and also to bring them within the arena or territory, like Europeans (Doshi and Jain, 2001).

First serious attempt of documentation began in Assam, which has the largest concentration of tribal communities in physical contiguity and later on studied various other tribal communities. North-east India first received attention of the Britishers in terms of ethnographic studies (Nogbhri, 2003). There were other administrators who were working in other parts of India, like Ethnoven, Crooks, Risley and Thurston, engaged in writing about 'tribes' and caste. Colonial writings on 'tribes' had an assumption in these studies that 'tribes' are isolates separated in time and space from the Hindu civilization process. They no doubt provided information on culture, religion, economic and political organization, language, kinship, etc., but lacked

theoretical foundation. The colonial writers have, often, translated Sanskrit word 'jan' as 'tribes'. The Indian scholars of colonial tradition have also done the same. In reality, the word 'jan' means 'people'. Shayana, in his commentary on the Rigveda, has translated 'panchajana' as the four varna and the Nishada. The castes of the mixed origin are also labeled as 'tribes' by the colonial writers. In this connection, it may be said that neither *jan* nor mixed castes are the 'tribes'. There is a continuum in Indian society incorporating the castes and the tribes. The break of the continuum and the resultant misperception is the result of the misinterpretations of the kind mentioned above. Such misinterpretations have thoroughly confused the Indian social scientists. The basic features of the caste and tribal organizations do not differ. The boundaries between the two remain blurred and undefined. And yet, they continue to over-emphasize the Caste-Tribe dichotomy.

As mentioned above tribe and caste was used interchangeably without any kind of demarcation. One can see in Risley's book, 'Tribes and Caste in Bengal' (1891), in which he goes to extent that these two terms are used in a similar manner. This is because the British imagined India as a hierarchical society and used laws and rituals to control the country, which made it more hierarchical. For instance, M.A. Sherring (1872) dealt with Hindu tribes and caste, or tribes and caste of the Madras Presidency and Rajasthan, and so on but described the 'tribes' in terms of *varna* category, like Brahmin tribe, Kshatriya tribe etc. and even Mohammedan tribes, agricultural tribes, aboriginal tribes, low caste tribes, mixed castes and tribes. The colonial rulers and missionaries subscribed an assumption that bigger cultures and religions in the colonial world would consume or assimilate the smaller cultures (Singh, K, 1972). In this process Hinduism was seen as a larger culture which would accumulate the smaller tribal cultures. There was another assumption on which studies on 'tribes' were produced in the later half of the 19th century that tribes and their segments were evolving into castes. One the census commissioners undertook the economic processes of transformation and he once said, "When a tribe touches a plough, it becomes caste" (Ibid). This creates an understanding that the notion of both tribe with caste evolve gradually.

3.4 Colonial Census and 'Tribes'

Serious efforts started to distinguish tribal communities separately from other communities only during the time of census. The first census of 1871 led to a collection of detailed and classified information leading to the identification of certain groups as tribes. The 1891 census used the term 'forest tribe' under the broad category of agricultural and pastoral castes, there by equating tribes with forest dwellers (Xaxa, 2003). It is in 1901 census, tribes were defined as those who practiced animism, but latter¹ expressed tribal religion because many Hindu's practiced animism (Ibid).

The definition of tribe first appeared in Risley and Gait's Census of India, 1901 as, "... A tribe as we find it in India is a collection of families or groups of families bearing a common name which as a rule does not denote any specific occupation; generally claiming common descent from a mythical or historical ancestor and occasionally from an animal, but in some parts of the country held together rather by the obligations of blood-feud than by the tradition of kinship; usually speaking the same language and occupying professing, or claiming to occupy a definite tract of country. A tribe is not necessarily endogamous; that is to say, it is not an invariable rule that a man of a particular tribe must marry a woman of that tribe and cannot marry a woman of different tribe" (Ibid).

The same definition repeated in the 1911 Census. This definition was built for administrative purpose to mark them different from caste, with an assumption that these people were living in complete isolation and without any interaction and interrelation with the outside world. The 1931 census marked a transition point in defining tribe. It labeled them as primitive tribes than forest and hill tribes and for the first time gave an estimate of their numbers and distribution. As J.H. Hutton (1933) says, no serious attempt has been made from 1881 to arrive at the figures of the hill and forest tribes. The 1891 figure of 15 million was incomplete. The 1921 data of 16 million tribals omitted not only many major tribes but also small ones. In contrast the 1931 Census enumerated all primitive tribes. The population of tribe went up sharply to 24.6 million in 1931 in India an increase of nearly 8 million since 1921, out of a

population of 352 million, which was 6.9 per cent of the total population. This was done in a view to provide them administrative and political concessions. The list reflected the demands of administrative and political circumstances. Some of the tribes were treated as a tribe in one state but not in another and what is surprising is that the Indian anthropologists have more or less accepted the list without any kind of critically examining its rationale (Beteille, 2005).

It should be noted that in anthropological literature, general definitions of tribe have emerged from the North American, the African, and the Melanesian experience (Beteille, 1998). The term was first applied to the Indian context by the British administrators which show that the category 'Tribe' is a colonial construct. The birth of the term or the category 'Tribe' should also be seen the context of Race theory which was developed by Risley during that period and also for the purpose of classification and enumeration of Indian population.

3.5 Conceptualizing 'tribes' in Colonial India

In tribal ethnography, particularly in the Indian context, the term 'tribal' is often referred to as the synonym for 'tribe': as these concepts have entirely different meaning but are very much dependent on each other. As 'tribe' represents a social group comprising numerous families and clans spread over generations, where as 'tribal' stands to mean merely the characteristic attributes of a tribe (Danda, 1996). But in colonial anthropology, tribes were primarily seen as a stage and type of society. They represented a society that lacks positive traits of the modern society and thus constitutes a simple, illiterate and backward society (Xaxa, 1999). They saw tribes as backward, having animistic belief and rudimentary form of social organization and also keeping them as those who are outside of the historical and textual religions. This is because of perceiving Indian society being controlled by religious laws and rituals. This shows that the characterization given by the colonial authors had an idea of tribe as a transient category which loses its distinctive identity when it comes into contact which civilized societies takes to modern ways (Beteille, 1986). In British writings, the term 'tribe' is used in more that one sense, first is, it refers to groups claiming descent from a common ancestor and second is, it refers to people claiming descent from a common ancestor and later even used as cognates with the same ancestor in the ethnographic and the administrative accounts. There was no stability in defining

tribes; in 1901 they were described as groups which practiced animism, later tribal religion. In the 1921 Census, they were labeled as hill and forest tribes and later in the 1931 census as primitive tribe. The development of criteria did denote a difference between tribes from castes. Tribes in colonial India did not become caste nor was tribal religion a part of the Hindu religion but it borrowed elements from other communities. Tribes were seen or conceived in religious terms but they were also seen in conjunction with other dimensions, especially their isolation from the larger society. This perception of relative isolation carried the implication that they were a society unto themselves, different in relation to the larger society (Xaxa, 2006). Beteille (2005) also argues and he points out that, “tribes came to be viewed more and more in religious and not just ecological terms...if a group could be shown to be clearly ‘Hindu’ in its religious beliefs and practices, it was caste; if it was ‘Animist’ it had to be treated as a tribe” .

The colonial assumption had tended to underestimate the autonomy of tribal communities and did not adequately understand the process of interaction between tribe and caste. Hence, they were always studied as isolates till 1960s. As we can see the debate of tribe-caste-peasant or folk-tribe-peasant continuum debate as a continuation of colonial discourse. This duality was always stressed, describing them as segmentary, simple formation, less hierarchical, less stratified and less integrated in the larger system. This perception had a larger implication on the Indian society, as it got divided into tribes and castes, tribes and peasants and another thing happened, sociology got engaged into the study of caste and peasants whereas anthropology into the study on tribes (Beteille, 1974).

As mentioned above these findings had an impact on the administration of tribes. As they were perceived different from other caste groups the British government kept them in comparative isolation. Even Hutton (1933), the census commissioner in 1931, holds an assumption that the aboriginals were an absolute distinct element in India. They should not be amendable to the political treatment, like other sections of society. This will create chaos, if the same principles and precedents, which are implemented in non-tribal areas, are applied in aboriginal areas. This thinking led to keep the tribal areas excluded. This gave rise to the various acts for tribal communities like, Scheduled Area District Act of 1874, which kept the

tribes outside the application of general laws. This administrative-cum-political distinction was further reinforced by the passing of the Government of India Act, 1919 in which tribal backwardness was given formal recognition as a basis for special treatment. After this the Government of India Act, 1935, these territories were further divided into excluded and partial excluded areas. The basic objective of these acts was to 'reclaim to civilization' the tribes, who had often rebelled or were difficult to pacify (Singh, 1985). Thus the colonial system ended the relative isolation of the tribal society by making them fall into the administrative policy and programs. This, further, led to the suppression of tribes in their region and brought them into a new system of economic and social relationship.

The colonial conception of tribes was largely influenced by the scientific temper of the 19th century and the early 20th century in which evolutionism and ethnocentrism dominated anthropological research both in Europe and the North America. Evolutionism not only perceived tribes as a remnant of the past, it also visualizes a *unilinear pattern of development that has its origin in the west*, backed by a paternalistic ideology that unless we protect them from the general population they would fade into oblivion (Noghbri, 2003).

3.6 Postcolonial studies on tribes

The tradition of tribal studies laid down by colonial anthropology was further institutionalized with the introduction of Sociology in Bombay University and Anthropology in Calcutta University in 1919 and 1921 respectively. By this some Indian anthropologists who were trained under British anthropologists initiated a series of studies on tribes. As they were trained and heavily influenced by British anthropology, they were primarily concerned with ethnographic facts i.e. institutionalized and enduring features that characterized the society being investigated, and not really with the people or the experiences that encountered as they lived out their lives.

V. Elwin spent his entire life studying and working among the tribes in India. *Being a British he also accepted the view of tribes being isolated ones in themselves* but he brought out facts about the problems faced by tribes (Nongbri, 2003). For instance in his book 'Baiga' (2002) he showed how British policies negatively

affected the tribals with an example of shifting cultivation of how restrictions on shifting cultivation eroded their culture and tradition and brought them near to destitution. He shared his similar views in his other book on the Agaria, in which he criticizes the colonial government's forest policy and taxation. All his studies basically focus on the problems faced by the tribes in colonial India. This led him to advocate the policy of protection where tribes will live their life according to their own terms with less interference from the government's side. He came up with a theory of 'Public Park', where tribes will have their own monopoly in their socio-cultural and economic practices. He recommended the policy of isolation for tribals in his book, *The Loss of Nerve* (1941), and suggested that their administration should be adjusted as to allow them to lead their life without interference from outside agencies. In the conclusion he said, "I am not one of those who advocated a policy of absolute isolation, but I do urge a policy of isolation from debasing and impoverishing contact. The aboriginal cannot remain as he is—but is it necessary for him to pass through a long period of degradation before he emerges as the civilized man of the future? Could we not keep him in his innocence and happiness for a while till 'civilization' is more worthy to instruct him and until a scientific age has learnt how to bring development and change without causing despair?"(cited in Noghri, 2003). The same opinion was expressed later in another book, *The Aborigines* (1943), where he strongly advocated for it. But later he denied to be isolationist and condemned the policy of isolation. About the theory of 'Public Park' in the late thirties, he said that he thought that it will be a constructive method to stop the exploitation of tribes and will also preserve the tribal culture which is shading away. Then later he also advocated the unity of tribals with the main stream for the sake of national interest. He also openly professed the aim of hinduization of the tribes because he thought that Hindus could be persuaded to admit the aboriginals into the larger grade of the society, even though the Hindus had no such self-executing social mechanism for ensuring conversion on a large scale (Singh, K.S, 1972).

The previous statement of Elwin regarding tribes and keeping them in isolation had a big impact on the studies of tribes in India. He was severely criticized by the nationalists as a strategy to divide the country. G.S. Ghurye was one of his biggest critics. He labeled Elwin as an isolationist, "who wished to see the aborigines reinstated in their own original ways irrespective of any other consideration" (cited in

Noghbri, 2003). He expressed his ideas in his book, *The Aborigines... so called and their Future* (1943), in which he demonstrated the close parallel between tribal and Hindu belief system. Ghurye opined that tribes are 'backward Hindus' and argued for the policy of assimilation of tribes into the Hindu fold of civilization. In his book *The Schedule Tribe* (1963), he divides tribes into three sections; those who are properly integrated, loosely integrated and those who are not touched by Hinduism and they are in reality backward Hindus. He based his arguments on the basis of religion, as animism was religion of tribes and in Hinduism also followed this particular path and hence they could be distinguished from each other. This argument was based on not on any kind of field work but on the basis of observation and comments of some census commissioners between 1891 and 1931 (Xaxa, 2005). Ghurye in his another book on North-east blames Elwin's Isolationist policy for the turmoil of this region. But Elwin had no intentions to undermine the integrity of the country or to keep tribes as 'museum pieces' (Noghbri, 2003). The debate between these two anthropologists changed the whole discourse on the studies on tribes in Indian anthropology and also the notion of tribe.

