

CHAPTER TWO

The Colonial State

THE COLONIAL STATE AS A MODERN REGIME OF POWER

I will begin by asking the following question: Does it serve any useful analytical purpose to make a distinction between the colonial state and the forms of the modern state? Or should we regard the colonial state as simply another specific form in which the modern state has generalized itself across the globe? If the latter is the case, then of course the specifically colonial form of the emergence of the institutions of the modern state would be of only incidental, or at best episodic, interest; it would not be a necessary part of the larger, and more important, historical narrative of modernity.

The idea that colonialism was only incidental to the history of the development of the modern institutions and technologies of power in the countries of Asia and Africa is now very much with us. In some ways, this is not surprising, because we now tend to think of the period of colonialism as something we have managed to put behind us, whereas the progress of modernity is a project in which we are all, albeit with varying degrees of enthusiasm, still deeply implicated.

Curiously though, the notion that colonial rule was not really about colonial rule but something else was a persistent theme in the rhetoric of colonial rule itself. As late as ten years before Indian independence, a British historian of the development of state institutions in colonial India began his book with the following words: "It was the aim of the greatest among the early British administrators in India to train the people of India to govern and protect themselves . . . rather than to establish the rule of a British bureaucracy."¹ And at about the same time, Edward Thompson and G. T. Garratt, two liberal British historians sympathetic toward the aspirations of Indian nationalism, closed their book with the following assessment:

Whatever the future may hold, the direct influence of the West upon India is likely to decrease. But it would be absurd to imagine that the British connection will not leave a permanent mark upon Indian life. On the merely material side the new Federal Government [the Government of India reorganized under the 1935 constitutional arrangements] will take over the largest irrigation system in the world, with thousands of miles of canals and water-cuts

fertilising between thirty and forty million acres; some 60,000 miles of metalled roads; over 42,000 miles of railway, of which three-quarters are State-owned; 230,000 scholastic institutions with over twelve million scholars; and a great number of buildings, including government offices, inspection bungalows, provincial and central legislatures. The vast area of India has been completely surveyed, most of its lands assessed, and a regular census taken of its population and its productivity. An effective defensive system has been built up on its vulnerable North-East frontier, it has an Indian army with century-old traditions, and a police force which compares favourably with any outside a few Western countries. The postal department handles nearly 1500 million articles yearly, the Forestry Department not only prevents the denudation of immense areas, but makes a net profit of between two and three crores. These great State activities are managed by a trained bureaucracy, which is to-day almost entirely Indian.²

Having read our Michel Foucault, we can now recognize in this account a fairly accurate description of the advance of the modern regime of power, a regime in which power is meant not to prohibit but to facilitate, to produce. It is not without significance, therefore, that Thompson and Garratt should mention this as the "permanent mark" left by the colonial presence in India. It is also significant that they entitle their history the *Rise and Fulfilment of British Rule in India*.

Indian nationalists are not, of course, quite so generous in attributing benevolent intentions to the colonial mission. But their judgment on the historical value of the state institutions created under British rule is not fundamentally different. The postcolonial state in India has after all only expanded and not transformed the basic institutional arrangements of colonial law and administration, of the courts, the bureaucracy, the police, the army, and the various technical services of government. M. V. Pylee, the constitutional historian, describes the discursive constraints with disarming simplicity. "India," he says, "inherited the British system of government and administration in its original form. The framers of the new Constitution *could not think* of an altogether new system."³

As a matter of fact, the criticism Indian nationalists have made in the postcolonial period is that the colonial institutions of power were not modern enough, that the conditions of colonial rule necessarily limited and corrupted the application of the true principles of a modern administration. B. B. Misra, the nationalist historian of colonial bureaucracy, identified these limits as proceeding

from two premises. The first was the Indian social system which was governed by irrational and prescriptive customs rather than a well-regulated rational system of law and a common code of morality. The second . . . was

the British Imperial interest, which bred discrimination in the Services on racial grounds as well as differentiation in respect of social status and conditions of service.

Yet, despite these limits, "the degree of administrative rationalization during this period of bureaucratic despotism was far ahead of the country's Brahmanic social order, which knew of no rule of law in the contractual sense."⁴

Whether imperialist or colonialist, all seem to share a belief in the self-evident legitimacy of the principles that are supposed universally to govern the modern regime of power. It is something of a surprise, therefore, to discover that a persistent theme in colonial discourse until the earlier half of this century was the steadfast refusal to admit the universality of those principles.

THE RULE OF COLONIAL DIFFERENCE

Although Vincent Smith was not the most distinguished imperial historian of India, he was probably the most widely known in India because of the success of his textbooks on Indian history. In 1919, Smith published a rejoinder to the Montagu-Chelmsford constitutional proposals seeking to placate nationalist demands by conceding a certain measure of "responsible government" to Indians. The proposals, Smith said, were based on two propositions: "(1) that a policy, assumed to have been successful in Western communities, *can* be applied to India; and (2) that such a policy *ought* to be applied to India, even at the request of an admittedly small body of Indians, because Englishmen believe it to be *intrinsically* the best."⁵ His argument was that both propositions were false.

The policy of responsible and democratic government, "supposed to be of universal application," could not be applied to India because it went against "a deep stream of Indian tradition which has been flowing for thousands of years. . . . The ordinary men and women of India do not understand imperial government. . . . They crave for government by a person to whom they can render loyal homage." The reason for the legitimacy of British rule in India lay in the fact that the King-Emperor was regarded by the Indian people as "the successor of Rama, Asoka and Akbar. Their heartfelt loyalty should not be quenched by the cold water of democratic theory."⁶ In terms of social divisions, "India has been the battle-ground of races and religions from time immemorial," and the anticipation of a common political identity was "not justified either by the facts of history or by observation of present conditions." The fundamental principle of social organization in India was caste, which was incom-

patible with any form of democratic government. More importantly, the spread of modern institutions or technologies had not weakened the hold of caste in any way.