After independence there was a new task on the shoulders of sociology and social anthropology regarding the construction of caste and tribe. A new set of studies was started by L.P. Vidhyarthi, D.N. Majumdar, N.K. Bose, Surajit Sinha, D.D. Kosambi, N. Ray and Beteille and an attempt was also made to stamp out the colonial view, which perceived tribes and caste as dichotomous (Noghbri, 2003).

Post independence, scholars started to look into the religious books in search of the term 'tribe'. They came to a conclusion that there is no equivalent term for tribe and hence, attempts were made to establish that tribes and caste belong to the same order (Xaxa, 2005). Niharanjan Ray pointed out the term *jana* in the texts to the modern category of tribe. In his words, "in Indian historical tradition there were two sets of *jana*, one who are still recognized by anthropologists and sociologists as tribes... and another set that are at a higher level of socio-economic and political organization and of aesthetic and religious cultures" (Ibid). Other scholars were cautious using this term as it became too amorphous, overlapping in many instances with other categories that would be classified as non-tribes (Xaxa, 2003). This gave rise to a number of frameworks to explain the ways in which tribes are transformed

into caste. Notable among them were Kosambi and Bose's Brahminic cum-technological model, Surajit Sinha's Rajput or Kshatriya model, Srinivas' Sanskritization model interspersed between the two (Noghbri, 2003). These are discussed as follows.

Kosambi (1975) took agriculture as main criteria to analyze the transmission of caste into tribe and vice-versa where integration of tribes into castes results the former into the caste system. According to Kosambi, Brahmins acted as pioneers in underdeveloped localities where they not only introduced the use of plough, knowledge of seeds, crops, agricultural calendar, markets and trade, but also transmitted the cultural traits and values of the caste society to tribes (cited in Noghbri, 2003). He refers to the growth and expansion of tribal society through the fusion of elements between tribes and Hindu society. In a similar fashion, Bose (1980) saw the system of production based on caste as the decisive factor that brought about the integration of tribes to the dominant society. He stressed more on the acculturation process by witnessing some tribes in eastern India. As he writes, "Such a slow movement of economic change, spread over at least a hundred years or more, has led to the gradual absorption of some sections of tribal people into the Hindu fold" (Ibid). He uses the term 'the Hindu method of tribal absorption'. In this kind of absorption and if one critically looks at it, the Hindu society is totally rigid based, hierarchical and based on caste. Hence even though these people who are taken in the Hindu fold were kept on the lower rungs of this society (Noghbri, 2003). Sinha (1989) saw the absorption of tribes into the Hindu caste system to the process of state formulation that accompanied the establishment of tribal dynasties in many parts of the peninsular India during the ancient and the medieval periods. He too points out the processes of Sanskritization and Hinduization which takes place within the state formulation.

As these studies took caste as a reference point in studying tribes, an alternative model was build by K.S. Singh (1972) by taking the role of peasants and artisan castes in diffusing the technology in tribal areas. He proposed a model of 'tribe-peasants' and 'tribe-artisan' interaction, in place of Brahmin and Kshatriya model, to explain the relations between the caste and tribe (Noghbri, 2003).

The studies mentioned above highlights and analyses the nature of tribe-caste interaction, but these studies lack the historical base or information on the subject, tribal studies (Ibid). Another thing is that tribal society in India is very heterogeneous and these studies do not provide a generalized or a universal theory to analyze the tribal society. Some tribes are living in complete isolation without any interaction with outsiders; there the theory is not applicable. The kind of interaction which has been portrayed in these studies does not fully assimilate or integrate into the caste system. Though economic and political interests have compelled the tribes to adopt some social and cultural practices, they did not totally drop their social, cultural and traditional identity. Thus, tribal society was seen as those outside the larger Indian society and not part of the civilization. The paradox is that though they were not part of the greater civilisation they were not considered as isolates, also but in constant interaction with or at the fringes of the larger society. These studies make an effort to understand the changes in the tribal societies by keeping the process of acculturation arising out of such contact and interaction. Regarding this tribe and caste debate Beteille (1980) has suggested that the separation of caste and tribe society is evident in the Sanskrit division between *jati*, communities settled in town and villages, and with elaborate division of labor, and *jani*, who inhabit hills and forest. Vidhyarathi and Rai (1985) also find the evidence for Tribal communities in the ancient literature, citing examples from the Vedas, the Puranas, the Ramayana and the Mahabharata.

As the debate still continues, there was an attempt in defining tribes in the Indian context. But it failed to materialize which further led the scholars to think about the heterogeneity of tribes, in terms of geography, economy, social organization, and level of integration in to the caste system as variables in classifying tribes. As Beteille (2005) says regarding the definition of tribes, "The problem in India was to identify rather than to define tribes, and scientific or theoretical orientations were never allowed to displace administrative or political ones" (cited in Noghbri, 2003). The constitution has provided the term 'Schedule Tribe', as an administrative category. After constituting this category a significant trend has been the shift from generalized description of tribes to problem-oriented specialized studies such as the ones dealing with social adaptation, political developments, and cultural transformation and so on. Primarily because of introduction of a series of schemes by the government for the welfare of tribes, the influence of developmental measures

became a major pre-occupation. Studies on impact of industrialization on tribes, their changing worldviews are other newly developed important areas of study.

Recent attempts have been made to categorize 'tribes' in India as Indigenous people. 'Tribes' in India are known as *Adivasis*, which means the original inhabitants of the land (Xaxa, 2003). This designation to tribes in India is not accepted by most of the social anthropologists.

3.6.1 Approaches to tribes

Isolation

There is a group of thinkers who advocates that the tribals should remain isolated from the rest of the Indian people and maintain their separate identity (Elwin, 1979). This is the oldest view which is proved by the fact that most of the tribal groups remained outside the social structure of the Aryans who in their effort to maintain racial purity, kept them at a distance. This concept is accepted by several old time administrators, like J.H. Hutton (1933), who are still are inclined to the British concept of administration, by some anthropologists who treat tribals as museum pieces and wish to put partition walls between tribal and non-tribal cultures and by the vested interests, for instance, moneylenders, contractors and businessmen operating in tribal areas with the sole intention of exploitation (Noghbri, 2003).

However, these concepts proved out of date even during the British base. For instance the British government themselves followed a policy of industrialization of the Chhota-Nagpur area, the habitat of the Santhals, the Mundas, the Hos and many other 'tribes', on discovered of rich mineral deposits (Prakash, 2003). Under this circumstance and the interest of their industry policy, the British were forced to revise their policy of complete isolation and adopt a policy of limited isolation. The Britishers intervened only to maintain law and order and occasionally to minimize exploitation by taking legal and executive measures to protect the tribal people from moneylenders, land grabbers, etc. Such a policy also helped the British in isolating the tribals from the nationalists and the freedom movements. The result was that the policy of isolation was seriously criticized and condemned by the national leaders during the British rule and has not found favor with the public opinion after

independence (Noghbri 2003, Singh 1972). But this approach or the theory did not completely vanish, as Elwin had proposed a policy of isolation to the British government in 1939, but its influence is seen in the five principles of India's first Prime Minister's *tribal panchsheel*⁶. 'to allow people to develop along their own cultural lines, to respect land rights, to train tribals for the administration of the schemes, to work through tribal social institutions, and to judge results not by statistics and expenditure, but by the quality of human character that is evolved'' (Elwin, 1959).

Assimilation

The second school of thought believes in complete assimilation of the 'tribes' with the rest of Indian people. It rules out any special treatment to the tribals, advocates complete absorption of tribal culture, customs and traditions in the dominant culture. They suggest abolishment of their way of life and do not favor the constitutional safeguards and to end special measures for their welfare (Noghbri, 2003). The supporters of this view-point assert that emphasis on the development of tribals according to their own traditions and culture will promote separatist tendencies among the tribals. Many political thinkers, social reformers and administrators having experience of tribal affairs, subscribe to this view. Verrier Elwin opposed the policy of assimilation. This view was maintained by most of the nationalists.

Integration

This group is opposed to both isolation and complete assimilation of tribes. It advocates that different tribal communities should grow and develop according to their space, as India is a land of heterogeneous cultures with no recognized or standard culture in which the 'tribes' may be made to opt (Xaxa, 2006). Indian constitution advocates this proposal for tribes. Xaxa, gives an excellent explanation of the term 'integration'. He says that the basic underlying assumption is that it provides space for diversity, unlike assimilation, which extends no such space and also the small and minority group must give up their culture in favor of the dominant one (Ibid).

⁶ Tribal panchsheel, were the five principles advocated by Jawaharlal Nehru. This was forwarded in the 2nd edition of Elwin's book, Philosophy of NEFA, 1959.

3.6.2 Notion of tribe in post-colonial India

Origin of the term 'tribe' (Doshi and Jain, 2001), is derived from a Latin root. In Middle East term 'tribe' means *tribuz*, meaning the three divisions into which the early Romans were grouped, came to evolve into the modern English 'tribe'. Among the Romans, the 'tribe' was a political division, while for the Greeks seem to have equated it with somewhat with their 'fraternities' at times, and with geographical divisions at others. In Irish history, however, the term meant families or communities of persons having the same surname. Today among the anthropologists and the sociologists of western origin, the term means, according to the latest edition of the Oxford Dictionary of Sociology (2004, pp 674), "denotes a social group bound together by kin and duty and associated with a particular territory. Members of the tribe share the social cohesion associated with the family, together with the sense of political autonomy of a nation".

Actually, the notion of tribe doesn't have its origin in India. It is in all respect a colonial construct (Beteille 1986). The term tribe or notion which the colonial anthropologists had in mind was that of Europe and was used in a different context in Europe. It was associated with a territory, a language or a common name. Ray (1972) argues, "... with the rise and growth of nationalism in Europe, the term tribe came to be used in denotation of a particular community of people within a given territory and language area, class, tribe, nation etc". Thus came to denote the various successive stages in the progressive march of people aspiring towards nationhood. The same is argued by Pathy (1992, Vol. III), in his words before India got colonized there was no equivalent indigenous word for the English term 'tribe'. The ancient Sanskrit word, *atavika*, *jana*, which simply denoted agglomeration of individuals with specific territorial, kinship and cultural pattern, can hardly be equated to the term tribe.

The notion or definition of tribe provided by the Indian anthropologists was never the same. For instance, Elwin (1941) argues that tribes were the original settlers of the land. They have their own way of living defined by their customs and practices but when they come in contact they tend to loose their culture. Hence to avoid this loss they should be in isolation in 'Public Parks' without any kind of interference. But latter he changed and advocated for integration of tribals. Ghurye's (1943) response to the notion of tribe was that they are a part of the Hindu society and they are getting

assimilated into this particular religion as Hindu castes. He defines tribes as backward caste Hindus and peasants. This perception of tribes had turned into a new thinking propagated by the Hindutva fanatics that tribes are Hindus. They have set a notion which sees tribes solely in religious terms and hence categorize them as Hindus. The categorization of tribes as Hindus leads to the problems that are conceptual and empirical. It is a debatable question. As Xaxa (2006, pp 281-282) argues, "There are both similarities and differences in these two religion and similarities are drawn on two bases. One is the influence of Hinduism and other is both are to a great extent natural religion. As Hinduism is concerned there has been give and take between these two religions but it does not built an adequate ground for seeing tribes as Hindus. About the natural religion, tribes in India and tribes in America or Africa share the same religion practices and hence it will be absurd to call them as well as Indian tribes as Hindus. To categorize tribes as Hindus smacks the cultural and religious domination. It is possible for a tribe to be Hindu and a tribe at a same time but s/he can be Hindu only at the risk of loosing tribal status. By one may acquire a new status but it will caste and not tribe". And even if they become caste, they will get a lower status in the hierarchy.

Others like Ray (cited in Xaxa, 2003) defines tribes as, the so-called tribals of India, it is well known, are the indigenous, autochthonous people of the land, in the sense that they had been long settled in different parts of the country before the Aryan-speaking peoples penetrated India to settle down first in Kabul and Indus valley and then within a millennium and a half, to spread out over large parts of the country along the plains and river valley. He explains the term from a historical point of view. Bose, N.K (1980), perceived tribes as original inhabitants of this country but they are increasingly come within the fold of the Hinduism. Bailey, F.G (1960), establishes a correlation between 'tribe', 'caste' and 'nation'. He says that tribe and caste have separate identities. It differs right from their political organization, as tribes have more segmentary kind of political system and based on agnatic kinship whereas castes drawn from their socially sanctioned legislations. These were the views of anthropologists for tribe.