The necessities of cheap railway travelling compel people to crowd into carriages and touch one another closely for many hours. . . . The immense practical advantages of a copious supply of good water from stand-pipes in the larger towns are permitted to outweigh the ceremonial pollution which undoubtedly takes place. . . . But such merely superficial modifications of caste regulations . . . do not touch the essence of the institution. . . . The Brahman who rides in a third-class carriage or drinks pipe-water does not think any better of his low-caste neighbour than when he travelled on foot and drank from a dirty well. . . . So long as Hindus continue to be Hindus, caste cannot be destroyed or even materially modified.⁷

Smith then went on to argue that contrary to the plea of the reformers, the policy of promoting responsible government in India was bad even as a practical strategy of power. It would produce not consent for authority but its very opposite.

Contentment, so far as it exists, is to be deliberately disturbed by the rulers of India in order to promote the ideal of Indian nationhood, the formation of a genuine electorate, and the development of the faculty of self-help. Do the high officials charged with the government of India, who propose deliberately to disturb the contentment of three hundred millions of Asiatic people, mostly ignorant, superstitious, fanatical, and intensely suspicious, realize what they are doing? Have they counted the cost? Once the disturbance of content has been fairly started among the untutored masses, no man can tell how far the fire may spread. Discontent will not be directed to the political objects so dear to Mr. Montagu and Mr. Curtis. It will be turned fiercely upon the casteless, impure foreigner, and, inflamed by the cry of "religion in danger," will attract every disorderly element and renew the horrors of 1857 or the great anarchy of the eighteenth century. The lesson of history cannot be mistaken.⁸

Our reaction today would be to dismiss these arguments as coming from a diehard conservative imperialist putting up what was even then a quixotic defense of old-style paternalistic colonialism. Yet Smith's rejection of the claims to universality of the modern institutions of self-government raises, I think, an important question.

Let me put this plainly, even at the risk of oversimplification. If the principal justification for the modern regime of power is that by making social regulations an aspect of the self-disciplining of normalized individuals, power is made more productive, effective, and humane, then there are three possible positions with regard to the universality of this argu-

ment. One is that this must apply in principle to all societies irrespective of historical or cultural specificities. The second is that the principle is inescapably tied to the specific history and culture of Western societies and cannot be exported elsewhere; this implies a rejection of the universality of the principle. The third is that the historical and cultural differences, although an impediment in the beginning, can be eventually overcome by a suitable process of training and education. The third position, therefore, while admitting the objection raised by the second, nevertheless seeks to restore the universality of the principle.

While these three positions have been associated with distinct ideological formations, they are produced, however, in the same discursive field. My argument is, first, that all three remain available today; second, that it is possible easily to slide from one to the other, because, third, all three adopt the same tactic of employing what I will call the rule of colonial difference. The implication of this argument is that if a rule of colonial difference is part of a common strategy for the deployment of the modern forms of disciplinary power, then the history of the colonial state, far from being incidental, is of crucial interest to the study of the past, present, and future of the modern state.

I will first demonstrate the application of this rule in two well-known colonial debates over bureaucratic rationality, rule of law, and freedom of speech. I will then show that the same rule is effective in contemporary debates over colonial history.

RACE AND RATIONAL BUREAUCRACY

It is in the fitness of things that it took an event such as the suppression of a rebellion of the scale and intensity of the Great Revolt of 1857 for the various pieces of the colonial order properly to fall into place. The rebels ripped the veil off the face of the colonial power and, for the first time, it was visible in its true form: a modern regime of power destined never to fulfill its normalizing mission because the premise of its power was the preservation of the alienness of the ruling group.

The debates over colonial policy in the decades following the revolt are instructive. Historians generally characterize this period as an era of conservatism. Metcalf's well-known study traces this shift to a decline in the enthusiasm for Benthamism and evangelism in Britain. Strengthening this reluctance to embark upon any further reform in India was the suspicion that the earlier attack upon "immoral" native customs might have had something to do with the rebellion. Official opinion was now virtually unanimous in thinking that local customs were best left to themselves. "Radical reform," says Metcalf, "was not just dangerous, it had ceased to be fashionable."⁹

In keeping with this move away from liberal reform was the hardening of a certain intellectual opinion in Britain that was particularly influential in the making of colonial policy. Distressed by the extension of suffrage and of the politics of Gladstonian liberalism at home, this school of opinion sought to reestablish the precepts of property and order upon unashamedly authoritarian foundations and increasingly turned to British India as the ground where these theories could be demonstrated. James Fitzjames Stephen and Henry Maine were two leading figures in this campaign to unmask the "sentimentality" of all reformist postures in matters of colonial policy. The Indian people, Stephen reminded his countrymen, were "ignorant to the last degree" and "steeped in idolatrous superstition." The British were under no obligation to fit such people for representative institutions. All they were expected to do was administer the country and look after the welfare of the people. The empire, he said,

is essentially an absolute Government, founded, not on consent, but on conquest. It does not represent the native principles of life or of government, and it can never do so until it represents heathenism and barbarism. It represents a belligerent civilization, and no anomaly can be so striking or so dangerous as its administration by men who, being at the head of a Government . . . having no justification for its existence except [the] superiority [of the conquering race], shrink from the open, uncompromising, straightforward assertion of it, seek to apologize for their own position, and refuse, from whatever cause, to uphold and support it.¹⁰

The merit of hard-nosed arguments such as this was to point unambiguously to the one factor that united the ruling bloc and separated it from those over whom it ruled. Marking this difference was race. As officials in India attempted, under directions from London, to install the processes of an orderly government, the question of race gave rise to the most acerbic debates. Indeed, the more the logic of a modern regime of power pushed the processes of government in the direction of a rationalization of administration and the normalization of the objects of its rule, the more insistently did the issue of race come up to emphasize the specifically colonial character of British dominance in India.

It seems something of a paradox that the racial difference between ruler and ruled should become most prominent precisely in that period in the last quarter of the nineteenth century when the technologies of disciplinary power were being put in place by the colonial state. Recent historians have shown that during this period there was a concerted attempt to create the institutional procedures for systematically objectifying and normalizing the colonized terrain, that is, the land and the people of India. Not only was the law codified and the bureaucracy rationalized, but a whole apparatus of specialized technical services was instituted in order to scientifically survey, classify, and enumerate the geographical,

geological, botanical, zoological, and meteorological properties of the natural environment and the archaeological, historical, anthropological, linguistic, economic, demographic, and epidemiological characteristics of the people. Yet, a social historian of the period notes that “racial feeling among the British became more explicit and more aggressive in the course of the nineteenth century and reached its peak during Lord Curzon’s viceroyalty, between 1899 and 1905.”¹¹

There is, however, no paradox in this development if we remember that to the extent this complex of power and knowledge was colonial, the forms of objectification and normalization of the colonized had to reproduce, within the framework of a universal knowledge, the truth of the colonial difference. The difference could be marked by many signs, and varying with the context, one could displace another as the most practicable application of the rule. But of all these signs, race was perhaps the most obvious mark of colonial difference.

In the case of bureaucratic rationalization, for instance, which had proceeded through the middle decades of the century, the most difficult political problem arose when it became apparent that the system of nonarbitrary recruitment through competitive academic examinations would mean the entry of Indians into the civil service. Several attempts were made in the 1870s to tamper with recruitment and service regulations in order first to keep out Indians, and then to split the bureaucracy into an elite corps primarily reserved for the British and a subordinate service for Indians.¹²

But it was the so-called Ilbert Bill Affair that brought up most dramatically the question of whether a central claim of the modern state could be allowed to transgress the line of racial division. The claim was that of administering an impersonal, nonarbitrary system of rule of law. In 1882 Behari Lal Gupta, an Indian member of the civil service, pointed out the anomaly that under the existing regulations, Indian judicial officers did not have the same right as their British counterparts to try cases in which Europeans were involved. Gupta’s note was forwarded to the Government of India with a comment from the Bengal government that there was “no sufficient reason why Covenanted Native Civilians, with the position and training of District Magistrate or Sessions Judge, should not exercise the same jurisdiction over Europeans as is exercised by other members of the service.”¹³ The viceroy at this time was Ripon, a liberal, appointed by Gladstone’s Liberal government. But it did not require much liberalism to see that the anomaly was indeed an anomaly, and after more or less routine consultations, Ilbert, the law member, introduced in 1883 a bill to straighten out the regulations.

Some historians have suggested that if Ripon had had even an inkling of the storm that was to break out, he would not have allowed such a minor issue to jeopardize the entire liberal project in India.¹⁴ As it hap-

pened, it was the force of public opinion of the dominant race that organized itself to remind the government what colonial rule was all about. The nonofficial Europeans—planters, traders, and lawyers in particular, and in Bengal more than anywhere else—rose in “almost mutinous opposition.”¹⁵ The agitation reached a fever pitch in Calcutta. Meetings were held to denounce the bill that sought to take away “a much-valued and prized and time-honoured privilege of European British subjects” and aroused “a feeling of insecurity as to the liberties and safety of the European British subjects employed in the *mufassal* and also of their wives and daughters.”¹⁶ The British Indian press, with the *Englishman* of Calcutta at its head, declared a call to arms by claiming that the Europeans were “fighting against their own ruin and the destruction of British rule in India.”¹⁷ A European and Anglo-Indian Defence Association was formed, functions at Government House were boycotted, and there was even a conspiracy “to overpower the sentries at Government House, put the Viceroy on board a steamer at Chandpal *ghat*, and send him to England *via* the Cape.”¹⁸

Gladstone, surveying the fracas from the vantage point of the metropolitan capital, was in a better position than most to see how this episode fitted into a longer story. “There is a question,” he said,

to be answered: where, in a country like India, lies the ultimate power, and if it lies for the present on one side but for the future on the other, a problem has to be solved as to preparation for that future, and it may become right and needful to chasten the saucy pride so apt to grow in the English mind toward foreigners, and especially toward foreigners whose position has been subordinate.¹⁹

Ripon, on the other hand, chose to see his move as “an error in tactics” and decided to beat a retreat. The provisions of the bill were so watered down that the earlier anomalies were not only reinstated but made even more cumbersome.

The question was not, as some historians have supposed, whether Ripon was “too weak a man” to carry out the liberal mission of making Indians fit for modern government. What his “failure” signaled was the inherent impossibility of completing the project of the modern state without superseding the conditions of colonial rule. When George Couper, lieutenant governor of the Northwestern Provinces, said in 1878 that the time had come to stop “shouting that black is white,” he was not being metaphorical. “We all know that in point of fact black is *not* white. . . . That there should be one law alike for the European and Native is an excellent thing in theory, but if it could really be introduced in practice we should have no business in the country.”²⁰

The argument, in other words, was not that the “theory” of responsible government was false, nor that its truth was merely relative and con-

tingent. Rather, the point was to lay down in "practice" a rule of colonial difference, to mark the points and the instances where the colony had to become an exception precisely to vindicate the universal truth of the theory.

RACE AND PUBLIC OPINION

Another question on which the Ilbert Bill Affair threw light was the relation between the state and those relatively autonomous institutions of public life that are supposed to constitute the domain of civil society. The interesting feature of this relation as it developed in colonial Calcutta, for instance, in the nineteenth century was that the "public" which was seen to deserve the recognition due from a properly constituted state was formed exclusively by the European residents of the country. Their opinion counted as public opinion, and the question of the appropriate relationship between government and the public came to be defined primarily around the freedoms of the British Indian press.