In administration when the constitution took the term 'Schedule Tribe', it also *not specifically taken care to define a tribe. The process of inclusion has depended*

largely on commonly accepted criteria. The criteria followed for specification of a community as a schedule tribe are indications of primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large, and backwardness. There are no religious criteria for that purpose and a tribal can belong to any religion (Hooja, 2004).

From the administrative to the anthropological studies till date, there is no concrete definition for tribes. As Andre Beteille (1986) expresses, Ethnographic material from India did not figure prominently in the general discussion regarding the definition of tribe. The problem in India [or the task of the anthropologists] was to *identify* rather than *define* tribes, and scientific or theoretical considerations were never allowed to displace administrative or political ones....Indian anthropologists have been conscious of a certain lack of fit between what their discipline defines as 'tribe' and what they are obliged to describe as 'tribes', but they have sought a way out of the muddle by calling them all 'tribes in transition'. Xaxa (2003) provides a synoptic view of how tribes were viewed and defined by foreign and Indian scholars. For foreign scholars, a tribe is viewed as a whole society more or less homogenous with common government, language, culture, customs, etc. For some, tribes are distinguished by the absence of state-like features in their organization which is marked by segmentary features. Other viewed tribes as a stage in the evolution of society. For some tribe is only a kind of secondary phenomenon acquiring its form and identity from some external source. For Indian context, tribes were defined in two ways; one is by framing the theoretical reflections in anthropological theory and on the other hand provides theoretical background to identify the tribes who are already listed in the constitution. Xaxa (2003) provides two anthropologists definition on tribes, viz. Bailey and Beteille, the former tried to define tribal society in India in terms of features of segmentary systems—that is tribes, besides being small in scale and restricted in the spatial and temporal range of their social, legal and political relations, also represents a structure of a definite type (Bailey, 1961). Beteille (1986, cited in Xaxa, 2003, pp 376) on the other hand prefers the historical to evolutionary approach. According to him, a tribe is defined more by its being outside the state and civilization whether by choice or out of necessity, than as a definite stage in the evolutionary advance from simple to the more complex. He defines tribe both in terms

of societal features such as distinct territory, language, culture and government and in terms of segmental features, inadequate in the context of Indian society.

The criteria developed for identifying tribes are, physical characteristics, linguistic affiliation, cultural contact with the outside world, occupation and ecological considerations, apart from that living in inaccessible areas, speaking tribal languages, the practice of animism, and engagement in primitive occupation were important. In addition such groups were identified belonging to the Negrito, the Austroloid or the Mongoloid stock, with nomadic habits and a love for dance and music. If look at these criteria one finds that there is a kind of continuum from the colonial ways of perceiving tribes. Another example to justify the argument is to see the statement given by the Advisory Committee on Fundamental rights and Minorities, with one of the functions was to report to the Constituent Assembly on a scheme for the administration of the tribal and the excluded areas. The statement is notable, *“the areas inhabited by the tribes... Are difficult to access, highly malarial and infested also in some cases by other diseases like yaws and venereal disease and lacking in such civilising facilities as roads, schools, dispensaries and water supply. The tribes themselves are for the most part extremely simple people who can be and are exploited with ease by plainsfolk resulting in the passage of land formerly cultivated by them to moneylenders and other erstwhile non-agriculturalists. While a good number of superstitions and even harmful practices are prevalent among them the tribes have their own customs and way of life with institutions like tribal customs and ways by exposure to the impact of a more complicated and sophisticated manner of life is capable of doing great harm. Considered past experience and strong temptations to take advantage of the tribals simplicity and weaknesses it essential to provide statutory safeguards for the protection of the land which ease the mainstay of the ABORGINALS economic life and for his customs and institutions which, apart from being his own, contain element of value”* (Report of joint sub-committee 1947: 2, cited in Prakash, 2003).

One can see that there are three statements which show the continuum of colonial discourse in independent India. One is the colonial stereotype of tribals as savage and intellectually weak, who have no understanding or capabilities to protect themselves from being exploited. Second, emphasizing on superstitions and harmful

practices also reflected a similar point of view. Third, is the paternalistic attitude for tribes, the concept of protection which was expressed by the colonial ethnographers is also expressed in a similar way.

Even the government's policy towards the tribal development is rooted in the British colonial policy. In the post colonial period the Gandhian workers were heavily involved in the tribal development with the aim of building co-operatives and *ashram* schools. Where the British may have tried to promote Christianity, this project was implemented with the aim to impose Gandhian/Hindu norms and values (Xaxa, 2006). This did not have a sound impact, but it had a big impact on the shaping the policy for tribes in independent India (Ibid). Thakkar Bappa, in particular, who opposed isolation and advocated for bringing the tribals in the main stream of Indian [Hindu] civilization by rapid modernization and cultural change. This continuity of the idea of tribal upliftment involves the adoption of the values and lifestyle of the uplifter, that is the current civilisation and their habits, is seen in the congress declaration after independence. The intention was to 'bring the tribal people up to the level of Mr. Taipal Sing, who was he president of Adivasi Masabha, and not to keep them as tribes, so that, ten year hence the word 'tribes' may be removed altogether when they should have come up to our level' (Charsley, 1996). This statement has to be analyzed in the context of the formation of the nation-state which led to the denial of diversity of cultures and value systems of peoples and the creation of a single standardized pattern (Pathy, 1999).

3.7 Post-Colonial Identities of tribes

Each tribal community have their own identity to identify their own people and also for the outside world too. Due to the process of isolation, assimilation and integration and the policies built on them, it will be fruitful enough to categorize their identities for a better understanding (c.f Raha 1997, Vol. IV). The identities are grouped as follows:

Ascribed Identity

As written above, all the tribal communities have their own traditionally based identity. These communities are known to others through their traditional identities. For example, the Kukis are known as Kukis to the outsiders.

Self-Imposed Identity

Some tribes have acquired a new name and identify themselves by that name. They are known by that particular name and have become their established identity. For example, Lepchas for the Rong people in the Sikkim and Darjeeling hills.

Imposed Identity

The movement of people in different forms brings a section of the people nearer to one another. And once they come closer to one another some of the groups give new names to identify some other communities who in later period of time come to be identified by the new names given to them.

Spatial and Territorial Identity

Often many tribal groups in India have got their identity from the region or the place they inhabit. This spatial or territorial identity becomes dominant, and their own ethnic identity becomes secondary.

Multiple Identity

Each 'tribal' person belongs to his or her particular tribe. But when a community member connects to the larger group his or her identity is also broaden. For example, one is a Maharashtrian and if he goes beyond that he is a Hindu and after that he is an Indian.

Multiple Administrative Identity

This is in special reference to the denotified tribes in India. In colonial period they were labeled as 'criminal tribes' for administrative purpose. In the postcolonial India also for the sake of administrative purpose they are labeled as 'denotified communities'. After denotifying these communities, they were shuffled in SCs, STs and OBCs list. This generated multiple identities within themselves. For example, an individual from the Kaikadi community comes under the category SC in some districts of Maharashtra and in some districts of the same state as Schedule Tribe and in the central government list comes under Other Backward Classes list.

3.8 Impact on tribes: Colonial and Post-Colonial Studies

Indian society is divided into caste, language, religion and region. These are principal markers of Indian difference. Into this two more categories were added by the colonial rulers, one is 'tribe' and another is 'criminal tribes or castes'.

The use of the term 'tribe' to describe a people who were different from those of the rest of the civilization has been argued as being a colonial construction (Beteille, 1995). This view is also supported by Bates' (1995b) accounts of the development of racial theory in India and the attendant reification of caste and tribe differences, whether 'purely for the sake of classification and enumeration'. Beteille (1980) further argues that, "The consciousness of the distinct and separate identity of all the tribes in India taken as whole is a modern consciousness, brought into being by the colonial state and confirmed by its successor after Independence... and today the category tribe has become a part of the established order, but more as a political than a social fact". There is no doubt that the use of the category 'tribe' to describe peoples so heterogeneous from each other, by virtue of their physical and linguistic traits, demographic size, ecological conditions of living, regions inhabited, stages of social formation, levels of acculturation and development was first put forward by the colonial administrators (Xaxa, 2006). Since the 16th century, 'tribe' has referred to groups/communities living in primitive and barbarous conditions. It is in the same mould, if not worse, that Sanskrit and Hindu religious texts and traditions had already described and depicted certain peoples (Ibid). Bara (2002) takes the point even further when he states that pre-colonial depictions of the tribal people of India as *dasyus*, *daiyyas*, *rakshasas* and *nishadas*, when juxtaposed with the mid-nineteenth century Western racial notion, actually advanced the aspect of bestiality to the concept. There was thus, continuity between the meaning attached to the term on the one hand, and prior absence of the caste system and also perceived as those who practiced religion without written text (cited in Xaxa, 2006). Because of this perception on tribes, anthropologists started to perceive tribes as different from caste and Hinduism and separated from them on the basis of general features, like nature and the organization of society.

Tribes were always seen as different and measured in the scale of civilization which was built by the Europeans. They were seen and perceived as isolated but in

constant interaction with, or at the fringes of the larger society (Ibid). Even the Indian sociologist and anthropologists see tribes with this lens. An excellent description is given by Xaxa (Ibid) about them in how they studied tribes, like Kosambi (1975), refers to the growth and expansion of society through the fusion of elements between tribes and what then constituted the Indian society; Bose (1941) analysis the process in which tribes were fascinated in getting involved into the larger society by taking part in the social organization of its production system. He calls it the 'Hindu method of tribal absorption'; Srinivas (1977) describes and also extends the process of Sanskritization in studying transformation in tribal society and Sinha (1962) also uses the process of transformation in tribal society through the means of Sanskritization and Hinduization but by keeping state formulation as the central theme. If one analysis these studies a significant importance or rather there is negligence of their language, culture, religion, tradition and territories and because of this their identity is at stake. It is agreed that studies on tribes cannot be in isolation with the surroundings but it should not be the central theme in studying tribes.

The colonial ethnographers were already preoccupied with the Eurocentric views when they encountered the tribal communities. As language distinguished humans from beast, it is the writing that distinguishes the civilized from savages (Heredia, 2000). Writing at that point can also be considered as an advantageous tool or a form of domination. If we look at the history all the printed literature written on tribes were by colonial ethnographers leaving no space for an authentic self-representation from the community. This generates a feeling all which has been written on tribes is a kind of reflected history, constructed through the perspectives of others. This also had a great impact on the cultural deprivation, as historical memories are very important for the construction of community identity (Ibid). The tribes which were described in the colonial literature had their own history but it was recorded in written form and if it was recorded it was done in a distorted form.

In the Indian anthropological literature on tribes there are other alternative nomenclatures given to tribes, which are Aborigines, 'Backward Hindus', Ethnic Minorities, Fourth world, Tribes in Transition, etc (Xaxa, 2003). Some also use the term *Adivasis* or autochthonous. The term '*Adivasi*' meaning 'original inhabitants' was first used in the Chota-Nagpur region of Bihar in 1930s and extended to other

regions in 1940 by A.V. Thakkar. Other terms popularized were '*Ranipaja*', '*Vanjati*' and '*Girijan*'. The terms or nomenclatures were popularized by Gandhians and had meaning in the Hindu religion.

Recently there has been an attempt to describe tribes in India as indigenous communities. But this term has not been widely accepted in Indian academics. Andre Beteille, denied the designation 'indigenous' to tribes in India. According to him, in India, the history between tribal and non-tribal populations has been a long and complex one in which both the populations have undergone many transformations through usurpation, miscegenation, and migration. These movements have also been of castes as well as of tribes... and the distribution of physical or racial traits shows no marked cleavage between tribal and non-tribal population as it does in Australia and in the North America (Beteille, 1998). Hence it would be absurd to designate only these communities as 'indigenous'. Whereas Xaxa (1999) expresses a different view, that there is a need to make a distinction between settlement in the context of a country as a whole and settlement within the parts or regions. In a large country like India this distinction is vital to establish the historical antiquity of populations within a specific territory. One has to keep region as a unit of analysis and not the macro unit of a country.