English-language newspapers began to be published in Calcutta from the 1780s. In those early days of empire, when power was restrained by little more than brute force and intrigue and commerce was driven by the lust for a quick fortune, the press not unexpectedly provided yet another means for carrying out personal and factional feuds within the small European community in Bengal. Governors-general were quick to use legal means to "tranquilize" newspaper editors and even deport those who refused to be subdued. By the 1820s a more stable relation had been established and the censorship laws were lifted. But the events of 1857, when the very future of British rule seemed to be at stake, forced the issue once more into the open. "Public opinion" was now defined explicitly as the opinion of the "nonofficial" European community, and the English-language press of Calcutta, crazed by panic, directed its wrath at a government that, in its eyes, seemed too soft and indecisive in punishing the "d—d niggers." Canning, the governor-general, was a special target of vituperation, and in June 1857 he imposed the censorship laws once again, for a period of one year.²¹

The contours of state-civil society relations in the new context of the Raj were revealed in interesting ways in the so-called Nil Durpan Affair. The origin of the case lay, curiously enough, in an effort by officials in Bengal to find out a little more about "native" public opinion. In 1861, when the agitations in the Bengal countryside over the cultivation of indigo had begun to subside, John Peter Grant, the governor, came to hear about Dinabandhu Mitra's (1830–73) play. Thinking this would be a good way "of knowing how natives spoke of the indigo question among themselves when they had no European to please or to displease by open-

ing their minds," he asked for a translation to be prepared of *Nildarpan*. Grant's intentions were laudable.

I have always been of opinion that, considering our state of more than semi-isolation from all classes of native society, public functionaries in India have been habitually too regardless of those depths of native feeling which do not show upon the surface, and too habitually careless of all means of information which are available to us for ascertaining them. Popular songs everywhere, and, in Bengal, popular native plays, are amongst the most potent, and most neglected, of those means.²²

Seton-Karr, the secretary to the Government of Bengal, arranged for James Long, an Irish missionary later to become a pioneering historian of Calcutta, to supervise the translation "by a native" of the play. He then had it printed and circulated, along with a preface by Dinabandhu and an introduction by Long, to several persons "to whom copies of official documents about the indigo crisis had been sent."²³

The planters were immediately up in arms. They charged the government with having circulated "a foul and malicious libel on indigo planters." When it was clarified that circulation of the play did not mean the government's approval of its contents and that in any case the circulation had not been expressly authorized by the governor, the planters' association went to court. An "extraordinary" summing up by the judge, which is said "not to have erred on the side of impartiality," influenced the jury at the Supreme Court into pronouncing James Long guilty of libel. He was sentenced to a fine and a month's imprisonment. Long became a cause célèbre among the Indian literati of Calcutta: his fine, for instance, was paid by Kaliprasanna Sinha (1840–70), and a public meeting presided over by Radhakanta Deb (1783–1867) demanded the recall of the judge for his "frequent and indiscriminate attacks on the characters of the natives of the country with an intemperance . . . not compatible with the impartial administration of justice." But, more interestingly, Long also attracted a good deal of sympathy from Europeans, particularly officials and missionaries. They felt he had been punished for no offense at all. The bishop of Calcutta remarked that the passages "which the Judge described as foul and disgusting, are in no way more gross than many an English story or play turning on the ruin of a simple hunted rustic which people read and talk about without scruple."²⁴ At the same time, Canning, the viceroy, rebuked Grant for having allowed things to go this far and Seton-Karr, despite an apology, was removed from his posts both in the Bengal government and in the legislative council. The planters, it would seem, won an unqualified victory.

Nevertheless, it is worth considering what really was on trial in this curious case. It was to all intents and purposes a conflict between government and the public, the "public" being constituted by "nonofficial"

Europeans. The charge against the government was that by circulating the play, it had libeled an important section of this public. Long was a scapegoat; in fact, neither he nor the play was on trial. Or rather, to put it more precisely, although Long was an ostensible culprit in the circulation of a libelous tract, the play itself and the body of opinion it represented were not recognized elements in this discourse about free speech. Such in fact was the confusion about where this principle of freedom of expression was supposed to apply that when one of Long's supporters remarked that his punishment was "exactly as if the French clergy had prosecuted Molière,"²⁵ it did not strike him that Dinabandhu Mitra, the author of the play, had not even been deemed worthy of being named in a suit of libel and that Long was neither the author nor even the translator of the impugned material. Within these assumptions, of course, there really was no confusion. The real target of attack was clearly the government itself, and Canning, in trying to appease "public opinion," recognized this when he moved against Grant and Seton-Karr.

The original intent of the Bengal officials, however, had been to familiarize themselves and members of the European community with the state of "native" public opinion—a perfectly reasonable tactic for a modern administrative apparatus to adopt. What incensed the planters was the implicit suggestion that the government could treat "native" public opinion on the same footing as European opinion. A native play, circulated under a government imprint, seemed to give it the same status of "information" as other official papers. This the planters were not prepared to countenance. The only civil society that the government could recognize was theirs; colonized subjects could never be its equal members. Freedom of opinion, which even they accepted as an essential element of responsible government, could apply only to the organs of this civil society; Indians, needless to add, were not fit subjects of responsible government.

LANGUAGE AND FREEDOM OF SPEECH

The question of native public opinion came up once again in the 1870s. In 1878, when the government felt it necessary to devise legal means to curb "seditious" writings in the native press, the law made an explicit distinction between the English-language and the vernacular press. An official pointed out that this would be "class legislation of the most striking and invidious description, at variance with the whole tenour of our policy,"²⁶ but the objection was overruled on the ground that in this instance the exception to the general rule was palpable. The presumed diffi-

culty, said Ashley Eden, the Bengal governor, was "imaginary rather than real." That is to say, the notion of an undifferentiated body of public opinion that the government was supposed to treat impartially was only a theoretical idea; in practice, it was the duty of a colonial government to differentiate, and language was a simple and practical sign of difference.

The papers published in this country in the English language are written by a class of writers for a class of readers whose education and interests would make them naturally intolerant of sedition; they are written under a sense of responsibility and under a restraint of public opinion which do not and cannot exist in the case of the ordinary Native newspapers. It is quite easy and practicable to draw a distinction between papers published in English and papers published in the vernacular, and it is a distinction which really meets all the requirements of the case, and should not be disregarded merely because some evil-disposed persons may choose to say that the Government has desired to show undue favour to papers written in the language of the ruling power.

... On the whole the English Press of India, whether conducted by Europeans or Natives, bears evidence of being influenced by a proper sense of responsibility and by a general desire to discuss public events in a moderate and reasonable spirit. There is no occasion to subject that Press to restraint, and therefore, naturally enough, it is exempted. It would be a sign of great weakness on the part of Government to bring it within the scope of this measure merely to meet a possible charge of partiality.²⁷

The Vernacular Press Act of 1878 was enacted in great haste so as to forestall long debates over principles, especially in Britain. Lytton, the viceroy, himself described it as "a sort of coup d'état to pass a very stringent gagging Bill."²⁸ The provisions were indeed stringent, since local officers were given the power to demand bonds and deposits of money from printers and publishers, and the printing of objectionable material could lead to confiscation of the deposit as well as the machinery of the press, with no right of appeal in the courts. Four years later, Ripon in his liberalism repealed the act, and "a bitter feeling obtained among officials that they were denied proper and reasonable protection against immoderate Press criticism."²⁹ In the 1890s, when the question of "sedition" acquired a new gravity, provisions were included in the regular penal law to allow the government to move against statements "conducting to public mischief" and "promoting enmity between classes." The distinction by language had by then ceased to be a practical index of difference because native publications in English could no longer be said to be confined in their influence to a class "naturally intolerant of sedition." Other, more practical, means emerged to distinguish between proper members of civil society and those whom the state could recognize only as subjects, not

citizens. And in any case, a contrary movement of nationalism was then well on its way to constituting its own domain of sovereignty, rejecting the dubious promise of being granted membership of a second-rate "civil society of subjects."

NATIONALISM AND COLONIAL DIFFERENCE

This domain of sovereignty, which nationalism thought of as the "spiritual" or "inner" aspects of culture, such as language or religion or the elements of personal and family life, was of course premised upon a difference between the cultures of the colonizer and the colonized. The more nationalism engaged in its contest with the colonial power in the outer domain of politics, the more it insisted on displaying the marks of "essential" cultural difference so as to keep out the colonizer from that inner domain of national life and to proclaim its sovereignty over it.

But in the outer domain of the state, the supposedly "material" domain of law, administration, economy, and statecraft, nationalism fought relentlessly to erase the marks of colonial difference. Difference could not be justified in that domain. In this, it seemed to be reasserting precisely the claims to universality of the modern regime of power. And in the end, by successfully terminating the life of the colonial state, nationalism demonstrated that the project of that modern regime could be carried forward only by superseding the conditions of colonial rule.

Nevertheless, the insistence on difference, begun in the so-called spiritual domain of culture, has continued, especially in the matter of claiming agency in history.³⁰ Rival conceptions of collective identity have become implicated in rival claims to autonomous subjectivity. Many of these are a part of contemporary postcolonial politics and have to do with the fact that the consolidation of the power of the national state has meant the marking of a new set of differences within postcolonial society. But the origin of the project of modernity in the workings of the colonial state has meant that every such historical claim has had to negotiate its relationship with the history of colonialism. The writing of the history of British India continues to this day to be a matter of political struggle.

In this contemporary battle, the case for a history of subordinated groups has often been stated by pointing out the continuities between the colonial and the postcolonial phases of the imposition of the institutions of the modern state and by asserting the autonomous subjectivity of the oppressed.³¹ But since the modern discourse of power always has available a position for the colonizer, the case on behalf of the colonizing mission can now also be stated in these new terms. To show the continued relevance of the question of the universality of the modern regime of

power and of the rule of colonial difference, I will end this chapter by reviewing a recent attempt to revise the history of colonialism in India.

"IT NEVER HAPPENED!"

This revisionist history begins by challenging the assumption, shared by both colonialist and nationalist historiographies, that colonial rule represented a fundamental break in Indian history. There are two parts to this argument.

The first part of the argument has been advanced by Burton Stein.³² He disputes the assumption in both imperialist and nationalist historiographies that the British regime in India was "completely different from all prior states." The recent work of Christopher Bayly, David Washbrook, and Frank Perlin shows, he says, that "early colonial regimes" were "continuations of prior indigenous regimes," that the eighteenth century was a time of "economic vigour, even development," and not of chaos and decline and that the period from 1750 to 1850 was a "period of transition" from extant old regimes to the colonial regimes. The continuations were marked in two ways.

One "structural contradiction" in pre-British state formations was between "centralizing, militaristic regimes" and numerous local lordships. The British inserted themselves into these formations, "not as outsiders with new procedural principles and purposes (as yet), but, contingently, as part of the political system of the subcontinent, but possessed of substantially more resources to deploy for conquest than others." The colonial state resolved the contradiction in favor of the centralizing tendency of "military-fiscalism" inherited from previous regimes. Here lay the continuity of the colonial state with its predecessors.

The other contradiction was between "sultanism" (Max Weber's term), which implied a patrimonial order based on personal loyalty of subordination to the ruler, and the existence of ideological discontinuities between ruler and local lordships, which made such patrimonial loyalties hard to sustain. Patrimonial sultanism was incompatible with the economic tendencies inherent in military-fiscalism. After initial hesitations, the colonial state in the second half of the nineteenth century broke entirely with the sultanist forms and founded a regime based not on patrimonial loyalties but on modern European principles, different both from the old regimes and the early colonial regimes. Here lay the discontinuity of the later colonial state with its predecessors.