3.9 Summary

The studies on 'tribes' in the colonial period till present has undergone a major change. The unit of analysis on which 'tribes' were studied has also changed. In the colonial period the tribes were perceived as 'isolates', 'savages' and with all derogatory terms and studied them by keeping caste as the central point. The Europeans measured 'tribes' in their own scale of civilization, which made them, think to keep 'tribes' in the lowest ladder. So to make them civilized and protect them from non-tribals, the Europeans also started to frame policies.

This some how got internalized in the minds of Indians. The Indian anthropologists also started to study them within the framework of caste, without being critical of colonial knowledge. In fact most of the studies were done within the European and caste framework.

The post colonial studies on tribes created a transformational change. It questioned the knowledge on which the definition on 'tribes' was constructed and further established 'tribes' as being a colonial construct.

But the irony is there has been a lot of gap between the reality and the theories being formed for studying tribes. There is not a single definition on tribes in India which can encompass the whole tribal communities and it is also not possible, as tribes as whole has no geographical contiguity in India. Even the term Indigenous has caused a lot of problem, as the word Indigenous also is attached to 'land' and the affiliation towards it. Taking the case of Manipur, as the Nagas claim that they are the indigenous people and their claim for 'Nagalim', this has caused a serious threat to the Kukis and other communities who are also residing in Manipur. No doubt, the attitude towards the tribes is changing and they are occupying space in the academic literature by questioning the whole paradigm of development for them as well as for the whole India.

Constructing Denotified Communities: Colonial to Postcolonial

The study examines the model of colonial governance in India and its role in *suppressing and controlling the activities of the 'criminal tribes'*, by passing an Act called Criminal Tribes Act(s). The work examines the history of these communities questioning their status as 'tribes' or 'castes', the role of British in categorizing them, *and the role of the caste system. This work also focuses on the 'criminality' of the 'criminal tribe'*, if it was a result of the function of the Hindu social structure and the British-caste Hindus nexus in the making of 'criminal tribes'.

4.1 Introduction

As Xaxa (2003) opines in his paper "Tribes in India" that, "Indian society is marked by considerable heterogeneity and has been perceived more in differences than similarities... and the major social categories are religion, territory, language and caste. These categories were latter reinforced through the decennial enumeration and classification of the population into the groups and categories. One of the major intellectual and administrative pre-occupations of the colonial state and to these existing categories, a new category was added during this period. This was the category of 'tribe'". The work argues that there was another category added in the decennial census and was further clubbed as a category of 'Criminal Tribe'. The statement made by Dr. Xaxa is very important as he shows that these categories, in which criminal tribes are added, were already existing, which means that the Britishers gave a new term and the notion attached to them was already existing in the minds. The Britishers just solidified the whole Indian (Hindu) social structure within a framework'.

The nomenclature given to these communities, 'criminal tribes', itself speak the nature and the function of these communities, which means their means of livelihood totally depends on 'crime'. Many colonial ethnographers like Russell, Risley, Ethnoven, Thurston, Crook, Macmun, etc. have studied and provided a brief descriptive account of their lives, characteristics and the ways and methods of crime.

⁷ Ellener Zeallot, e-mail and also expressed the same opinion.

Even the Indian authors like B.S. Bhargava⁸ and P.D. Biswas have studied these communities but they somehow do not deal with the question of criminality but provide a brief account of their lives, life-style, religion, customs etc, analyzing it with criminological theories without criticizing the whole notion of 'tribe' and 'criminal tribe'. There are other set of studies that do provide a critical enquiry on *these communities, which are David Arnold (), Yang (), Simhadhri (), RadhaKrishana () and D'Souza ()* who question the notion of criminality among the 'criminal tribes' in the context of western governmentality⁹. At present, these so-called criminal tribes are not recognize as criminal tribes but as 'Denotified communities' by the state and have been shuffled into the administrative categories like Schedule Castes, Schedule Tribes and the OBCs.

In 1952, at the time of the repeal of the act, the total population of criminal tribe was estimated at 22, 68,000 made of 193 castes. Hence the criminal tribes were renamed as Denotified Communities. The term 'Denotified Tribe' is an administrative category. As Spivaks¹⁰ says, "It is a legal description, which is not a positive description but a negative description, because notification is the 18th or 19th century word used by colonial administrators. It has no colloquial hold on the 20th century user of English. And 'denotified nomadic tribe' is not meaningful for the DNT, who is not at home in English. The sixty million loosely described by a negative descriptive *is not aware of what DNT is and that they themselves are DNTs*".

The exact number of 'Denotified communities' is difficult to find out as they have been shuffled into SC, ST and OBC and thereby the census doesn't take them as a separate category. It is only in the Maharashtra, where they are known as Vimukta Jati and reservation in jobs is provided on that basis. But not to all Denotified communities, as some of them like Kaikadi's come under the OBC list in the central

⁸ Bhargava, B.S, *The Criminal Tribes: A socio-Economic study of the principal criminal tribes and castes in India*, published by Ethnographic and Folk Culture society, Lucknow, 1949

⁹ Western Governmentality should be understood as a power dispersed through the social body. It is the study of the struggles among the group of colonizers and the colonized not only over the control of technologies but also over their appropriateness, application and desirability. For more refer Pels, "The anthropology of colonialism: culture, history and the emergence of western governmentality", *annual review of anthropology*, 1997, 26: 163-83

¹⁰ Interview of Gayatri Spivak by Anupama Rao, published in Bhudan, a newsletter

government and within the state of Maharashtra in some districts they are in SC list and other districts as OBCs.

4.1 Construction of 'Criminal tribe'

Anthropologists argue that for identifying and categorizing communities, like caste and 'tribes' the colonial discourse adopted two ways for systematizing India. One set of anthropologists argue that "Caste is an invention of the British. The European theorist and official are supposed to have constructed a ludicrously flawed understanding of caste as the all-pervading 'essence' of the Indian social order" (Bates, 2003). And according to (Inden 1990) , a motley collection of European romantics, empiricists and miscellaneous 'essentialisers' are held to have created an 'imagined' India in which caste was a mere fabrication, designated to demean and subjugate the supposedly dreaming, politically impotent Indian 'other'. This is also argued by (Dirks 1987), when he says that the great Victorian enterprise of data-collection was a one sided exercise of 'hegemonic' power. Ashish Nandy, says, to know India in this systematic 'scientific' sense was to subjugate it; to name, class and dynamic society, and number its cases was to fragment a complex and dynamic society, and to draw strategic gains for its atomized constituent elements recruiting the martial races, pacifying and subduing the criminal tribes, dividing Brahmans from non-Brahmans in the new arena of representative constitutional politics (Cited in Bates, 2003). There is another set of anthropologist and historian, David Washbrook and Baker doesn't subscribe to this view point. They emphasized on the complex interactions between the institutions of manipulative colonial state and the responses of Indians to the process of data-collection and classification by tribe, caste and community. They attacked the prevailing anthropological view of traditional and modernizing caste identities, offer what now seems a crude picture of symbiosis between the British census taker and the opportunist Indian magnate and caste association boss (Ibid).

This work takes both the views into consideration, the responses of the Indians as well as the colonial knowledge in making of colonial knowledge.

So let's start first by taking Indian responses into consideration. Taking Xaxa (2003) into consideration on 'tribes' is important, as it gives us an idea about pre-

colonial existence of criminal tribes. He argues that, “It was not that in the pre-colonial period there were no social groups corresponding roughly to those identified as ‘tribes’ in various administrative reports of the British, but such groups which had distinct local and regional nomenclature, like Santhals and Nagas. In this sense the category of tribe is part of the modern consciousness brought into being by the colonial state and confirmed but its successor after independence”. By taking Xaxa’s (Ibid) view into consideration the same can be argued on ‘criminal tribes’, as they also existed before the Britishers with local and different nomenclatures like Yerukulas, Kaikadis, Phardhis, Dom, Ramoshi and Meenas. He also argues that the notion of a community being ‘criminal’ or indulging totally into ‘crime’ was in existence before the colonial period. The justification of their existence within the Hindu social structure is given by Milind Bokhil (2002) in his article where he quotes Deshpande saying that “crime was never absent in India and old Sanskrit dramas, like ‘Mruchhchatic’ (by Shudrak), ‘Charudatta’ (by Bhas) and ‘Dahskumarcharit’ (by Dandi) describe professional thieves called ‘Sharvilaks’. A science of theft called ‘chourya shastra’ was part of the 18 vidyas and 64 kalas. There have been groups of people, who practiced and excelled in this profession”. This shows that the notion of criminality existed before the colonial period.

When the Britishers encountered these communities parallel to it the notion of a community being criminal was taken from the Indian caste Hindus, as they were the only people employed for interpretations to explain the structure and functions of Hindu society. Britishers took these interpretations seriously, as one can see it in the early form of census classification. This is shown by Crispin Bates (2003), as he writes, “The earliest forms of classification in the census of 1865, 1872 and 1881 were based on a Brahminic theory of caste classification, with the population being divided into Brahmans, Kshatriyas, Vaishyas and Shudras. This categorization met with the approval of Sanskrit scholars and other well versed in the Vedic myths, the simple four-fold varna categorization”. The recording of proverbs¹¹ of most of the Indian communities, especially on criminal tribes, in ethnographic accounts makes one think that labeling a community as criminal tribe or caste was not done in isolation but in

¹¹ Proverbs have been dealt in a general manner in the first chapter, and this chapter will use them more specific in the context of criminal tribe.

consent with the Indian population and if not there also was no resistance from other communities.

As noted in the first chapter and also above, Britishers when they started to write about India, they took Caste into consideration especially to categorize the population according to occupation and social structure. As caste system determined the occupation of individuals and the profession of one caste was passed within the generations of a particular caste, thus preventing social mobility. So when the Britishers saw these criminal tribes or castes they perceived them in the framework of caste, which further meant that these groups or the community took crime as their occupation and this occupation, is passed one generation to another. The notion of 'hereditary crime' rose in this context. So in order to stop their activities an Act was passed as Criminal Tribes Act 1871. This was the first Act to suppress activities of so-called criminal tribes or caste but not the first attempt to suppress the criminal activities. Initially when the East India Company came into power they had to face a challenge from the small chieftains and other irregular tribes and tried to control them under the regulation no. XXII of 1793. Magistrates were invested with summary, persons to work on roads and could imprison them for six months if they absconded. With the passing of the Indian Penal Code, 1860 and Code of Criminal Procedure 1861, these powers ended, but the activities of some of these groups continued to be a problem. The extraordinary fact was that Thuggee was regarded as a regular profession by the Indian rulers both Hindu and Mohomedans. The thugs paid taxes to the state and the state left them unmolested (Ambedkar, 1984). According to Ambedkar (1946) criminal tribes at one time included such well organized confederacies of professional criminals as the Pindhari and the Thugs. But this view is not shared by Partrick (1968), as he shares "The criminal tribes are not to be confused, as scholars in the field are aware, with the extinct of Thugs of India. The Thugs were a professional organization of individuals, not a tribe or community". But the second view is shared by both that the attention and work which was directed against the Thugs which brought into sharper focus the widespread thievery of certain tribes, later to be labeled as criminal tribe. The point here is that criminality did exist before the Britishers.

Let us examine the context in which Criminal Tribes Act of 1871 was passed. *As mention earlier Britishers took Caste as an essence of India and put these*

communities in the caste framework. To justify this statement it is worth to quote Mr. J.S. Stephens¹² brief abstract for the need of this act. The abstract is as follows, “The special feature of India is the caste system. As it is, traders go by castes; a family of carpenter will be carpenter for a century or five centuries hence, if they last so long. Keeping this mind, the meaning of a professional criminal is clear. It means a tribe whose ancestor were criminals from times immemorial, who are themselves destined by the usage of castes, to commit crime and whose descendants will be tinders against law, until the whole tribe is exterminated or accounted for in the manner of the Thugs. When a man tells you that he is an offender against the law, he has been so from the beginning, and will be so to the end. Reform is impossible, for it is his caste. It may almost say his religion to commit crime”. On this basis this first criminal tribe act was passed in 1871, in which tribes such as the Maghyar Doms in Bihar, the Kungurs or Khangars in Bundelkhand, Ramoshi, Phardhis were described as habitual criminal and the adult male members of such groups were forced to report weekly to the local police. Some clauses were, that permission should be obtained from police while shifting from one location to other and government could send the group of people outside the bounds of a certain area; government got the right to form a ‘settlement’ and keep the group of people there (Simhadri 1991). The original act provided for the registration, surveillance and control of ‘criminal tribes’. It applied only to the Northwest provinces, Oudh and Punjab (Tolen 1991).

By going through the statement of Mr. Stephen¹³ one can see that he refers both the terms caste and tribe while analyzing these communities. It was not only Stephen who used caste and tribe interchangeably in the whole British administration. As it is shown in the first and the second chapter that the term caste and tribe was used without making any kind of distinction between them and more or less used as *synonyms*. *As there was no distinction, another question needs a serious consideration*, if these were ‘criminal communities’ or groups ‘caste’ or ‘tribes’ and what made the Britishers to categorize the whole community or group as criminal, whereas in west only individuals were labeled as criminals.

¹² Stephens was a viceroy, quite influential at time. The abstract is taken from Social organization and attitude: A Report.

¹³ This statement was in total consensus with the whole British Officers.

For the first question on the use of nomenclature, it is argued that these communities were castes, as tribes were characterized or identified without keeping occupation as a criterion. For this justification the definition given by Risley and the criteria given by Bailey for identifying 'tribes' is used. According to Risley, "a tribe is defined as a collection of families bearing a common name, which as a rule does not denote from mythical or historical ancestor. Occasionally, the totem is derived from an animal plant but in some parts of the country, it is held together only by the obligation of kinship. Members usually speak the same language and occupy (or profess to occupy) a definite tract of country". Second is Bailey's criterion to explain the features of a tribe: 1. Geographical isolation, 2. Language, 3. Religion, 4. Economy, 5. Heterogeneity of occupation; they don't have specific occupation.

Both the anthropologists don't take occupation as criteria in defining tribe and adding to this the first criminal tribes act was passed in 1871 and it was the year when Britishers initiated the first decennial census and at that time Britishers did not have a concrete definition for 'tribes' (Xaxa 2003). If one reads the first major work to catalogue the criminal sections of Southern India, Notes on Criminal Classes of the Madras presidency, by Frederick S. Mullay, he uses the term 'caste', 'class' and 'tribe' interchangeably (Mullay 1892). So another query rises why Britishers used the term 'tribe' for identifying criminal communities. The reason is well explained by Rachel Tolen (1991), in her words, "The use of term 'tribe' served a distinct representational function. It evoked both an evolutionary stage and certain values and images... 'Tribe' were situated on a lower rung than 'caste' on a evolutionary scale. But the peculiar use of the term 'tribe' to evoke a set of images is clear it was dictated by their caste to do so. Caste, rather than 'tribalism', was the distinctive causal feature of this breed of criminality. But the term 'tribe' could evoke qualities of savagery, wildness and otherness in a way that 'caste' could not. The term 'criminal tribe' was often favored because of the signs it was able to produce in British consciousness".

Apart from this, other terms were used for them, such as 'criminal classes', 'dangerous classes'. There was no concrete definition for these communities, as it changed like the definition of tribes (Xaxa 2003). An attempt to define these communities, both 'tribes' and 'criminal tribes' seems to be framed within the anthropological theory at that time and another to provide a theoretical ground where

by groups identified as 'tribe' and 'criminal tribe' to be distinguished from other communities (Ibid).

About the second question of labeling a whole community as criminal, should be seen in the context of legitimacy provided by the religious shastras for crime and the colonial discourse prevalent in that period. Britishers perceived Indians as not as individuals but as groups clubbed in various castes. This has been well argued by Inden (1986), in his words, "The fixation on caste as the essence of India by Britishers has had still another effect. It has committed Indology, largely descended from British empiricism and utilitarianism, to a curious and contradictory mixture of societalism, in which Indian actions are attributed to social groups—caste, village, linguistic region, religion and joint family—because there is no individuals in which Indians acts are attributed to bad motives". This shows that in India as individuals were governed by their respective castes and the caste represents the occupation of an individual.

4.2.1 Theories of origin

It is difficult to trace the origin of criminal tribes. The criminal tribes or castes had a long history, possibly thousands of years. Some of the tribes by legend or other means date their origin as early as the 1300's AD¹⁴. Different approaches employed for the explanation of criminal tribes have been nicely summed up by Majumdar¹⁵. He has recognized three main points of view and discussed the same at length. *Firstly*, "they are descendants of the aboriginal of India. Racially they are much of a mixture, but it is believed that ABORIGINAL characteristics can be found in some of them". *The anthropometric studies of Majumdar have practically disapproved this hypothesis. They maintained that India is an admixture of racial groups; racial purity is only a mixed and has no scientific basis. Furthermore, they have been mixing among themselves and also without the communities in the society resulting in the future of racial features. However, there may be some truth in the belief that some of them maybe cultural, and to some extent, biological descendants of the aboriginals of India. The Domes and their relatives are an illustration of the point.*

¹⁴ Written by Bhargava, quoted in Patrick, Clarence, The Criminal tribes of India with special emphasis on the Mang Garudi: A preliminary report, Man in India, Sept. 1968, Vol. 48, 3

¹⁵ Taken from Shastri and Goyal, Social organization attitudes and motivation of Denotified communities in U.P.

The second approach: "they are the descendants of the gypsy tribes of India. It is sometimes difficult to distinguish between the gypsy tribes and criminal tribes. But it is very possible that some of them under economic pressure, have given free rein to the gypsy tendency, i.e., petty pilfering, and have become full-time robbers. Is this approach substantially true in the case of certain important Denotified communities, as for instance the Kanjars and Nats. Majumdar also recognizes this approach but rejects the same in principle. " Gypsy tribes were found all over the world and it is believed that they all have emanated from a common origin, but there is little evidence to show that was criminal tribes belong to the same stock of gypsies found in the present-day Europe or other parts of the world. The hypothesis, therefore, may be considered only partially true.

The third approach of the origin of the criminal tribes maintains, "The tribes themselves claim descent from the Rajputs and bear Kshatriya clan names. During the last 50 years or so, in fact, there has been a tendency among the Denotified communities to identify themselves with the Rajputs to gain social prestige and acceptance. This also helps in communication and establishing business and trade relations with members of other communities in society. It would also be noticed that many of the older members of the Denotified communities do not claim their affinity with the Rajputs but the younger generations emphatically the so. Resultantly, the respect Hindu god and goddesses, swear by them, and in their social functions, long to adopt Hindu rituals. It is a sign of integration but this is truer in the context of Northern India. But these theories which have been summed up do not apply to all the criminal tribes or castes in India. The social origins of the different criminal tribes vary greatly¹⁶.

4.2.2 Caste system and 'Criminal tribes' or 'castes'

It is argued that caste system perpetuated criminality among the criminal communities. The criminal tribes or castes did exist in different parts of India bearing different names. These names were their own, but the local names were differed from state to state and most of them had some kind of affinity with the Hindu beliefs. Dr. Ambedkar (1984) speaks about their affinity with the Hindu religion in his book,

¹⁶ See Patrick, Clarence, The Criminal tribes of India with special emphasis on the Mang Garudi: A preliminary report, *Man in India*, Vol. 48, 3, Sept. 1968.

Essays on Untouchables and Untouchability: Social, chapter 2, he divides the Avarna Hindus into three categories, one is the Primitive castes, second is the Criminal Castes and the third Untouchables. About the relationship between the Avarna castes he says that, the criminal castes have a clear notion that they are the higher classes than the untouchables. The criminal tribes are touchables and are unregenerate. He compares untouchables with the criminal castes and says that the criminal castes can become the members of the varna system. They are linked with the Hindu society and hereafter they may become integrated into it and become a part of it.

Again, he notes that criminal castes are not afflicted by this system of Untouchability. In his words, "To a Hindu they do not cause pollution. Indeed these criminal tribes observe Untouchability towards the untouchables. The situation is full of humor when one sees members of these criminal castes feeling that they would be polluted if they would touch an untouchable. They are poor, filthy, superstitious, ignorant, far more than the untouchables yet they pride themselves as socially superior to the untouchables. This of course is the result of the contagion, which they have from the Hindus. But the point to note is that the Hindu does not treat them as untouchable. This is an advantage which they have over the untouchables and which makes their future assured" (Ibid). Even Mukul Kumar (2004) in his article says, even they are termed as tribes, for all practical purpose they were treated as castes in the traditional rural society. They were not considered as untouchables but occupied lower most positions in social hierarchy.

If they are in the Hindu social system, then why has crime become an *occupation for certain castes*? It is worth quoting Ambedkar again, in his words, "The Caste system prevents the Hindu religion from becoming a missionary religion and caste is a fundamental part of the Hindu civilization... and the system of *chaturvarna* limits the opportunities which a person can have for earning an honorable living". Related to this statement he quotes Thurston's statement from his book, *Tribes and Castes of Southern India*, vol.5, p. 196, "All learned are the preserve of the Brahmins; all war like services are the monopoly of the Kshatriya class; trade is open only to Vaishya; services to the Shudras. Those outside, there being nothing honorable left, have been driven to dishonorable and criminal ways of earning a livelihood. This is the result of *chaturvarna* and it is a fundamental part of Hindu civilization"

(Ambedkar 1946). This creates an opinion that the caste system was directly responsible for fertilizing criminality in these groups.

In the context Patrick (1968) is also worth citing, he applies Merton's theory to analyze the criminal tribes in India, in particular to Man Garudi. He observes that the criminality of many Garudi was a function of the Indian social structure. In his words, "It appears that there were two basic emphases or goals in the Indian social system. One was that of embracing and perpetuating orthodox religious beliefs and values. The other was that of obtaining, at least by the masses, a subsistence. The criminal tribes did not seem to share, at least fully in the form of the former; their religion was animism or a corrupted form of Hinduism. The latter goal, obtaining a subsistence, was to them probably life's main concern. However, they either had no occupation or it was so inconsequential that it did not provide enough for existence. Consequently, without adequate institutionalized means of attaining their goals, they rejected conventional norms and innovated or established their own system, the practice of taking from out-groups whatever they could lay their hands on. The larger society defined such behaviour on the part of the tribes as criminal; the tribes defined it as non-criminal so long as it was on an inter-group rather an intra-group basis. Thus deceit, trickery, and theft from out-groups became their principal profession or occupation".

Connected with this Haikerwal also points out, "the Hindu religion was also an ally of antisocial conduct and force." In India, "nothing can be outside the sphere of religion." Thugs (criminals) undoubtedly made a religion of Thuggee and straggled their victims in honor of their goddess. Kalkas caste (criminal) exercised their profession as robbers "without disguise, as their birth right,"... and conceived their calling as no way discreditable to themselves to their tribe, as it having been legitimately descended to them by way of inheritance"¹⁷. Simhadri (1991) also agrees that caste system played a vital role in the development of criminality in the criminal tribes or castes. He argues that the rigid restrictions imposed by the caste and the religious sanctions to castes and anti-social cults and customs of "Karma" and "Dharma" theories perpetuated criminality among them. This holds true if Bhokhil's

¹⁷ Taken from Simhadri, Denotified Tribes: A Sociological Analysis. 1991

argument, which is made initially, that shastras defined and provided a sort of legitimacy to do crime in pre-colonial India (Bokil 1992).

After analyzing the role of caste system, another riddle arises, that if these particular communities had some space in the Hind social system, then at the present day society why are 'criminal tribes' considered lower or equivalent to the present day dalits? This situation may have been occurred after the post-rehabilitation phase, which was done by Britishers. The transformation of these communities from higher to lower or equivalent to the lower castes is well explained by Sir Charles Ibbetsonw in his book 'Punjab Caste'. In his words, "Suppose an aboriginal tribe of vagrant habits, wandering about from jungle to jungle and from village to village, caatching for the sake of the food the vermin which abounds, such as jackals, foxes, and lizards, and eating such dead bodies as fall on their way, planning for themselves rude shelter and untensils from the grasses which fringe the ponds, living with their women very muc in common and ready to prostitute them for money when occasion offers and always on the watch for opportunities for pilfering, and you have the lowest type of gypsy and vagrant tribes as we now find them in the Punjab. Now imagine such a tribe abandoning its vagrant habits and settling as menials in the village. Be no longer nomads, they would cease to hunt and eat vermin , but they would still eat carrion, they would still plait grass, and, being what they were, the filthiest work to be performed, namely scavenging, would fall to their share. They would then be the chuhra or scavenger caste, as they exist in every village. Suppose again that a section of them, desirous of rising life, abandoned plaiting grass and scavenging and took to the tanning and working in leather, the next less filthy work available as their occupation, and modified their primitive creed so as to render it somewhat more like that of their Hindu neighbors, but being still specially concerned with dead animals, continued to eat carrion, we should then have the chamar, or the leather workers. And finally, if desiring to live cleanly, the gay was eating carrion and working in leather and took weaving, which is considered less degrading they would become julaha and be admitted with the plate of Hinduism"¹⁸.

¹⁸ Ibbeston see it as a transition of criminal groups into castes. But here it is taken as transformation or changes of status from one higher caste to a lower caste within the Avarna castes. For his original quote see Shastri and Goyal, Social organization attitudes and motivation of Denotified communities in U.P.