Although Stein appeals, *inter alia*, to the work of Perlin,³³ the latter actually makes a much more qualified argument,³⁴ a qualification important for the revisionist position as well as for our judgment on it. Perlin

argues that the process of centralization that characterized colonial rule “possessed roots in the earlier period.” But in accelerating this process, colonial rule gave it “a new, more powerful form deriving from its location in the agency of a conquest regime possessing sources of fiat external to the subcontinent, from its radical concentration of decision making, and from the surplus of new knowledge in the instruments of rule.” This produced “a substantial break” between the early colonial polity and its predecessors, despite the colonial use of “old-order institutions and its social underpinnings.” Moreover, whereas in the indigenous regimes of the eighteenth century the attempt to centralize produced large areas of “quasi-autonomy,” where contrary forces and contrary principles of rights and social organization could emerge to resist the larger order, colonial rule up to the early nineteenth century was marked by a substantial loss of this “intermediary ground.” “Beneath the carapace of old terms and institutional shells, there has occurred a fundamental alteration of both State and state. This is bound up with the European origins and international character of the new colonial polity.”

Notwithstanding Perlin’s qualification, the idea of continuity from the precolonial to the early colonial period dominates this part of the revisionist argument. Since the later phase of colonialism is specifically distinguished from its early phase, one is justified in wondering if the revision is merely a matter of dates. Is the question one of identifying *when* the decisive break of colonialism took place? Earlier historians, whether imperialist or nationalist, with their simple faith in the proclamations of political rulers, had assumed that this occurred in the middle of the eighteenth century; are the revisionist historians, more skeptical of legal fictions and more sensitive to underlying social processes, now telling us that the date must be pushed forward by a hundred years?

If this is all there is to the debate, the matter is easily settled. For if the period from the middle of the eighteenth century to the middle of the nineteenth is to be seen as a period of “transition,” then it must reveal not only the traces of continuity from the earlier period, as claimed by our recent historians, but surely also the signs of emergence of all of those elements that would make the late colonial period structurally different from the precolonial. In terms of periodization, then, the hundred years of transition must be seen as constituting the “moment” of break, the “event” that marks the separation of the precolonial from the colonial. The apparent conundrum of continuity and discontinuity then becomes one more example of the familiar historiographical problem of combining, and at the same time separating, structure and process. One might then react to the revisionist argument in the manner of the student radical in a Calcutta university in the early 1970s who, when asked in a history test whether Rammohan Roy was born in 1772 or 1774, replied, “I don’t know. But I do know that he grew up to be a comprador.”

But it would be unfair to our revisionist historians to judge them on what is only one part of their argument. In its stronger version, the revisionist argument contains another part in which the continuity from the precolonial to the early colonial period is given a new construction. Not only was it the case, the argument runs, that the Europeans in the late eighteenth and early nineteenth centuries achieved “on a larger and more ominous scale what Indian local rulers had been doing for the last century,” but in responding to this conquering thrust Indians too “became active agents and not simply passive bystanders and victims in the creation of colonial India.” This, says Chris Bayly in a recent book-length survey of the early colonial period, gives us a “more enduring perspective” on modern Indian history than do the earlier debates about the success or failure of the “progressive” impact of colonialism.³⁵

This perspective reveals, first of all, the economic history of India from the eighteenth century to the present as a history of “Indian capitalism,” born prior to the colonial incursion and growing to its present form by responding to the forces generated by the European world economy. Most of the economic institutions of capitalism in India today, such as commodity production, trading and banking capital, methods of accounting, a stock of educated expertise and of mercantile groups that would ultimately become industrial entrepreneurs, emerged in the precolonial period. So did many of the political and cultural movements, including the rise of intermediary groups between townsmen and the countryside, the formation of regional cultures, movements for cultural reform and self-respect among disprivileged groups, and even the politics of “communalism.”³⁶

Second, such a perspective on Indian history also shows the resilience of both townspeople and country people in resisting the onslaughts on their means of survival and ways of life, especially in the period of colonialism. Indigenous propertied groups frustrated the “more grandiose economic plans” of both the colonial state and European businessmen to extract Indian wealth, while peasants overcame the pressures of war, taxation, and repression “to adapt in a creative way to their environment.” By recovering these connections, Bayly says, the new perspective enables one to construct a narrative running from the precolonial past to the postcolonial present in which the Indian people are the subjects of history.

What, then, of colonialism? Surprisingly, there is no clear answer to this question. Nevertheless, it is not difficult to read the implication of the argument. At the time of their entry, the European trading companies were merely so many indigenous players in the struggle for economic and political power in eighteenth-century India, striving for the same goals and playing by the same rules. In the latter half of the nineteenth century, when the British appear to have achieved complete dominance at the apex of the formal structure of power, their ability to reach into the depths of

Indian social life was still severely restricted. By the early twentieth century, even this hold at the top was seriously challenged, and of course by the middle of the century the colonial power was forced to leave. Looked at from the “more enduring” perspective of Indian history, then, colonialism appears as a rather brief interlude, merging with the longer narrative only when its protagonists manage to disguise themselves as Indian characters but falling hopelessly out of place and dooming itself to failure when it aspires to carry out projects that have not already taken root in the native soil.

We have a more detailed presentation of this stronger version of the revisionist argument in Washbrook. Once again, the claim is made that by tracing the continuities from precolonial to early colonial processes, one can restore the “Indianness” of this historical narrative and “recover the subject from European history.” Further, and this is Washbrook’s contribution to the argument, “historical theory” “is put on a rather more objective, or at least less ethnocentric, footing.” It is on this high ground of “historical theory,” then, that the revisionist flag is finally hoisted.³⁷

What is this theory? It is the familiar theme of capitalist development, which in one form or another has framed all discussions of modern history. The new twist on this theme has as its vortex the claim that not all forms of development of capital necessarily lead to modern industrialism. The development of industrial capital in England, or in Western Europe and North America, was the result of a very specific history. It is the perversity of Eurocentric historical theories that has led to the search for similar developments everywhere else in the world; whenever that search has proved fruitless, the society has been declared incapable of producing a true historical dynamic. Instead of tracing the particular course of the indigenous history, therefore, the practice has been to see the history of “backward” countries as a history of “lack,” a history that always falls short of true history.