After reading this statement it is worth analyzing the impact of settlement on criminal castes or tribes. As these communities were heavily stigmatized and branded as criminals by the law and when they were settled the rigidity of caste system must have created no option but to choose jobs and roles performed by low castes and this may have degraded their social position. The change in their occupation also brought changes in their social status, role, religious practices, dress, and outlook to life and their interactions with other castes. As much attention has been paid to the Indian social structure and its role.

Now let us see the role of colonial knowledge which gave another turn, that is institutionalizing it legally in terms of law in isolation with the help of its colonial projects like anthropology and census and also with the help of Indian high caste people.

4.3 Colonial knowledge and ‘Criminal tribes’

No doubt that the caste system was directly and indirectly responsible for the criminality in these groups, but one should also look at the interconnection of knowledge of criminals with the wider colonial knowledge production process, like the census and anthropology. The ideas about criminal types and the development of a scientific understanding of criminality emerged out of these exercises. The question is what gave rise to such a system of enumeration and classification?

To understand this we have to go again to the process of building of colonial knowledge, which is discussed in the first chapter¹⁹, because the question of criminal definitions of criminal tribes or castes is also posed in the context of colonial power. Just to provide a backdrop, the early orientalist relied more on the textual knowledge of India, in terms of implementing law, for example, the codification of law pertaining to marriages religious customs, inheritance and other native usages, like the laws of Koran for Muslims and Shastras with respect to Hindus. As the pandits and maulavis were the only key to this knowledge they were taken for interpretations in courts but later they were no more trusted²⁰. This created a demand for bringing English law as

¹⁹ First chapter deals with the process of production of colonial knowledge in general. This chapter deals with its application in the context of criminal tribes.

²⁰ For more see chapter one.

the law of India and especially after the 1857 uprising it compelled the Britishers to enforce their laws. It is in this context the Civil Code was adopted in 1859, the Criminal Code in 1860 and the Code of Criminal Procedure and Police Act in 1961. It is partially against this backdrop one should view the codification of the category of 'criminal tribe' contained in the Criminal Tribes Act of 1871.

Another thing to be noted is that in colonial view, India as a whole was devoid of 'law and order'. According to Britishers India needed no laws as customs and religion were sufficient to provide all the regulations and India came to know the law of 'Oriental Despotism' and from here the moral and civilization destiny of Britons to rule over others started (Metcalf 2005 and Brown 2001). It was in this respect the notion of thuggee and their elimination emerged and the idea of 'criminal tribes' contained this notion of thugees. But this is partially true; the caste system has also to be taken into account. Metcalf (2005) gives a brief account on this, he says that Britishers notion on caste and the valorization of caste difference as fixed and immutable is found in creating two opposed groups, one of 'criminal tribes' and 'martial races'. The notion of 'hereditary crime' was born out logically by observing the caste system in India. Many of these so-called criminal tribes were wandering groups, unsettled communities, not practicing any particular occupation and were vagrants. They were perceived, as outside the sedentary society, hence they were believed to challenge British efforts to order and control their Indian domination (Metcalf 2005 and Brown 2001). The outcome of it was the Criminal Tribes Act, 1871.

The notion of existence of groups and communities surviving through criminal means started from the campaign against thugs during that period. W.H. Sleeman was ordered to eradicate the thuggee from India and on that basis a thug genealogy was established that thuggee was hereditary and they were suspicious about the gypsies and wandering groups. But why were the gypsies or wandering communities targeted? For this answer it is better to quote Casimir and Rao (2003), "from the very beginning the British regarded mobility as 'backward', nomads as uncontrollable, and hence potentially criminal. In Europe Nomadism had come to be equated with vagrancy and associated with poverty; the criminalization for the poor had led to the idea of the 'dangerous classes' and when these concepts paired increasingly well with those

formed with the caste system, within which each entity was conceived of as fixed, clearly definable features for now and forever". They quote Yang, to justify their argument saying that 'when a man tells you he is a Buddhuk or a Kunjur, or a ... he tells you... that he is an offender against the law; has been so from the beginning, and will be so to the end; that reform is impossible, for it is his trade, his ... I may almost say his religion to commit crime'. One can also refer to Cohn (1997) here as he states, for late Victorian ethnographers and anthropologists "a caste is a 'thing', an entity which was concrete and measurable...above all it had identifiable characteristics like endogamy, commensality rules, fixed occupation, and ritual practices".

Another thing to note that in 1857 uprising the nomadic pastoralist were the first to fight against the Britishers and with the victory of Britishers, they were labeled as 'criminal tribes' (Casimir and Rao 2003). At that particular point of time, If (2005) argues that, in the British Raj of 1860s it was a matter of special concern, as only a settled village society, wholly under the supervision of a native landed elite, could guarantee the British the security they required. So in the process, the specter of thuggee was reviewed and blown up to ever greater proportions. He also quotes the Inspector-General of North-Western province police, who states, "it must be remembered, in dealing with the wandering predatory tribes of that the fraternities are of such ancient creation, their number so vast, the territory over which their depredations spread so vast, their organization so complete, their evil of such formidable dimensions, that nothing but special legislation will suffice for their suppression and conversion". This logic was further connected with the idea of *affiliation and not on the basis of gang membership which defined collective identity*. In this way the criminal tribes act was passed which listed communities as criminal tribes.

The ideology of sustaining the notion of 'criminal tribes' was not wholly a product of colonial environment but taken much from Britain. As argued by Metcalf, Casimir and Rao, in Britain there were some 'dangerous classes' who were perceived of as threatening public order. Even Tolen (1991) states the same, "the idea of 'dangerous classes', who were composed of the unemployed, vagabonds, the criminals, drunkards, and prostitutes, was firmly ensconced in the Victorian

thought, and a common discourse identified their physical characteristics, habits, and locale. The theory that certain people had an inborn propensity for crime implied that nothing, other than overt control could prevent them from acting on such propensities". This provided space for biological as well as social explanation. The same thinking of these 'dangerous classes' was applied in India²¹ and incorporated into the law for surveillance and control of those denominated 'habitual offenders'. In fact this is the period when Europeans, within their dominating frameworks were able to place, things oriental in class, court and prison, or manual for scrutiny, study, judgment, discipline or governing and to divide, deploy, schematize, tabulate, index and record everything in sight; to make out of every observable detail a generalization and out of every generalization and immutable law about the Orient nature, temperament, mentality, customs, type and above all transmute living reality into the stuff of texts to possess actually mainly because nothing in the Orient resists ones power (Nigam 1990).⁴

4.3.1 Race, Ethnography and Criminal Tribes

It was Mullaly, an English officer in for Madras presidency, who wrote the first book on 'criminal castes' titled Notes on Criminal Classes of the Madras Presidency (Dirks 2004). As Mullaly states in his books' preface, "These notes on the habits and customs of some of the criminal classes of the Madras Presidency have been collected at the suggestion of Colonel Proteous, Inspector-General of Police, and put in the present form in the hope that they may prove of some value to police officers who are continually brought in contact with the predatory classes, and of some slight interest to such of the public who may wish to know something of their less favored brethren" (Cited from Dirks 2004). In this preface he stresses on the habits and customs of these castes and the construction of entire castes by the Britishers in colonial India as 'criminal castes' was part of a larger discourse in which caste determined the occupational and social character of its entire constituent members, though criminal castes were seen simultaneously as typical and deviant.

Actually this started from the 18th century when the notion of occupation as a means for classifying population and keeping it in central for defining castes. With

²¹ This is dealt more in chapter one. In fact this was the period when European ideas were applied randomly in India. Same is the case with 'tribes' in India.

the help of occupation the colonial ethnographers and administrators began to develop caste categories for assessing taxes and other revenues. Thus caste categories increasingly became an organizing principle for native society around which colonial writers produced their ethnographic and historical analysis²².

The theories about criminal castes also partook of a set of late-nineteenth-century notions about the genetic and racial character of criminality, characteristics that in the Indian case were always seen to apply to entire caste groups and not, as was usually in the west²³. Another reason is that the Britishers perceived the behavior of Indians guided by caste, as caste defined occupation, and easily related to racial and hereditary theories of crime (Cohn 2002, Dirks 2004, Metcalf 2005 and Tolen 1991). Caste held an important place that Britishers even thought that of certain Indian communities committed crime because their castes prescribed such behavior²⁴. But there was no consensus in the definition of caste among the British officers. As C.A. Bayly argues during the first half of the 19th century the term 'caste' was not only loosely defined but also used interchangeably with race to define from groups to tribe, community to even nation. This is also true with identifying so-called criminal tribes, as in Mulla's ethnographic study about their ambivalence; he referred them as 'tribes' and also 'castes'. Whereas another ethnographer, Kennedy, he perceived them as 'criminal classes', which was used more for administrative purpose.

For identifying 'criminal tribes', caste and occupation was not the sole criteria, religion was also one of the criteria. For example, one 'criminal caste', the Donga Dasaris, was found to be not a true caste at all, as its members did not show any of the "ordinary signs of caste organization", such as caste panchayats or endogamy (Tolen 1991). Mulla cites in this context that 'Alagiri' as the general name of a broad class of criminals, worshipped Kalla Alagar, a south Indian deity. Many criminal castes were supposed to worship Kalla Alagar, who was associated with theft, and thieves were said to devote a portion of their loot to him. Mulla identifies some of the classes of Alagires as other names which was used by other communities. Even the

²² Basically it is Dirks argument but taken from Brown, M., Race, Science and the construction of criminality in colonial India, Theoretical Criminology, 2001. This view is in consensus with Cohn also.

²³ Dirks, N, Castes of Mind., and why not labeling an individual. This argument is given by Inden see the same chapter.

²⁴ One can also read the statement passed by Stephens in this context.

police randomly used to apply the term Alagiri to other communities whom they suspected, especially when their caste was unknown. In some ethnographic accounts criminality of these communities was an open manifestation of defiance. They did not have any sense of shame, even going so far as to legitimize their criminal activities through 'traditions' and 'religious practices'.

Another criterion to identify 'criminal tribes' was through anthropometry and studying oral traditions, like folklore of communities, the best example being that of the folklore of the Meo community (Mayaram 2004). The notion of criminality encompassed the Meo population because of the regional contiguity with the Minas, criminal tribes, and the Meo oral tradition was itself held indexical of their criminality. The narrative of Dariya Khan was considered as an evidence that they intermarried with the Minas. Since they shared the substance of blood with the Minas it was believed that a common criminal essence imbued them both. The ethnographic writing on the Meos, the story of the marriage of a Meo boy and a Mina girl called Dariya Khan was appropriated to prove Meo-Mina intermarriage and thereby the criminality of the Meos (Ibid). From this, the Britishers made their ethnographic notes, Mayaram (2004) gives a brief ethnographic arguments of the Britishers, which are as follows, (1) Dariya Khan was an actual case of Meo-Mina intermarriage. From this instance, the general prevalence of exogamy between the two "tribes" is constructed. (2) From the exogamous practice a "common origin" is established. (3) As the Minas are an acknowledged criminal group, the Meos are likewise "dangerous" and "predatory", given the blood relationship. This shows that the Britishers not only codified criminality but it fashioned images of it (Tolen 1991).

Even in ethnographic accounts criminality of these communities was represented in a different way, as references were made to the 'immoral women' of these communities (Radhakrishnan 2001). There was a view amongst the Britishers that the criminal tribes looked different from other section of communities (Ibid). Much of the communities who appeared to be ordinary, law-abiding subjects but in the ethnographic accounts they were portrayed as one who conceal a hardened and dangerous criminality (Tolen 1991). In some descriptions the 'criminal tribes' were

taken as harmless sections of Indian society but ever-present menace²⁵. The theory of concealed criminality was manifested as 'ostensible occupation'. This is seen in Hollius (as cited in Ambedkar 1946) book, "Criminal Tribes of the United Province" where he gives an account of their activities. "They live entirely on crime. A few may be ostensible engaged in agriculture but this is only to cover up their real activities of *dacoity and crime*" and also by referring to their religion and tradition, as they permitted them for doing these kind of criminal activities, thereby legitimating their activities. The best ethnographic account of criminal tribes is given by Mr. Nembhard, *commissioner of East Berar*. It was purely based on caste-based representation of crime, which is as follows:

Para 3. Now every one of the tribes I have mentioned saving the Banjarees are *professional criminals...*; *crime is their trade and they are born to it and must commit it.*

Para 4. We all know that the traders go by castes in India; a family of carpenters now will be a family of carpenters a century or five centuries hence, if they last so long, so will grain dealers, blacksmiths, leather makers and every other known trade...

Para 5. If only we keep this in mind when we speak of 'professional criminals' we shall then realize what the term really does mean. It means a tribe whose ancestors were criminals from time immemorial (*sic*) who are themselves destined by the usage of caste to commit crime and whose dependents will be against the law, until the whole tribe is exterminated or accounted for in the manner of the thugs.

Para 6. Therefore when a man tells you he is a *Buddhuk* or a *Kunjar* or a *Sunoria* he tells you what Europeans ever thoroughly realize that he is an offender against the law and has been so from the beginning and will be so to the end, that reform is impossible for it is his trade, his caste, I may say his religion to commit crime (Cited from Brown 2001).

²⁵ Ibid.

This made a way towards the perception of perceiving Indian behaviour guided by Indian tradition, which was deeply rooted in caste. In general the ethnographic accounts had described parameters to identify criminal tribes, which are as follows, (1) Personal characteristics and habits of particular communities. (2) Modes of dress, deportment, disposition, habits, personal hygiene, consuming inferior types of food and mannerism. (3) Nomadic habits of certain communities (4) Lack of indiscipline. (5) Poverty (Brown 2001). These were in fact tokens of their criminality and all boiled down to caste. In most of the ethnographic accounts the colonial officers and administrators also divided the so-called criminal tribes as (1) Thuggee bands who are bound together simply by their activity in crime. (2) Hereditary criminal tribes who are probably the descendants of aboriginal tribes and taken crime as their occupation. (3) Wandering tribes who are nomadic and combine crime with some more or less ostensible occupation. (4) Semi-wandering tribes who are based in villages but who go out on plundering expeditions (Brown 2001, Cohn 2002, Tolen 1991).

In ethnographic accounts there was dominant thinking regarding the so-called criminal tribes. First was the need to reinforce caste as the pre-eminent principle around which native society was organized and thus should be understood. Second, equating caste with occupational categories, the administrators needed to distinguish between those whose 'profession' could at least primarily be described as legitimate—and in the country side this was usually restricted to settled agriculture—and those who either by manifest criminal record or by lack of obvious means should be regarded as professional criminals (Brown 2001). In short the government states two assumptions, first all persons born in a particular group or caste, are criminal by birth and second, once a criminal always a criminal. The problem of ethnographic studies on these communities is well explained by Radhakrishnan (2001), she writes that these communities were not studied when they survived through legitimate means of livelihood but studied from a law and order point of view, and these accounts emphasized their supposed criminal propensities rather than giving a comprehensive view of them as people.

4.3.2 Proverbs and Construction of 'criminal tribes'

Here is an attempt to show the use of systematic appropriation of the speech of the colonized in the folklore, especially proverbial speech²⁶, to construct a discourse of disciplinary control of specific castes, especially 'criminal castes' and this was carried with the consent of the colonized.

The description and classification of castes came to be the central part in colonial administration and discipline. The collection and translation of folklore played a critical role in the construction of caste identities and how caste was represented in ethnographic accounts. Actually the speech of the colonized which was represented in folklore was appropriated at critical junctures to foster the illusion that native opinion on caste and caste identities was similar to the colonial representations, in other words to create the illusion of consent (Raheja 1996). Proverbs drew attention of colonial administrators for three reasons; first, they were interpreted as tokens of the mode of thought characteristics of a particular group or community. Second was to know because Britishers assumed that the Indians were controlled by ancient and traditional customs and it helped Britishers to control these Indian communities wherever they encountered them. Third these proverbs determined the characteristics of a particular castes and their status hierarchy.

Colonial writers insisted that Indians speak true when they speak in proverbs. *This all should be seen in the construction of discourse on caste and Indian society.* Proverbs here should not be seen at a superficial level. It could be used as a strategy to create a different image of a community. At that point of time one must also see the *communities which were employed for interpretations of proverbs or local language* for the Britishers. The Brahmins were the chosen caste to be employed for this job. As Brahmins considered other communities as inferior and lower than them, which may have led to *distortion of what was actually being said and the problem of translation* and decontextualizing the proverb or folklore from the actual situation, led to further misinterpretation. For example, Crooks assistant was a Brahmin he would have *interpreted low castes folklore differently. Had Crook employed a Dusadh rather than a Brahmin, he might have perceived things differently and acknowledged it possibly*

²⁶ See Riskey's People of India, where he devotes one full chapter on proverbs and castes. The question is why he did that and the relevance of it is shown in the section.

from his own tradition and of other low castes traditions (Raheja 1996), as he knew the context from which this particular folklore or proverb came into being. The best example of misinterpretation of Meo folklore and labeling Meo's as 'criminal tribes' (Mayaram 2004).

Annotations of proverbial speech appear with great frequency in the context of *the specific patterns of rebellious activity in 1857*. They initiated recording caste identities in the census and ethnographic notes and disciplining certain groups as "criminal tribes or castes". For castes who were hostile during that period and labeled later as 'criminal castes or tribes' like Gujar and Meo, every author cites proverbs that appear to evaluate the caste in unfavorable manner and comments on the veracity of the proverbial utterance (Raheja 1996). Denzil C.I. Ibbetson, who was the *superintendent of census operations in Punjab in 1881*, also used proverbial utterances for similar imperial purposes and integrated them into his accounts of turbulence and insurrection. He describes Kharrals, Muslim Rajput community, as 'notorious for turbulence' (Ibid). As he quotes, "In Lahore that appear to bear no better character than in Montgomery; and there is a Persian proverb: The Dogar, the Bhatti, the Wattu, and the Kharral are all rebellious and ought to be slain...Through all historical times the Kharrals have been a turbulent, savage, and thievish tribe, ever impatient of control, and delighting in strife and plunder". Such examples were assumed to characterize wandering groups or groups whose members were generally engaged in *nomadic or thieving activities*.

As noted above the Britishers employed informants from the high castes and as a result the legal institutions and cultural valuations that emerged from this encounter reflected a mixture of intact traditional values and British priorities. The proverbs about Gujjars, Meo and Kharrals were generated, through the high castes, as a means of deflecting the responsibility for the plundering in which they themselves coerced some members of the so-called criminal castes to engage, providing protection and support in exchange for a large share of the loot or reflecting a particular position of an agrarian elite struggling to safeguard its own interest (Ibid).

The relationship between proverbs and the disciplinary thrust of the colonial government against the turbulent castes was established in various ethnographic

accounts. But proverbs did not describe the actual situation for various factors, like officials occlude their own links to proverbial speech by not recognizing the fact that proverbs were told selectively by informants because of their higher status and vested interest. Radhakrishnan (2001) also argues the same, “British and high caste Hindu police officers, held in contempt the lifestyle of nomads and low caste communities, like their ‘peculiar’ social practices, their consumption of alcohol and ‘inferior’ types of food, their so-called laziness and unwillingness to work were as influential in branding them criminal tribes”.

4.3.3 Anthropology and Identification of ‘Criminal tribes’

The ideas about the criminal types and the understanding of criminality in a scientific manner emerged from the principles which were grounded in the principles and measurement of system of racial theory. One of them was the use of Anthropometry in identifying ‘Criminal Tribes’. This was because the notion of racial difference and of the distinctive characteristics of so-called ‘criminal tribes’ from other ‘tribes’ were becoming established and no one had yet attempted to measure, codify and standardized these differences.

Thurston noted the importance of anthropometry for criminal identification. In the early 1890s, the Bertillon system of using anthropometric measurements had been adopted first in Bengal and then in Madras. The idea was to identify habitual criminals who moved from place to place and shifted their identities. In India, the Bertillon system was applied according to conventions set out by the colonial sociology of criminal castes. The basic operational principle was that “only members of criminal tribes and persons convicted of certain definite crimes” should be measured. Since most crime was committed by circumscribed groups of people, anthropometry seemed to be the perfect means to apprehend the principle suspects²⁷. The taxonomic schemes of race theory and caste associations therefore provided colonial administrators and scholars to develop negative racial and social markers that could be deployed against suspect groups or communities and the scientific task of classifying criminals into taxonomic groups that began in the 1860s provided immense scope for the play of the colonial imagination (Brown 2001).

²⁷ Dirks, N. *Castes of Mind*. See *The Body of Caste: Anthropology and the Criminalization of castes*, chapter 9.

After this there was a process of classification of Indian population in systematic manner. This was especially after the 1857 event that they should know India. Ranging from the biological to the social, the task of putting things into their proper order through cataloguing, classification and taxonomy was central to British concerns. The logic behind this particular purpose is well given by Brown, he states that if the world in its physical and social forms—and by extension individuals in their physical and moral dimensions—could be assumed to fall into a number of potentially knowable categories, then order might be produced simply by matching individuals or objects to an appropriate category. So to imply this in the sphere of criminality, each criminal therefore bears a number of markers that would indicate to a properly trained mind just what sort of criminal they were. This was basically to differentiate between thugs and the so-called criminal castes or tribes.

Dirks (2004) gives an explanation of anthropology and crime, “If one turns to the rest of Thurston’s ethnographic writings, we see that the relationship of colonial anthropology to criminality is significant in other respects as well. Criminality under colonialism was about both classification and control; thus criminal castes occasioned some of the first ethnographic monographs, thus anthropology collaborated with policing to provide a scientific means to measure—and by measurement to contain the subjectivity of –persons whose identities were otherwise fluid within caste boundaries. Science worked on society at the level of the body; caste was defined as the genetic boundary of the Indian body, which was measured and explained in relation to a displaced Victorian enthusiasm for the colonized body”.

4.4 Criminal Tribes Act and Formation of Criminal Identities

The Government of India instituted the Criminal Tribes Act of 1871, which was implemented in Northwest Province, Punjab and Oudh. Before this Act the itinerant communities were exceedingly useful members of society in some provinces and hence depending on the views of local government the bill was applied selectively to three provinces, mentioned above (Radhakrishnan 2001). This act provided powers in the hands of the police. Individuals of these communities had to register themselves and the families with the police and could not leave the village without notifying to the police. Any person if found absent from the village without license was liable for severe punishment. An important provision of the Act was that

the administration could not proclaim a community criminal and register it, unless its members were the first settled and provided with a means of livelihood by the government (Radhakrishnan 1992). This particular act of 1871 was to be applied in Madras presidency but the Madras government opposed to accept that the itinerant communities were criminal communities. The matter of fact is these itinerant communities like Koravas, Yerukulas, Korachas and Lambadis were given special protection because these communities were still recognized as useful communities and there was no evidence to show or to declare these communities as criminals²⁸. They were the only means of trade possible in interior places and provided revenue to the government by selling salt (Ibid). But after receiving responses from the local government the council drafted a new bill, which viewed these communities as the most criminal sections of society.

In 1876 the Act was extended to certain parts of Bengal and in 1897 it was amended to enlarge the powers of the local governments to notify communities and take action against a part of the 'gang' or community. The Indian government approached to Madras government to apply the CTA in Madras Presidency, but they resisted demanding recommendations from the Police Commission on the subject. In the 1860s, these trading communities came to be described as 'wandering tribes', in the manner of those in NWP, with all the derogatory implications of the term. Around 19th century with the increasing rate of 'crime against property' induced the administration to adopt the concept of the hereditary criminal, and the trading communities were made responsible for the crime in country side. So the trading communities who were first described as 'wandering tribes' were now put into this new category, which was precursor to their being classified later as 'criminal tribes'. They were declared as 'criminal tribes' in 1914 under the Criminal Tribes Act 1911 (Radhakrishnan 1992). The developments of the Acts should be linked with perceiving these communities in the framework of caste.

In the 20th century, there was a change in the official thinking. The question of crime in these communities was interrogated and a new understanding emerged with

²⁸ This was the argument given by Madras Inspector General of Police. Taken from Radhakrishnan. 2001. Dishonored by History: Criminal Tribes and British Colonial Policy, Oriental Longman.

the help of science and it was further asserted that loss of livelihood compelled them in to crime. Colonial policies like forest policy, competitive trade and spread of railways were also identified as causes which led to economic deprivation due to loss of livelihood. This view proceeded with the earlier view which stressed more on genetic and hereditary criminals. But this had a disastrous effect, as Radhakrishnan argues, "In 1913, apart from the trading nomadic communities, a number of communities like Dasaris, Vananur Parayas, Paidis, Rellis, Yenadis and many others were identified as having lost their legitimate means of livelihood during the 19th century and thus qualified as 'criminal tribes'" (Radhakrishnan 2001).