The perspective can be reversed, says Washbrook, by taking more seriously the similarities rather than the differences between the development of capitalism in Europe and, in this case, in India. We will then see that the similarities are indeed striking. Contrary to the earlier judgment of imperialist, nationalist, and even Marxist historians, recent researches show that the economic and social institutions of precolonial India, far from impeding the growth of capitalism, actually accommodated and encouraged most of the forms associated with early modern capital. Not only did trading and banking capital grow as a result of long-distance trade, but large-scale exchange took place even in the subsistence sector. The legal-political institutions too acquired the characteristic early modern forms of military fiscalism, centralization of state authority, destruc-

tion of community practices, and the conversion of privileged entitlements into personal rights over property. Despite the cultural differences with Europe in the early capitalist era, India too produced institutions that were “capable of supplying broadly similar economic functions.” The East India Company entered the scene as one more player capable of pursuing the same functions: “rather than representing a set of governing principles imported from a foreign and ‘more advanced’ culture, the early East India Company state might be seen as a logical extension of processes with distinctively ‘indigenous’ origins.” And if one is not to disregard the “preponderant evidence” of early capitalist groups in India subverting indigenous regimes in order to seek support from the Company, one must accept the conclusion that “colonialism was the logical outcome of South Asia’s own history of capitalist development.”³⁸

The tables have been turned! Once colonialism as an economic and political formation is shown to have been produced by an indigenous history of capitalist development, everything that followed from colonial rule becomes, by the ineluctable logic of “historical theory,” an integral part of that same indigenous history. Thus, the restructuring of the Indian economy in the period between 1820 and 1850, when all of the principal features of colonial underdevelopment emerged to preclude once and for all the possibilities of transition to modern industrialization, must be seen not as a process carried out by an external extractive force but as one integral to the peculiar history of Indian capitalism. The colonial state, responding as it did to the historical demands of Indian capital, offered the necessary legal and political protection to the propertied classes and their attempts to enrich themselves: “rarely in history,” says Washbrook, “can capital and property have secured such rewards and such prestige for so little risk and so little responsibility as in the society crystallizing in South Asia in the Victorian Age.” The result was a process in which not only the British but all owners of property—“capital in general”—secured the benefits of colonial rule. The specific conditions of capitalism in India had, of course, already defined a path in which the forms of extractive relations between capital and labor did not favor a transition to industrialism. The late colonial regime, by upholding the privileges of capital, destroying the viability of petty manufacturers, pulling down the remnants of already decrepit community institutions, and consolidating the formation of a mass of overexploited peasants constantly reduced to lower and lower levels of subsistence, made the transition more or less impossible. On the cultural side, the colonial regime instituted a “traditionalization” of Indian society by its rigid codification of “custom” and “tradition,” its freezing of the categories of social classification such as caste, and its privileging of “scriptural” interpretations of social law at the expense of the fluidity of local community practices. The result was

the creation by colonial rule of a social order that bore a striking resemblance to its own caricature of "traditional India": late colonial society was "nearer to the ideal-type of Asiatic Despotism than anything South Asia had seen before." All this can now be seen as India's own history, a history made by Indian peoples, Indian classes, and Indian powers.

COLONIAL DIFFERENCE AS POSTCOLONIAL DIFFERENCE

There is something magical about a "historical theory" that can with such ease spirit away the violent intrusion of colonialism and make all of its features the innate property of an indigenous history. Indeed, the argument seems to run in a direction so utterly contrary to all received ideas that one might be tempted to grant that the revisionist historians have turned the tables on both imperialist and nationalist histories and struck out on a radically new path.

Like all feats of magic, however, this achievement of "historical theory" is also an illusion. If the revisionist account of Indian history makes one suspicious that this is one more attempt to take the sting out of anti-colonial politics, this time by appropriating the nationalist argument about colonialism's role in producing underdevelopment in India and then turning the argument around to situate the origins of colonialism in India's own precolonial history, then one's suspicion would not be unjustified. There is much in this new historiographic strategy that is reminiscent of the debates I cited at the beginning of this chapter between conservative and liberal imperialists and their nationalist opponents. Like those earlier debates, this account shows a continued effort to produce a rule of colonial difference within a universal theory of the modern regime of power.

Washbrook argues, for instance, that Eurocentrism and the denial of subjectivity to Indians were the result of the emphasis on difference; emphasizing similarity restores to Indian history its authenticity. It is obvious, of course, though not always noticed, that the difference which produces India (or the Orient) as the "other" of Europe also requires as its condition an identity of Europe and India; otherwise they would be mutually unintelligible. By "emphasizing" either identity or difference, however, it is possible to produce varied meanings; in this case, the effects noticed by Washbrook are those of Indian authenticity on the one hand and Eurocentrism on the other. What he does not recognize is that the two histories are produced within the same discursive conditions. All that Washbrook is doing by emphasizing "similarity" is restating the condition of discursive unity.

This condition is nothing other than the assumption that the history

of Europe and the history of India are united within the same framework of universal history, the assumption that made possible the incorporation of the history of India into the history of Britain in the nineteenth century: Europe became the active subject of Indian history because Indian history was now a part of "world history." The same assumption has characterized the "modern" historiography of India for at least the last hundred years, although the principal task of this nationalist historiography has been to claim for Indians the privilege of making their own history.

There have been many ways of conceptualizing this universal history. Washbrook chooses the one most favored in the rational, scientific discussions of academic social theory, namely, the universality of the analytical categories of the modern disciplines of the social sciences. In his version, this takes the form of assuming the universality of the categories of political economy. Thus, although the history of Indian capitalism, in his argument, is different from that of European capitalism, it is nonetheless a history of "capitalism." The distinctness, and hence the authenticity, of Indian capitalism is produced at the level of Indian history by first asserting the universality of capitalism at the level of world history. Instead of saying, as do his predecessors in the discipline of political economy, that India was so different that it was incapable of capitalism and therefore required British colonialism to bring it into the orbit of world history, Washbrook has simply inverted the order of similarity and difference within the same discursive framework. In the process, he has also managed to erase colonialism out of existence.