Criminal Tribes Act of 1911 lay down orders that every police system should try and obtained knowledge about, and to supervise control of communities engaged in criminals. The new CTA enabled the local governments to declare any tribe, section or class of the people to be criminal tribe, to order the registration of the criminal tribe members and the taking of their finger prints and should report himself to the police officer or the village headman and restricted the movements of criminal tribe members to a particular area. There was also a provision for providing employment in industries and factories.

The Criminal Tribes Act 1924, sections such as Notification, Registration, Settlement of criminals and unjust punishment and sentences were imposed. For instance getting a pass and reporting oneself to the policemen and village headmen to take forced and free labor from the poor and many times the village headman misused the act for his own benefit (Radhakrishnan 2001, Simhadri 1991).

In brief the Criminal Tribes Act was amended number of times but it did not achieve its goal. The policy to make the communities settled and provide them or to encourage them to take occupation and earn their living or livelihood through legitimate means did not work, in fact it degraded them. It will be better to quote the Chairman's statement²⁹, who submitted a Report of the Criminal Tribes Act Enquiry Committee, 1949, "if effective measures had been taken for the reformation and welfare of these tribes by the states during the years the Act would have been solved a

²⁹ The statement was given by Ananthasayanam Ayyangar, as he was the chairman and the committee was set up because of the failure of CTA.

long time ago. Without providing for adequate reformation and welfare work and if the Act is continued, no material improvement among these tribes can be expected. On the other hand as time passes the members of these tribes will more and more realize the injustice done to them and this position may turn them into permanent enemies of the society as well as Government”.

If one analysis the rules and regulations, one can find two assumptions. First is all group, or caste, are criminals by birth, the concept of ‘hereditary criminals’ and second, once a criminal always a criminal. It is also clear from the remedy devised by the government that it perceived criminal tribes as dangerous elements. On one hand, it attempted to guarantee such security by imposing restrictions on the suspected groups, and they were rigorous in the case of some individuals, and on the other hand sought to prevent the commission of crime by ruthless punishment³⁰.

4.5 Post Colonial Legislations

After independence the central government appointed a committee in 1949 to study the usefulness of the law. As a result the Act was repealed in 1953 and Habitual Offenders Act was passed. Before this the government of Bombay repealed the Act in 1949. Government of Madras had already done in 1948. After the central act the so-called criminal tribes were statutorily renamed as ‘Denotified Communities’. ‘Denotified Tribes’ is an administrative category. Some of them are included in the list of Schedule Castes and some in Schedule Tribes, and few are included in the Backward Classes³¹. But what is common to all is that they are still branded as ‘criminal tribes’ who are habitual of crime³². It is also worth mentioning the summary of conclusions and recommendation made by Backward Classes Commission Report, 1955, which are as follows: (1) Ex-criminal tribes should hereafter be called as Denotified Communities. (2) These communities have been classed as Schedule Castes, Schedule Tribes or Other Backward Classes. (3) Nomadic groups should be given facilities for leading a settled life. Efforts must be made to distribute them in towns and villages, so that they could gradually be assimilated in the society. (4) The children of these groups should be trained in basic education.

³⁰ Kapadia, K.M. The Criminal Tribes of India. Sociological Bulletin, Vol. 1, No. 2, 1952

³¹ Devy, G.N. The Branded Tribes of India.

³² For this there are many case studies written by Dilip D’souza and also one may refer to Bhudan, magazine dedicated to the so-called criminal tribes.

They must also be trained in cottage industries, handicrafts and agriculture. Services of trained psychologists and social workers should be employed to reform these habitual offenders. (5) Group criminality should be treated differently from the acquired criminality of the individuals.

4.6 Problems of 'Denotified communities'

The problem of Denotified Communities is that of classification and enumeration. They do not form a class like the schedule castes and the schedule tribes in India as a one category. As told earlier they are shuffled in other lists in respective state lists with no uniformity across the country.

Bokhil (2002) gives a good explanation; the problem of this particular community has risen due to number of reasons. In the first place the DNT are not a homogeneous group. In the colonial period they were identified as 'criminal tribes' and it was only in 1952 when the denotification order was passed that they were termed as Denotified. So the issue of including them as a group did not arise when the schedules were prepared in 1950. Some of the individual 'tribes' on their respective merits were included in the schedules. The major short coming of the schedules was that a set of norms were prescribed for eligibility and only those communities were included which fulfilled those criteria's. 'Though the lists were modified a couple of time a great deal of anomalies and discrepancies have persisted' (Ibid). For instance³³, in the case of colonial Maharashtra, the linguistic pattern of state forming the territory of the earlier Nizam state was shared by Andhra Pradesh, Maharashtra and Karnataka. The Denotified communities in the territory included in Andhra Pradesh and Karnataka enjoy the constitutional status and privileges, the same tribes in the territory of Marathwada region included in Maharashtra are deprived of it for no fault of theirs. Similarly, it is ironical that tribes like the Kaikadi and Pardhi in Vidarbha, which was previously part of Madhya Pradesh, enjoy the constitutional status, in rest of Maharashtra these communities are deprived of it. Denotified communities who fulfill the criteria applicable to Schedule Tribe, enjoy the constitutional status in most of the states and unfortunately their counterparts in Maharashtra, though they share

³³ Much has been taken from Rathod, M. Denotified and Nomadic Tribes in Maharashtra, Bhudan.

the same dialect, life style, social practices, customs and blood relations they are deprived of the same status of schedule tribes.

This deprives those who are not included in the schedules, as they are not entitled to get central reservations and have no protective safeguards. In Maharashtra a separate administrative category called VJNT (special backward classes) has been created. Due these discrepancies the identity of these communities has been diluted. But in practice, though the nomenclature has been changed, most of the people still categorize them as 'criminals'.

Conclusion

The development of post-colonialism, starting from Orientalism has raised many questions regarding the relationship of power and knowledge and the formation of identities. As Said (1991, p 3) explains, "Orientalism as a western style for dominating, restructuring, and having authority over the orient". In other words, *Orientalism becomes a discourse at the point at which it starts systematically to produce stereotypes about Orientals and the Orient. These stereotypes, Said tells us, confirm the necessity and desirability of colonial government by endlessly confirming the positional superiority of the West over the positional inferiority of the East. What they deliver, in Said words, is the unchanging image of 'a subject race, dominated by a race that knows them and what is good for them better than they could possibly know themselves' (Said, 1991, p. 35).*

The study analyses the role of colonialism in India through this process. *Beginning from the works of Cohn (1987 and 2004) and after him, the study of India's colonial period has produced a tremendous body of scholarship, emphasizing the link between colonial knowledge, power and the transformation of Indian society. The major theme in these studies is the role of ideas, about the 'difference' in the formation of imperial states. Most of the authors, like Dirks, Appadurai, Pels, Washbrook, etc. are convinced that many modern ideas, identities and institutions were formed and tested in the colonies and then implemented in the Europe. Cultural meanings are subjective and the colonial development dominates other cultures and controls and moulds them into their framework. Colonization secures to subordinate other races and spread the idea of western space, destroying all no relevant values and ideas.*

This work explores the mobilization of ideas about Indian difference in constructing new identities, like 'tribes' and 'criminal tribes', developed in colonial India.

Colonialism in India developed and sustained because of the kind of knowledge it produced and reproduced in collaboration with the development of

scientific tools, like ethnology, anthropometry, census etc. in colonial India. As Dirks writes “colonial governmentality was not merely dependent on knowledge, it was also embedded in the forms of knowledge that provided the basis for the principal practices of the colonial state” (Dirks 2004, p 107). This knowledge led the Britishers to establish their authority and legitimacy in India.

Development of colonialism in India should be seen as a process. In the initial period, several British and European historians attempted to portray India as a society that had made no civilizational progress for several centuries. Britishers viewed India, as an essentially unchanging and static society where there was no intellectual debate, nor any technological innovation. The country is irrational because of the caste system was based on myths, which restricts social mobility among people and the Indians being governed through religious texts. This systematically produced stereotypes about India being mystic and a despotic sub-continent, exactly opposite of Europe. In order to be acquainted with the Indian culture, the Britishers started to learn Indian languages and translating religious texts. They further molded the traditional cultural forms by reconstructing and reconceptualizing according to their suitability. The Britishers further took ‘caste’ as a central point in analyzing India. For the better governance, colonial projects like ethnography, anthropology, census, etc were introduced. These colonial projects were blended in racial theory, which created difference within the Indian communities. From these colonial projects, the Indian population is classified and new categories like ‘tribe’ and ‘criminal tribe’ came into being.

These categories of population existed prior to the coming of Britishers in India. They labeled them with new value loaded terms like ‘tribe’ and ‘criminal tribes’. The dissertation establishes that, the Britishers just provided a definitional term to these communities, whereas the notion for these communities already existed in India (reference to tribes, see Xaxa, 2003). This makes another point that, Britishers were not solely responsible in creating communities like ‘criminal tribes’. This has been established through analyzing the role of proverbs in ethnographies, by taking Raheja’s work on proverbs. As she writes, “in the mid-19th century, India, particular varieties of oral folklore began to appear in land settlement reports, official glossaries and grammars, census reports, and reference works on caste compiled for

the use of colonial officers. Such entextualizations of speech of the colonized, especially proverbial speech figured in the construction of monologic discourse about caste and caste identities, in the naturalization of revolt and other forms of noncompliance, and in the creation of the illusion that disciplinary control was carried out with the consent of the colonized". This shows a relationship between the Indian elites and the British administrators, in terms of building colonial knowledge. This further served the interest of both.

The term 'criminal tribe' given to these communities is a misnomer and does *not denote the true picture of who these communities are. Dissertation argues that these communities were not tribes but caste like. The Britishers used the word 'tribe' with a particular intention. Tolen (1991) gives a brief note on why the term 'tribe' is used. She argues that, Britishers perceived 'tribes' lower than the 'lower castes' on their evolutionary scale and the term 'tribe' evoked qualities of savagery, wildness which castes could not provide and hence Britishers labeled them as 'criminal tribes' and not 'castes'.*

Further Britishers did conceive the idea of 'criminal tribe' but there was no *concrete definition given for these communities until the repeal of Criminal Tribes Act in 1952. In fact, in the year 1871, two major developments took place. One was the initiation of decennial Census and the second; the First Criminal Tribes Act was enacted. In this period, there was no concrete definition on 'tribes' and 'criminal tribes'. Still some communities were identified as 'criminals' without any definition.*

Another thing has to be noted; Britishers took Caste as criteria for analyzing 'criminal tribes'. As *perceived by Britishers, caste was hereditary in terms of occupation. So 'criminal tribes' were also labeled as 'hereditary criminals'. The paradox here is, Britishers identified these communities as 'tribes' and took their occupation of 'crime' as hereditary, but in colonial period 'non-criminal tribes' were never defined nor identified by their occupation.*

There were other parameters also set by Britishers to identify 'criminal tribes' *which are personal characteristics and habits of particular communities; modes of dress, deportment, disposition, habits, personal hygiene, consuming inferior types of*

food and mannerism; nomadic habits of certain communities; lack of indiscipline; poverty. These were in fact tokens of their criminality and all boils down to caste. Anthropometry was also in use to identify 'criminal tribes'. It was initiated by Thurston in 1890. All these parameters established in colonial India simultaneously included new communities. These parameters propagated the notion of racial difference and negatively marked against 'criminal tribes' until the Act was repealed.

After independence, the All India Criminal Tribes Enquiry Committee in 1949 evaluated the problems of criminal tribes and recommended for repealing the Act. Henceforth, people belonging to these groups are now known as 'Denotified Communities'. Denotified tribe, according to Spivak³⁴, is a legal description and, even as such, not a positive description. 'Notification' is the eighteenth or nineteenth century word used by the colonial administration. It has no colloquial hold on the twentieth century user of English. 'Denotified nomadic tribe' is not meaningful for the DNT, who is not at home in English. There is a ruse between the performative and the constitutive when a group constitutes itself as holding a special collective mark. These sixty million people loosely defined by a negative descriptive are not aware of what the DNT is and that they themselves are DNTs. Further, the problem of DNTs is that of classification and enumeration (Bokhil, 2002). There is no categorization as a class under constitutional schedules. However, they are included in the respective state lists of SCs and STs with no uniformity across the country. This has led to various problems like no constitutional provisions and safeguards, no central reservations and not enumerated separately in the decennial census. There is a need to have a clear idea of population of the DNTs to make plans for their development.

The work also comes up with a new understanding on the 'criminal tribes' as they are socially and culturally different from the rest of the population. It further proposes a new research question for further study that, the policies and programs which are made for the STs, would they cater to the needs of denotified communities or.... not?

³⁴ This is an excerpt taken from an interview of Spivak, from The Denotified & Nomadic Tribes Action Group Newsletter of the Organization Bhudan.

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