What he has produced instead is a way of talking about postcolonial backwardness as the consequence entirely of an indigenous history. Indian capitalism today, his argument seems to say, looks so backward because it has been, from its birth, *different* from Western capitalism. It was ridiculous for anyone to have believed that it could be made to look like Western capitalism; if it ever did, it would stop being itself. Fitzjames Stephen or Vincent Smith would have understood the argument perfectly.

It is possible to give many instances of how the rule of colonial difference—of representing the "other" as inferior and radically different, and hence incorrigibly inferior—can be employed in situations that are not, in the strict terms of political history, colonial.¹⁰ These instances come up not only in relations between countries or nations, but even within populations that the modern institutions of power presume to have normalized into a body of citizens endowed with equal and nonarbitrary rights. Indeed, invoking such differences are, we might say, commonplaces in the politics of discrimination, and hence also in the many contemporary struggles for identity. This reason makes it necessary to study the specific history of the colonial state, because it reveals what is only hidden in the universal history of the modern regime of power.

Having said this, we need to move on to the next, and more substantial, part of our agenda, which is to look at the ways in which nationalism responded to the colonial intervention. That will be my task in the rest of this book. This, then, will be the last time that we will talk about Gladstone and Curzon, Lytton and Ripon, and pretend that the history of India can be written as a footnote to the history of Britain. Leaving such exiguous projects behind us, let us move on to a consideration of the history of India as a nation.

Chapter Two
The Colonial State

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2. Edward Thompson and G. T. Garratt, *Rise and Fulfilment of British Rule in India* (1934; reprint, Allahabad: Central Book Depot, 1962), p. 654.
3. M. V. Pylee, *Constitutional History of India, 1600–1950* (Bombay: Asia, 1967), p. v. Emphasis mine. It is also not a coincidence that the title of Pylee's book replicates that of Keith's; it only extends the time period by fifteen years.
4. B. B. Misra, *The Bureaucracy in India: An Historical Analysis of Development up to 1947* (Delhi: Oxford University Press, 1977), pp. x, 157.
5. Vincent A. Smith, *Indian Constitutional Reform Viewed in the Light of History* (London: Humphrey Milford, 1919), p. 78. Emphasis in original.
6. *Ibid.*, pp. 21, 22.
7. *Ibid.*, p. 41.
8. *Ibid.*, pp. 50–51.
9. T. R. Metcalf, *The Aftermath of Revolt* (Princeton: Princeton University Press, 1964), p. 96.
10. Stephen in *The Times*, 1 March 1883, cited in Metcalf, *The Aftermath of Revolt*, p. 318.
11. Kenneth Ballhatchet, *Race, Sex and Class under the Raj: Imperial Attitudes and Policies and Their Critics, 1793–1905* (London: Weidenfeld and Nicolson, 1980), p. 6.
12. See Misra, *Bureaucracy in India*, pp. 91–210.
13. C. E. Buckland, *Bengal under the Lieutenant Governors* (1901; reprint, New Delhi: Deep, 1976), 2:769.
14. S. Gopal, *British Policy in India, 1858–1905* (Cambridge: Cambridge University Press, 1965), p. 149; Anil Seal, *The Emergence of Indian Nationalism* (Cambridge: Cambridge University Press, 1971), p. 163.
15. Gopal, *British Policy*, p. 150.
16. Resolutions adopted at a public meeting of the European community at the Town Hall, Calcutta, 28 February 1883. Buckland, *Bengal* 2:775–76.
17. Seal, *Emergence*, p. 166.
18. Buckland, *Bengal* 2:787.
19. Cited in Gopal, *British Policy*, p. 151.
20. Seal, *Emergence*, pp. 170, 144.
21. For a brief account of this history, see H. E. A. Cotton, *Calcutta Old and New* (1909; reprint, Calcutta: General Printers, 1980), pp. 163–70.
22. Grant's minute, 19 June 1861, in Buckland, *Bengal* 1:198.
23. W. H. Seton-Karr's letter to the government of Bengal, 29 July 1861, *ibid.*, p. 200.

24. Cotton, *Calcutta*, pp. 175–76.
25. *Ibid.*, p. 176.
26. Note of Arthur Hobhouse, cited in Gopal, *British Policy*, p. 118.
27. Buckland, *Bengal* 2:716–17.
28. Letter by Lytton, 15 March 1878, cited in Gopal, *British Policy*, p. 118.
29. Buckland, *Bengal* 2:719. For an account of the making of the Vernacular Press Act and its impact, see Uma Dasgupta, *Rise of an Indian Public: Impact of Official Policy, 1870–1880* (Calcutta: Riddhi India, 1977), pp. 269–300.
30. For a review of some of these debates on recent Indian historiography, see Gyan Prakash, "Writing Post-Orientalist Histories of the Third World: Perspectives from Indian Historiography," *Comparative Studies in Society and History* 32, no. 2 (April 1990): 383–408; Dipesh Chakrabarty, "Postcoloniality and the Artifice of History: Who Speaks for 'Indian' Pasts?" *Representations* 37 (Winter 1992): 1–26.
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35. C. A. Bayly, *Indian Society and the Making of the British Empire*, *The New Cambridge History of India*, pt. 2, vol. 1 (Cambridge: Cambridge University Press, 1988).
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37. D. A. Washbrook, "Progress and Problems: South Asian Economic and Social History, c. 1720–1860," *Modern Asian Studies* 22, no. 1 (1988): 57–96.
38. *Ibid.*, pp. 68, 76.
39. For a remarkable analysis of the general rhetorical patterns involved in what I have called the rule of colonial difference, see François Hartog, *The Mirror of Herodotus: The Representation of the Other in the Writing of History*, trans. Janet Lloyd (Berkeley and Los Angeles: University of California Press, 1988).